

## **AMENDED**

### **AGENDA FOR THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING TO BE HELD IN THE BOARD ROOM, CITY HALL, ON MONDAY, 2010-MAR-01, COMMENCING AT 4:30 P.M.**

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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. Fred Taylor re: Parking Management Study.
  - Add Attachment to Item 7 (a) – Commission Reports – Parks, Recreation and Culture Commission – School District 68 Request for City Contribution to the Rotary Bowl Track Resurfacing Project.
  - Add Item 16 – Procedural Motion – To move into “In Camera”.
3. **ADOPTION OF AGENDA:**
4. **ADOPTION OF MINUTES:**
  - (a) Minutes of the Regular Finance / Policy Committee of the Whole Meeting held in the Board Room, City Hall, on Monday, 2010-FEB-15 at 4:30 p.m. *Pg. 5-8*
5. **PRESENTATIONS:**
6. **DELEGATIONS PERTAINING TO AGENDA ITEMS: (10 MINUTES)**
  - (a) Delegations Pertaining to the 2010 – 2014 Financial Plan
  - (b) Mr. Fred Taylor, 204 Emery Way, Nanaimo, BC, regarding the Parking Management Study. *Pg. 8.1*

7. **COMMISSION REPORTS:**

- (a) **Parks, Recreation and Culture Commission – School District 68 Request for City Contribution to the Rotary Bowl Track Resurfacing Project** Pg. 9-10.1
- 

Commission's Recommendation: That Council consider funding for Rotary Bowl when the School District commits to multi-use at this facility.

8. **COMMITTEE REPORTS:**

- (a) **Parking Advisory Committee – Parking Management Study** Pg. 11-17

**NOTE:** Mr. Blake McGuffie, Parking Advisory Committee Chair, will be in attendance to address any questions or concerns.

Committee's Recommendations: That Council direct Staff to:

1. change all currently regulated on-street parking to 8:00 a.m. to 6:00 p.m., Monday thru Saturday, unregulated on Sundays;
2. forward the Parking Strategy to the City's Transportation Advisory Committee for future reference and to the Regional District of Nanaimo (RDN) to focus future transit planning specifically in the study areas of the Downtown, Vancouver Island University and the Nanaimo Regional General Hospital;
3. standardize all of the time restricted on-street, but unmetered, zones to maximum 2 hour parking;
4. not provide any further expansion of resident exempt parking regulations in the downtown zone until there is sufficient off-street parking inventory to accommodate the displaced vehicles;
5. commence discussions with the Downtown Nanaimo Business Improvement Area (DNBIA) and the Chamber of Commerce with the intent to implement a merchant-based refund of parking in the downtown core;
6. commence a process with the business community (DNBIA and the Chamber of Commerce) to implement parking meter kiosks on Commercial Street, Bastion Street, and Church Street with parking rates that are greater than rates on off-street lots and in parkades;

7. *standardize all parking meter kiosks among the city owned lots and implement technologies that make it easier and more flexible for the consumer to pay for parking such as the use of cell phones, debit cards etc;*
8. *improve wayfinding of available City parking using such things as:*
  - *update the website to clearly identify graphically where public parking is located downtown;*
  - *provide parking diagrams to the DNBIA, Chamber of Commerce, Tourism Nanaimo, and businesses located in the downtown that wish to include this information on their website; and,*
  - *include parking wayfinding diagrams in the Visitor Guide;*
9. *change the Parking sign above the entrance to the Port of Nanaimo Centre Parkade to a backlit sign at ninety degrees to the Port of Nanaimo Centre (PNC) parkade using the internationally recognized symbol for parking (A large blue P on a white background);*
10. *replace the Harbourfront Parkade signs at each entrance with new signs using the internationally recognized symbol for parking, which would be consistent with the PNC sign;*
11. *increase the lighting intensity by 2X at the entrances to parkades to better signify the entrance and provide better security;*
12. *consult with the DNBIA regarding parking signage in the downtown core;*
13. *implement maximum 2 hour parking, resident exempt zones, identified in red on the attached Schedule "A" of the hospital zone;*
14. *install parking meter kiosks in the area identified in green or "unregulated" on the attached Schedule "A" of the hospital zone;*
15. *forward the Strategy to Vancouver Island University (VIU) and request that VIU consider adding to their off-street parking inventory or suggest another viable strategy to City Staff to reduce parking demand in this zone;*
16. *request Vancouver Island University and the Regional District of Nanaimo (RDN) commence discussions on how the RDN's transit function can better serve the university; and,*
17. *postpone any consideration of time restricted resident exempt parking until viable options are developed though discussions with VIU to relieve parking space demands.*

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

CORPORATE SERVICES:

- (a) Letter of Guarantee from BC Housing Corporation and Provincial Rental Housing Corporation *Pg. 18-19*
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*Staff's Recommendation: That Council accept a Letter of Guarantee from the BC Housing Corporation and the Provincial Rental Housing Corporation in lieu of the usual bonding required for works, services and landscaping for the following projects associated with the City of Nanaimo's Housing First Strategy:*

- 477 Tenth Street
- 1402 – 1590 Bowen Road
- 437 – 445 Wesley Street
- 3515 Hillside Avenue
- 1598 Townsite Road

10. **INFORMATION ONLY ITEMS:**

- (a) Report from Mr. B. E. Clemens, Director of Finance, re: 2010 Council Remuneration. *Pg. 20*
- (b) Report from Mr. A. M. Dietrich, Manager of Police Support Services, re: Cell Block Renovation Update. *Pg. 21*
- (c) Report from Mr. A. M. Dietrich, Manager of Police Support Services, re: Coroner's Inquest Recommendations. *Pg. 22-29*
- (d) Report from Mr. A. M. Dietrich, Manager of Police Support Services, re: Proposed Prisoner Surveillance Regulations. *Pg. 30-31*
- (e) Report from Mr. R. J. Harding, Director of Parks, Recreation and Culture, re: Nanaimo Bastion – Update. *Pg. 32-33*

11. **CORRESPONDENCE:**

- (a) Letter dated 2010-FEB-22 from Ms. Ann Bozoian, Director, Office of the President and CEO, Vancouver Island Health Authority (VIHA), Victoria, BC, regarding Council's letter dated 2009-NOV-16 (attached) re: child car seat safety checks. *Pg. 34-35*

12. **NOTICE OF MOTION:**

13. **OTHER BUSINESS:**

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

(a) None.

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

16. **PROCEDURAL MOTION:**

It is moved and seconded that the following meeting be closed in order to deal with the following matters under the *Community Charter* Section 90(1):

(c) labour relations or employee negotiations.

17. **ADJOURNMENT:**

MINUTES OF THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING  
HELD IN THE BOARD ROOM, CITY HALL,  
ON MONDAY, 2010-FEB-15 COMMENCING AT 4:30 P.M.

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PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor W. L. Bestwick  
Councillor W. J. Holdom  
Councillor D. K. Johnstone  
Councillor J. A. Kipp  
Councillor L. D. McNabb  
Councillor J. F. K. Pattje  
Councillor L. J. Sherry  
Councillor M. W. Unger

Staff: A. C. Kenning, City Manager  
A. W. Laidlaw, General Manager of Community Services  
D. W. Holmes, General Manager of Corporate Services  
E. C. Swabey, General Manager of Development Services  
I. Howat, Director of Legislative Services  
T. L. Hartley, Director of Human Resources  
B. E. Clemens, Director of Finance  
T. M. Hickey, Director of Engineering and Public Works  
T. P. Seward, Director of Development  
T. F. Moscrip, Senior Manager of Engineering  
Chief R. Lambert, Nanaimo Fire Rescue  
A. J. Tucker, Director of Planning  
S. Graham, Manager of Financial Planning & Payroll  
J. E. Harrison, Manager of Legislative Services  
T. Wilkinson, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

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

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that Minutes of the Regular Finance / Policy Committee of the Whole Meeting held in the Board Room, City Hall on Monday, 2010-FEB-01 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

4. DELEGATIONS PERTAINING TO AGENDA ITEMS:

It was moved and seconded that the Delegations be permitted to address Council. The motion carried unanimously.

(a) Delegations Pertaining to the 2010 – 2014 Financial Plan

- No one spoke to the 2010 – 2014 Financial Plan.

5. MAYOR'S REPORT:

[Note: Mr. A. C. Kenning's report regarding Proposed Budget Cuts from the Special Open Finance / Policy Committee of the Whole Meeting held 2010-JAN-14, was redistributed for information].

It was moved and seconded that Council cut \$63,000. from Economic Development and Destination Marketing (Level 1 cuts). The motion carried.

Opposed: Mayor Ruttan, Councillors Johnstone, McNabb, and Unger

It was moved and seconded that Council reduce SAP system development by \$50,000. for 2010. The motion carried.

Opposed: Mayor Ruttan, Councillors Holdom, McNabb, and Unger

It was moved and seconded that Council cut \$50,000. from the GIS capital budget and related temporary staffing wages. The motion was defeated.

Opposed: Mayor Ruttan, Councillors Holdom, Johnstone, McNabb, and Unger

It was moved and seconded that Council cut \$67,000. by not filling the vacant Planning Technician position for one year. The motion carried.

Opposed: Councillor Holdom

It was moved and seconded that Council cut \$80,000. for hiring one Traffic/Engineering Technician in 2010. The motion carried unanimously.

It was moved and seconded that Council retain Economic Development and Destination Marketing (Level 2 cuts - \$53,000.) in the Budget. The motion carried.

Opposed: Councillors Bestwick, Kipp, Pattje, and Sherry

It was moved and seconded that Council cut \$100,000. from the New Sidewalk Program.

It was moved and seconded that the main motion be amended to read that Council cut \$50,000. from the New Sidewalk Program. The motion carried.

Opposed: Councillors Bestwick, Holdom, Kipp, and McNabb

The vote was taken on the main motion as amended.

The main motion carried as amended.

Opposed: Councillors Holdom, Kipp, and McNabb

It was moved and seconded that Council cut \$93,000. by not filling the vacant Subdivision Planner position for one year. The motion carried.

Opposed: *Councillor Holdom*

It was moved and seconded that Council cut \$80,000. from the Storm Sewer Replacement budget. The motion was defeated.

Opposed: *Mayor Ruttan, Councillors Holdom, Johnstone, McNabb, Pattje, Sherry, and Unger*

It was moved and seconded that Council cut \$60,000. from Land Acquisition. The motion was defeated.

Opposed: *Mayor Ruttan, Councillors Holdom, Johnstone, McNabb, Pattje, and Unger*

It was moved and seconded that Council cut \$10,000. from Mayor & Council – Gifts and Souvenirs. The motion carried.

Opposed: *Councillor McNabb*

It was moved and seconded that Council delay the Bowen Road Project for two years.

It was moved and seconded that Council direct Staff to bring back a report regarding cost and design of the Bowen Road expansion, and the area by Quarterway. The motion was defeated.

Opposed: *Mayor Ruttan, Councillors Bestwick, Holdom, Johnstone, Kipp, McNabb, Pattje, and Unger*

The vote was taken on the main motion.

The main motion was defeated.

Opposed: *Mayor Ruttan, Councillors Bestwick, Holdom, Johnstone, McNabb, Pattje, and Unger*

It was moved and seconded that Council bring back a report regarding new items that equal the amount left in the budget from Items 18 – 28 for potential budget cuts, after cutting \$293,000. from the Budget. The motion was defeated.

Opposed: *Mayor Ruttan, Councillors Holdom, Johnstone, McNabb, and Unger*

6. QUESTION PERIOD:

- Mr. Fred Taylor, re: storm sewers, budget surplus.



7. ADJOURNMENT:

It was moved and seconded at 6:55 p.m. that the meeting terminate. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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DIRECTOR,  
LEGISLATIVE SERVICES

**RECEIVED**

MAR 01 2010

**LEGISLATIVE SERVICES****REQUEST TO APPEAR AS A DELEGATION**
 ON 2010 March 01  
                     year                    month                    day
**COUNCIL**

(at 7:00 p.m. in the Shaw Auditorium, 80 Commercial Street)

**FINANCE / POLICY COMMITTEE OF THE WHOLE**

(at 4:30 p.m. in the City Hall Board Room, 455 Wallace Street)

☐ Council☒ Committee F/PCOW☒ Open Meeting☐ In-Camera MeetingMeeting Date: 2010-MAR-01NAME OF PERSON MAKING PRESENTATION: FRED TAYLOR

Print

ADDRESS: 204 EMERY WAY NANAIMO B.C. V9R - 5Z8

street address

City

Province

Postal Code

PHONE: (250) 754 - 6917

home

business

FAX: (250) 753 - 8124

NAME OF APPLICANT IF OTHER THAN ABOVE: \_\_\_\_\_

**DETAILS OF PRESENTATION:**

request the opportunity to address the Committee

in regards to the Parking Management Study

item 11 (a) of the agenda

*Have USB memory stick with  
a couple of pictures - have machine  
in Board Room / screen - please advise*

**PLEASE NOTE**250 754 6917

- Electronic presentations must be provided on a CD or by e-mail no later than 9:00 a.m. the day of the Meeting.
- Please submit a written copy of your presentation to the Recording Secretary either at, or prior to, the Meeting.
- Multiple speakers on a single issue or topic shall be given 5 minutes each to make their presentations as per Section 18 of the Council Procedure Bylaw.

REPORT TO: MAYOR AND COUNCIL

FROM: LARRY McNABB, CHAIR, PARKS, RECREATION AND CULTURE COMMISSION

**RE: SCHOOL DISTRICT 68 REQUEST FOR CITY CONTRIBUTION TO THE  
ROTARY BOWL TRACK RESURFACING PROJECT.**

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RECOMMENDATION:

That Council consider funding for Rotary Bowl when the School District commits to multi-use at this facility.

EXECUTIVE SUMMARY:

At their meeting of 2010-FEB-24, the Parks, Recreation and Culture Commission passed a motion supporting the recommendation that Council consider funding for Rotary Bowl when the School District commits to multi-use at this facility.

Over the last couple of years, the School District and/or the Nanaimo and District Track & Field Club has requested either funding or letters of support to apply to other levels of government for funding of resurfacing of Rotary Bowl Track. In all situations, Commission and Council have supported applications for renewal of the track as long as School District 68 designates Rotary Bowl as a multi-use facility.

BACKGROUND:

At the 2008-FEB-25 Council meeting, a letter was received from the Nanaimo and District Track & Field Club, and the Chair, Board of Education, requesting Council's written support for the "Help Us Stay on Track" campaign to accumulate the necessary funds to resurface Rotary Bowl Track and Field Complex. Council referred this request to the Parks, Recreation and Culture Commission for consideration. The Commission, at its 2008-MAR-26 meeting, carried a motion of support in principal for the fundraising campaign "Help Us Stay on Track" providing that Rotary Bowl becomes a multi-use facility.

At the Parks, Recreation and Culture Commission meeting of 2007-MAR-28, the Nanaimo and District Track and Field Club requested support for grant applications to assist with fundraising efforts for the resurfacing of the Rotary Bowl track. The Club proposed applying for grants under the Ministry of Community Services LocalMotion Program and the Ministry of Economic Development's Olympic/Paralympic Live Sites Program.

At that time, the Parks, Recreation and Culture Commission recommended that City Council support an application by School District No. 68 for a UBCM School Community Connections Grant which they subsequently received. The initial \$5,000 will be used to conduct an assessment of the Rotary Bowl to identify improvements that might enable enhanced multi-use of this facility.

School District 68 convened a committee of interested stakeholders under the Community Connections program to discuss Rotary Bowl improvement options. Members of this Committee included representatives from School District 68 Board and Staff, the Nanaimo and District Track & Field Club, Vancouver Island University, and City of Nanaimo, Parks, Recreation and Culture Department. Although this Committee has met on a number of occasions over the past two years on this project, the School District has not formally committed to making this a multi-use facility.

At the regular meeting of the Parks, Recreation and Culture Commission of 2009-NOV-25, a delegation from Nanaimo and District Track & Field Club was received by the Commission. Again, the Nanaimo and District Track & Field Club requested financial support, as well as support for an application to the Western Economic Diversification Canada Recreation Infrastructure Fund. Commission passed a motion that until the Community Connections program is completed and a joint use agreement is established, no funds be allocated.

At their regular meeting of the School District 68 Board of Education of 2010-JAN-27, motion R10/01/27-38 was passed,

*"That the board of Education of School District 68 (Nanaimo-Ladysmith) write to the City of Nanaimo and make a formal request to contribute financially to the track resurfacing project at Rotary Bowl and commit to continue discussions on the future potential conversion of the facility to a multi-use facility in and joint-use opportunities."*

A letter from Mr. David Green, Secretary-Treasurer of the Board, is attached to this Report.

Staff recommended to Commission that when School District 68 has committed to designating Rotary Bowl as a multi-use facility, and a concept plan is established outlining what multi-use activities would be included in this facility, including opportunities for joint-use agreements with Vancouver Island University and the City of Nanaimo, funding and support be considered at that time.

At their meeting of 2010-FEB-24, the Parks, Recreation and Culture Commission passed a motion supporting this recommendation and recommend that Council consider funding for Rotary Bowl when the School District commits to multi-use at this facility.

Respectfully submitted,



Larry McNabb, Chair  
Parks, Recreation and Culture Commission

File: A4-1-2 / C7-3

2010-FEB-25

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**SCHOOL DISTRICT 68 (NANAIMO-LADYSMITH)**

*Today's Learner - Tomorrow's Future*

395 Wakesiah Avenue  
Nanaimo, BC V9R 3K6  
Telephone (250) 754-5521  
Fax (250) 741-5309

From the Office of the Secretary-Treasurer

February 4, 2010

**E-MAILED**  
2010/02/10

Mr. Al Kenning, CA  
City Manager, City of Nanaimo  
455 Wallace Street  
Nanaimo, BC V9R 5J6

Dear Mr. Kenning:

Thank you for meeting with me last Wednesday. I took my action sheet on the Rotary Bowl to the Board that evening. Prior to the Board meeting I was also able to review the motion below with Andy Laidlaw. The Board passed the motion at the meeting:

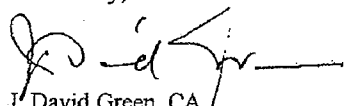
*R10/01/27-38 That the Board of Education of School District 68 (Nanaimo-Ladysmith) write to the City of Nanaimo and make a formal request to contribute financially to the track resurfacing project at Rotary Bowl and commit to continue discussions on the future potential conversion of the facility to a multi-use facility in and joint-use opportunities.*

I have written to the School Community Connection's Program and asked for approval for the Rotary Bowl Track Resurfacing Project and the funds to do a feasibility study on converting the Rotary Bowl to a multi-use facility. The Community Connection's Program has written back to me requesting a resolution from the Nanaimo City Council that indicates its support for the resurfacing project.

Therefore in accordance with the above, would you please take this matter forward to the next Council Meeting. As well, could you please let me know when this would happen so I can inform Community Connections.

Thank you for your assistance.

Yours truly,

  
J. David Green, CA  
Secretary-Treasurer

JDG/ck

☐ Council  
☒ Committee *F/PCOW*  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: *2010-MAR-01*

## REPORT TO COUNCIL

FROM: BLAKE MCGUFFIE, CHAIR, PARKING ADVISORY COMMITTEE

RE: PARKING MANAGEMENT STUDY

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### RECOMMENDATIONS:

The Parking Advisory Committee (PAC) recommends that Council direct Staff to:

1. change all currently regulated on-street parking to 8:00 a.m. to 6:00 p.m., Monday thru Saturday, unregulated on Sundays;
2. forward the Parking Strategy to the City's Transportation Advisory Committee for future reference and to the Regional District of Nanaimo (RDN) to focus future transit planning specifically in the study areas of the Downtown, Vancouver Island University and the Nanaimo Regional General Hospital;
3. standardize all of the time restricted on-street, but unmetered, zones to maximum 2 hour parking;
4. not provide any further expansion of resident exempt parking regulations in the downtown zone until there is sufficient off-street parking inventory to accommodate the displaced vehicles;
5. commence discussions with the Downtown Nanaimo Business Improvement Area (DNBIA) and the Chamber of Commerce with the intent to implement a merchant-based refund of parking in the downtown core;
6. commence a process with the business community (DNBIA and the Chamber of Commerce) to implement parking meter kiosks on Commercial Street, Bastion Street, and Church Street with parking rates that are greater than rates on off-street lots and in parkades;
7. standardize all parking meter kiosks among the city owned lots and implement technologies that make it easier and more flexible for the consumer to pay for parking such as the use of cell phones, debit cards etc;
8. improve wayfinding of available City parking using such things as:
  - update the website to clearly identify graphically where public parking is located downtown;
  - provide parking diagrams to the DNBIA, Chamber of Commerce, Tourism Nanaimo, and businesses located in the downtown that wish to include this information on their website; and,
  - include parking wayfinding diagrams in the Visitor Guide;
9. change the Parking sign above the entrance to the Port of Nanaimo Centre Parkade to a backlit sign at ninety degrees to the Port of Nanaimo Centre (PNC) parkade using the internationally recognized symbol for parking (A large blue P on a white background);

10. replace the Harbourfront Parkade signs at each entrance with new signs using the internationally recognized symbol for parking, which would be consistent with the PNC sign;
11. increase the lighting intensity by 2X at the entrances to parkades to better signify the entrance and provide better security;
12. consult with the DNBI regarding parking signage in the downtown core;
13. implement maximum 2 hour parking, resident exempt zones, identified in red on the attached Schedule "A" of the hospital zone;
14. install parking meter kiosks in the area identified in green or "unregulated" on the attached Schedule "A" of the hospital zone;
15. forward the Strategy to Vancouver Island University (VIU) and request that VIU consider adding to their off-street parking inventory or suggest another viable strategy to City Staff to reduce parking demand in this zone;
16. request Vancouver Island University and the Regional District of Nanaimo (RDN) commence discussions on how the RDN's transit function can better serve the university; and,
17. postpone any consideration of time restricted resident exempt parking until viable options are developed through discussions with VIU to relieve parking space demands.

#### EXECUTIVE SUMMARY:

The City, under the guidance of the Parking Advisory Committee (PAC), undertook a Parking Management Strategy (the Strategy) to determine the extent, if any, of the parking problems reported to the Committee, Council and Staff. The report was received by the Committee at the beginning of January. The report did not reveal any new information, however it did confirm and quantify the extent of parking in the three focus areas (Downtown, Hospital, VIU). The Committee has prepared general recommendations that apply globally and recommendations for the study areas.

#### BACKGROUND:

Any process that looks at managing parking is a series of compromises. Everyone has an opinion about how parking should be managed in the City and rarely is there consensus on any particular direction.

The Strategy has provided the PAC and the City of Nanaimo with quantitative data that has assisted the PAC in formulating an appropriate plan of action for Council's consideration. The Downtown is of particular interest to the PAC and it was interested in making change to parking management to further support ongoing economic development and downtown revitalization.

The PAC recognized that the strategy's recommendations relating to structure, management, enforcement methods and CPTED are all being considered at the staff level as a result of the internal restructuring, which placed the responsibility of parking enforcement within the Bylaw Services section of Development Services. Questions about future parking planning policy will be referred to the newly formed Transportation Advisory Committee.

The Parking Advisory Committee would like to provide consistent regulations that are clear to end user. As indicated in the Strategy, the City has some regulated on-street parking that is varying in times and days. The consultant recommends one standard to make it less confusing to the end-user. The PAC has recommended to Council that the standard should be 8:00 a.m. to 6:00 p.m., Monday through Saturday. This continues to provide the necessary regulations during "business" hours but still makes it friendly for guests to the downtown for dinner or other evening events and encourages visitations to the downtown on Sundays.

The Strategy integrates Transportation Demand Management (TDM) into many of the recommended solutions to parking demands. The PAC recommend that Council forward the Strategy to the Region District of Nanaimo (RDN), Transit Committee to assist the RDN in developing future transit routes. The PAC also recognized that the broader objectives of Council's newly created Transportation Advisory Committee is well suited to start planning for the multi-faceted solutions necessary to overcome current and future parking conditions.

The PAC concur with the basic principle that municipal roads serve many purposes beyond the efficient movement of cars. Those purposes include the safe passage of vehicles, pedestrians, and cyclists; delivery of goods and services; storm water retention and flows, traffic calming and in this case, provide an alternative to consuming valuable real estate for parking. Roads are constructed for the public good and where municipalities restrict any of the municipal purposes of roads it impacts the public good by underutilizing public assets. Resident exempt parking zones, while an effective tool when used in the right locations, are contrary to the efficient use of public assets and contradicts the high value the community places on land. This type of regulation, if deemed absolutely necessary, is only effective when there are underutilized off-street parking opportunities that are able to accommodate the displaced traffic. Applying this tool in areas where off-street parking is at or near capacity or non-existent does not reduce parking problems; it merely displaces them. As a result, the PAC are reluctant to recommend this tool in the absence of attainable alternatives or an integrated strategy.

This report is broken down into the three main functional areas that are currently causing the greatest concern:

### **Downtown Zone**

Consistent with the Strategy's recommendation to standardize all of the regulated on-street parking to 2 hour, the PAC recommend proceeding with this initiative. The recommendation is to standardize the varying downtown parking restricted time zones to 2 hours. The purpose of standardizing all of the regulated areas to 2 hours is to provide consistency for the customer.



The strategy revealed that the area of Commercial, Bastion, and Church Street are in high demand. The PAC agreed that the strategy's long term solution to commence metering these areas was preferred over considering any form of time restricted parking, which can result in a more unpleasant experience for the customer. The PAC prefers a pricing mechanism to encourage turnover rather than a time restricted mechanism. To spread the demand out among the parking inventory in this vicinity the PAC recommend metering these locations at a rate higher than that of off-street parking in the vicinity, which will have an effect of customers seeking parking of a longer duration in the parkades. Where customers find themselves needing to park on street for longer than expected, if willing, they must pay a premium for occupying that space.

Integrating the above strategy with one that provides some sort of parking refund or rebate to the downtown merchants' customers will soften the impact on the customer and provide a means for the downtown community to address their perception of inequity between themselves and malls in Nanaimo. If Council accepts the PAC's recommendation, the PAC recommend that City Staff collaborate with the DNBIA and the Chamber of Commerce in implementing the new metering program and the merchant rebate/refund program.

In the downtown zone, resident exempt parking has been a topical issue over the past year with Council applying resident exempt parking to the 300 block of Milton. Respecting Council's direction to apply resident exempt parking on that block, the PAC recommend not providing any further resident exempt parking in the downtown zone due to the philosophy previously expressed that an attainable alternative should be present before using this tactic to address a parking concern. At this time, in this area of town the PAC concluded that no attainable alternative is present.

Prior to the release of the Strategy, the PAC discussed the lack of wayfinding to the City's two largest parkades. The Strategy and feedback from the business community also expressed a need to provide better public awareness of off-street parking opportunities in the downtown zone. The PAC recommend improving wayfinding of available City parking using such things as:

- update the website to clearly identify graphically where public parking is located downtown;
- provide parking diagrams to the DNBIA, Chamber of Commerce, Tourism Nanaimo, and businesses located in the downtown that wish to include this information on their website;
- include parking wayfinding diagrams in the Visitor Guide;
- change the Parking sign above the entrance to the Port of Nanaimo Centre Parkade to a backlit sign at ninety degrees to the Port of Nanaimo Centre (PNC) parkade using the internationally recognized symbol for parking (A large blue P on a white background);
- replace the Harbourfront Parkade signs at each entrance with new signs using the internationally recognized symbol for parking, which would be consistent with the PNC sign;
- increase the lighting intensity by 2X at the entrances to parkades to better signify the entrance and provide better security; and,
- consult with the DNBIA regarding parking signage in the downtown core.

### **Nanaimo Regional General Hospital Zone**

The PAC recognizes that the hospital zone poses a challenge for the City of Nanaimo. Parking demand is generated primarily by the hospital but also in part by the complimentary services that have located in proximity to the hospital. The hospital falls under Provincial jurisdiction (VIHA) and therefore local zoning requirements do not apply. The City has no policy mechanisms to require the

hospital to provide a required level of parking. To date it has been through cooperation and VIHA's own determination that there is an ongoing need for off-street parking to service the hospital. It is noted that Vancouver Island Health Authority (VIHA) representatives on the Parking committee have shared the hospital redevelopment plans which include the construction of additional off-street parking. The acknowledgement from VIHA and their willingness to address the ongoing parking concerns of the neighbourhood should be noted.

The strategy has indicated that the hospital off-street parking is relatively underutilized and that on-street parking is in high demand. It's reported that the free on-street parking is considered first before people consider utilizing the pay parking on the hospital grounds. PAC members and the City have fielded complaints about the level of non-resident parking in the residential neighbourhoods surrounding the hospital. Consistent with PAC's philosophy on resident exempt parking, any regulatory parking scheme considered needs to be accompanied by an attainable alternative, which in this case is an adequate inventory of off-street parking and a reasonable supply of non-residential on-street parking. The PAC are therefore recommending to proceed with resident exempt parking in the residential zones adjacent to the hospital identified on Schedule "A" in red. Further PAC recommends implementing metered parking in the areas currently defined as unregulated and marked in green on Schedule "A". Metering would be to offset the additional costs to the City to enforce the newly regulated areas. Any proposed metering should have a rate consistent with the off-street parking rates.

### **Vancouver Island University Zone**

Vancouver Island University (VIU), not unlike the Hospital falls under Provincial jurisdiction and is exempt from local land use policies. Like the Hospital, the City relies on cooperation and good community relations to ensure that VIU comply with local land use policies that are of concern to the community. Unlike the hospital, VIU's off-street parking has reached a critically high level of use. Indications from the Strategy are that VIU's off-street parking is over capacity creating pressures and conflicts in the adjacent residential neighbourhoods. PAC's philosophy throughout this report is that if there are not attainable alternatives/solutions available than any new regulatory regime should be postponed. Therefore, the PAC recommends that this area requires the collaboration of VIU, and the RDN, with the City of Nanaimo to develop a multi-faceted approach to overcome the parking demands in this zone and the following recommendations to Council are thought to achieve the desired outcome:

- forward the Strategy to Vancouver Island University (VIU) and request that VIU consider adding to their off-street parking inventory or suggest another viable strategy to City Staff to reduce parking demand in this zone;
- request Vancouver Island University and the Regional District of Nanaimo (RDN) commence discussions on how the RDN's transit function can better serve the university; and,
- postpone any consideration of time restricted resident exempt parking until viable options are developed through discussions with VIU to relieve parking space demands.

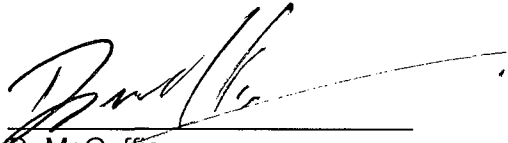
### **BC Ferries – Departure Bay**

Staff do not recommend any changes to the current parking regulations in this zone.

### **Conclusion**

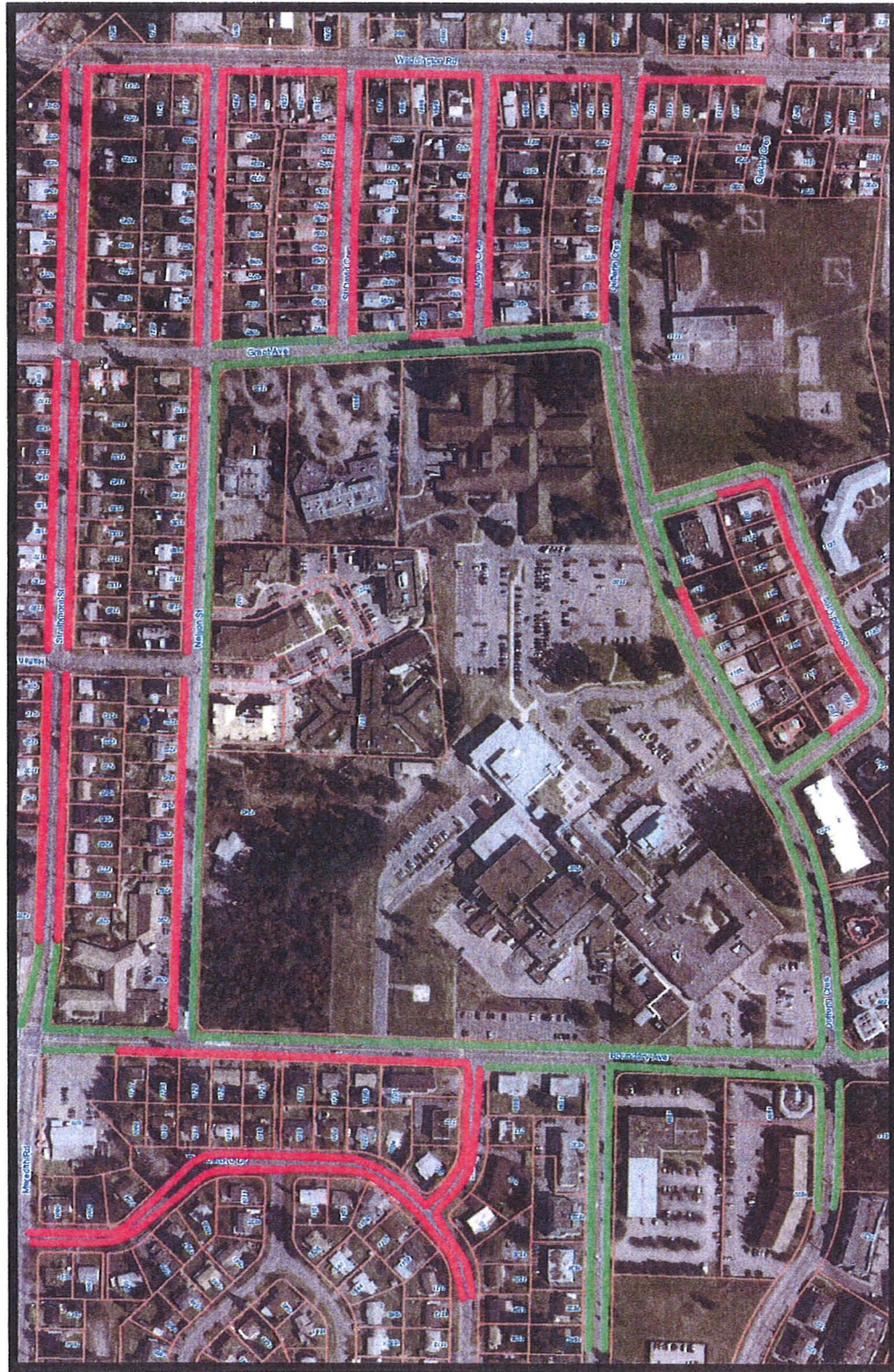
As Chair of the Parking Advisory Committee, I would like to thank the members of the PAC for their patience and dedication to the process of working through this long awaited Parking Strategy. Your commitment to the City of Nanaimo has been invaluable and I thank you!

Respectfully submitted on behalf of the Parking Advisory Committee,

A handwritten signature in black ink, appearing to read 'B. McGuffie', is written over a horizontal line.

B. McGuffie  
Chair, Parking Advisory Committee

# SCHEDULE "A"



— Regulated 2 hour (Resident exempt)  
— Unregulated



## **STAFF REPORT**

**REPORT TO: D.W. HOLMES, GENERAL MANAGER OF CORPORATE SERVICES**

**FROM: B. E. CLEMENS, DIRECTOR OF FINANCE**

**RE: LETTER OF GUARANTEE FROM BC HOUSING CORPORATION AND PROVINCIAL RENTAL HOUSING CORPORATION**

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### RECOMMENDATION:

That Council accept a Letter of Guarantee from the BC Housing Corporation and the Provincial Rental Housing Corporation in lieu of the usual bonding required for works, services and landscaping for the following projects associated with the City of Nanaimo's Housing First Strategy:

- 477 Tenth Street
- 1402 – 1590 Bowen Road
- 437-445 Wesley Street
- 3515 Hillside Avenue
- 1598 Townsite Road

### EXECUTIVE SUMMARY:

The City of Nanaimo is involved in partnerships to provide affordable housing in Nanaimo as part of the Housing First strategy. In order to reduce the administrative cost of these projects and maximize the budget available for construction, staff are recommending that the usual bonding requirement be replaced with a letter of guarantee from the BC Housing Corporation. This letter of guarantee provides a remedy in the unlikely event that required City works are not completed.

### DISCUSSION:

As part of the development process, the City of Nanaimo requires bonding to ensure that developers complete all of the City's requirements for works and services and landscaping. The bonding is normally provided in the form of an irrevocable letter of credit. In the event that the developer fails to do the required work, this ensures that the City has adequate funding to complete the works.

The City of Nanaimo is currently working on a number of joint projects in partnership with the BC Housing Commission. With these projects, BC Housing has provided the capital to construct affordable rental housing. BC Housing will typically work through a local non profit association that will apply for the building permit and will manage the housing when completed. Examples include the Bowen and Meredith affordable housing project with Nanaimo Affordable

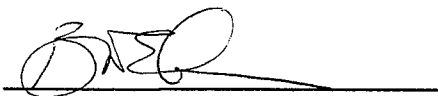
Housing Society and the Tenth Street affordable housing for off reserve aboriginal youth and elders with Tillicum Lelum Friendship Haus. The City of Nanaimo has provided land in some cases, and has agreed to pay DCCs associated with these projects.

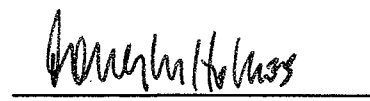
In order to provide a letter of credit for the bonding, the non profit society involved would have to demonstrate that they had adequate cash in the bank to cover the cost of the bond. The non profit would then lose access to those funds until the bonding is no longer required. There is also a cost associated with issuing a letter of credit that would have to be borne by the non profit. This is a financial challenge for most non profit associations. BC Housing will not provide the letter of credit. A general contractor may be willing to provide the bonding, but will charge the non profit for the cost of doing so. This results in higher project costs.

BC Housing has used a letter of guarantee instead of a bond for projects in some other municipalities. This allows the non profit association to proceed with the project without tying up their bank accounts to secure the letter of credit. It also reduces the project cost and allows more of the budget to be used for construction costs.

The letter of guarantee specifies that BC Housing "... hereby guarantees completion of the Works, including post completion maintenance and all cost associated therewith, in accordance with the Servicing Agreement and within the timelines set out therein." With this guarantee, staff believes that the risk of the works and services and landscaping portions of these projects not being completed is low.

Respectfully submitted,

  
B.E. Clemens  
Director of Finance

  
D.W. Holmes  
General Manager,  
Corporate Services

BEC/  
G:\ADMINISTRATION\Council\Reports\2010 PHRC letter of guarantee.docx

☐ Council  
☒ Committee *F/PCW*  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: *2010-MAR-01*

2010-Feb-23

## FOR INFORMATION ONLY

REPORT TO: D.W. HOLMES, GENERAL MANAGER OF CORPORATE SERVICES

FROM: B. E. CLEMENS, DIRECTOR OF FINANCE

RE: 2010 COUNCIL REMUNERATION

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### STAFF'S RECOMMENDATION:

That Council receive this report for information.

### EXECUTIVE SUMMARY:

Last year, Council adopted the policy of establishing an annual increase to their remuneration equal to the CPI rate for British Columbia, with implementation commencing on 2009-JAN-01.

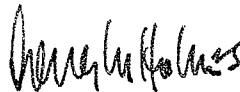
There are a number of different versions of the Consumer Price Index, including "year-over-year" comparisons and "annual average index". According to Statistics Canada, the use of annual averages is the preferred option for indexation purposes. This is the method used to determine Council's increase in 2009.

CPI information is published on the BC provincial government website. The 2009 average annual change was 0.0%. Therefore, unless Council directs otherwise, there will be no change in Council's remuneration in 2010.

Respectfully submitted,



B.E. Clemens  
Director of Finance



D.W. Holmes  
General Manager,  
Corporate Services

BEC/ck  
FPCOW: 2010-Mar-01  
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☐ Council  
☒ Committee F/PCOW  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: 2010-MAR-01

**FOR INFORMATION ONLY**

TO: A.W. LAIDLAW, GENERAL MANAGER COMMUNITY SERVICES

FROM: A.M. DIETRICH, MANAGER POLICE SUPPORT SERVICES

**RE: CELL BLOCK RENOVATION UPDATE****BACKGROUND:**

The Police Act (BC) requires municipalities with a population over 5,000 to provide "adequate accommodation, equipment and supplies for the detention of persons required to be held in police custody." The *Municipal Police Unit Agreement* (ie: the RCMP "contract") further states that the facilities provided to the RCMP "shall be to the satisfaction of the Commissioner [of the RCMP] and shall meet the security standards of the Force."

The Nanaimo Gaol was constructed as part of the new detachment building that was built and opened in 1987. Except for the addition of sprinklers and a new booking area in the 2002 detachment expansion, the cell area of the Gaol has been unchanged since originally put into service.

In 2005, the RCMP conducted assessments of all RCMP used cells in Canada to determine compliance with current standards as prescribed by the Commissioner. The review identified cell blocks that needed to be redesigned to reduce the incidence of detainee suicide by eliminating hanging points, to protect against building damage, to prevent the creation of weapons by inmates, to protect against the concealment of weapons and contraband and to optimize viewing of prisoners in the cells.

In November 2008, the RCMP "E" Division notified the City in writing that our cell block no longer met the standard of the RCMP for multiple reasons including that they were fitted with barred doors and metal bunks. They require the City to upgrade the cells to modern standards and consider this cell block to be a "Priority 1" renovation.

Council approved funding for the renovation in the 2009 budget. In order to comply with the requirements of the RCMP and spend the least amount of money possible, a designer familiar with RCMP detachments was hired by the City to develop a plan.

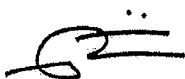
**UPDATE:**

We have not yet received approval from RCMP EDiv for our proposed renovations.

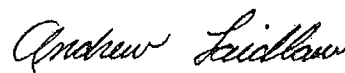
Unfortunately, the current facility doesn't meet many of the necessary standards currently specified. The RCMP has recognized, however, that this is an existing building and some of the structural realities preclude 100% compliance. Once exemptions are identified and approved by RCMP headquarters in Ottawa we can proceed with renovation.

An initial tour of the facility by RCMP EDiv Departmental Security personnel and EDiv Asset Management personnel in the fall of 2009 has been followed up with an in depth security audit of the entire detachment with particular emphasis on the cellblock on February 9 & 10, 2010. The audit personnel have indicated that their report will be "fast tracked" due to this being a "Priority 1" site and, with allowances for their work on the Olympics, should have a report and review of our cell block proposal completed in a month's time.

Respectfully submitted,



A.M. Dietrich  
Manager Police Support Services



A.W. Laidlaw  
General Manager Community Services

Council ☒ Committee ☒ E/RCOW ☒  
Open Meeting ☒ In-Camera Meeting ☐  
Meeting Date: 2010-MAR-01



## FOR INFORMATION ONLY

TO: A.W. LAIDLAW, GENERAL MANAGER COMMUNITY SERVICES

FROM: A.M. DIETRICH, MANAGER POLICE SUPPORT SERVICES

### RE: CORONER'S INQUEST RECOMMENDATIONS

☐ Council  
☒ Committee E/RCOW  
☒ Open Meeting  
☐ In-Camera Meeting  
 Meeting Date: 2010-MAR-01

A Coroner's Inquest into the death of William Cory DELORME was held in Nanaimo on February 2 & 3, 2010. Several recommendations from the Coroner's Jury relate to the operation of the City Gaol.

#### BACKGROUND

William DELORME had been in custody of the Nanaimo RCMP in the City Gaol on the evening of November 29, 2007 for being intoxicated. While in the cells, he was assaulted by two other intoxicated males who were sharing a cell with him. All parties were well known to each other. DELORME was removed from the cell and transported to hospital by BC Ambulance where he was cleared by medical staff and later released back to Gaol. The next day he was released from custody upon becoming sober. He subsequently attended his own family physician complaining of headaches – he was treated and released. He died at his residence on December 6, 2007. The autopsy indicated he died from a swelling of his brain as a result of trauma to his head.

The 2 males who assaulted DELORME in his cell were later convicted of assault causing bodily harm and have completed their sentences.

#### RECOMMENDATIONS FROM THE INQUEST

The Coroner's Jury made the following recommendations however they are not binding on the City:

1. "Enhanced Capabilities of monitoring system – each cell have a dedicated camera with continuous viewing".
2. "Guards are not to be required to perform light cleaning and maintenance duties . . . "  
"Custodial staff should be hired to perform cleaning and maintenance duties . . . "
3. "Guards shall participate in annual training sessions consisting of review and interpretation of [RCMP policy] . . . "
4. "When feasible, guards will place a maximum of two individuals per cell."

There was also a recommendation to VIHA to "investigate the feasibility of establishing detox centers or sobering sites".

It is the RCMP's opinion that none of the recommendations would have prevented this death.

No civil litigation is anticipated as the time limit to begin an action has passed and Mr. DELORME left no family who would be eligible for compensation.

#### DISCUSSION

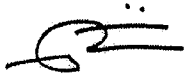
1. The BC Minister of Public Safety and Solicitor General has recently announced the creation of additional *Police Act Regulations* that will address the issue of prisoner surveillance. A previous report to Council addressed this issue. It will be incumbent upon the City to comply with the regulations once they are implemented.
2. Prisoner guards are currently responsible to clean the cell block during times when no prisoners are lodged in cells. It is stipulated in RCMP policy that cleaning can only occur when no prisoners are lodged in cells and there are ample opportunities for this around

the clock. In the case of Mr DELORME, a female guard was cleaning the floor in the corridor in the men's section because she had no prisoners to guard at the time. The fact that she was cleaning near Mr DELORME's cell actually aided in quelling the fight because she was able to raise an alarm quickly.

There is no funding for additional custodians and it is felt that guards are quite capable of cleaning cells whenever they are not busy with prisoners.

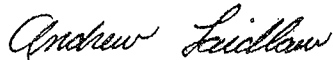
3. Guards are required to read and sign the RCMP policies pertaining to cell block operation. We are reviewing the current process to ensure that it is adequate. Currently, with the exception of First Aid/CPR training, new guards are provided with 48-96 hours of "on the job training" with a senior guard before they take on regular guarding duties. Staff will also investigate if general guard training is readily available to us.
4. It is not necessarily possible from a practical or operational perspective to ensure only two prisoners per cell. There are 12 cells in the City Gaol (8 male / 4 female). Guards do their best to make sure prisoners are held safely and securely within the cellblock configuration given the number of factors that are considered when deciding which cells to place detainees:
  - a. prisoners cannot be co-housed by gender;
  - b. minors cannot be locked up with adults;
  - c. violent, suicidal and virulent, etc prisoners must be segregated; and
  - d. for investigational reasons prisoners may not be able to "room" together.

Respectfully submitted,



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A.M. Dietrich  
Manager Police Support Services



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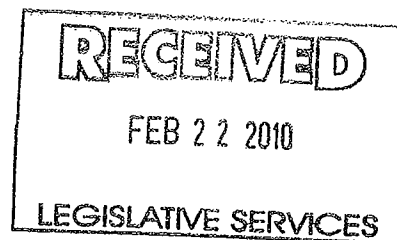
A.W. Laidlaw  
General Manager Community Services



## Emergency ManagementBC

February 17, 2010

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



Dear Mr. Ruttan:

**Re: Coroner's Inquest into the death of:**

**DELORME, William Cory  
BCCS Case File #: 2007-0123-0089**


In accordance with Section 53(c) of the *BC Coroners Act*, I have enclosed a copy of the Verdict at Inquest resulting from an inquest into the death of William Delorme.

Jury's recommendations #1-4 are directed to you and are, therefore, brought to your attention for consideration.

The purposes of the Jury's recommendations are to help prevent a death of a similar nature from occurring in the future. It is with this spirit that these recommendations are forwarded for your consideration and action, where appropriate.

I would appreciate a response as to what action you plan to take, or have taken with regard to these recommendations. Your response will form part of an official public record. Thank you for your consideration.

Yours truly,

  
Norm Leibel  
Deputy Chief Coroner  
Province of British Columbia

\crm

Enclosure

Ministry of Public Safety and  
Solicitor General

BC Coroners Service

Office of the Chief Coroner  
Metrotower II  
Suite 800 - 4720 Kingsway  
Burnaby BC V5H 4N2

Phone: 604 660-7745  
Facsimile: 604 660-7766  
Web: [www.pssg.gov.bc.ca/coroners](http://www.pssg.gov.bc.ca/coroners)



## VERDICT AT INQUEST

File No.: 2007:0123:0089

An Inquest was held at the Supreme Court, in the municipality of Nanaimo  
in the Province of British Columbia, on the following dates February 2<sup>nd</sup> - 3<sup>rd</sup>, 2010  
before Rodrick H. MacKenzie, Presiding Coroner,  
into the death of William Cory DELORME 34 ☒ Male ☐ Female  
(Last Name, First Name) (Age)  
and the following findings were made:

Date and Time of Death: December 6<sup>th</sup>, 2007 between 2:00AM and 4:00AM

Place of Death: 236 Victoria Road Nanaimo, British Columbia  
(Location) (Municipality/Province)

### Medical Cause of Death

- (1) Immediate Cause of Death: a) Brainstem Herniation  
DUE TO OR AS A CONSEQUENCE OF
- Antecedent Cause if any: b) Acute Traumatic Subdural Hematoma  
DUE TO OR AS A CONSEQUENCE OF

*Giving rise to the immediate  
cause (a) above, stating  
underlying cause last.*

- c) Blunt Force Craniocerebral Trauma

(2) Other Significant Conditions  
Contributing to Death:

Classification of Death: ☐ Accidental ☒ Homicide ☐ Natural ☐ Suicide ☐ Undetermined

The above verdict certified by the Jury on the 3rd day of February AD, 2010.

RODRICK H. MACKENZIE

Presiding Coroner's Printed Name

Presiding Coroner's Signature



## VERDICT AT INQUEST

### FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE No.: 2007-0123-0089

DELORME

SURNAME

William Cory

GIVEN NAMES

#### **PARTIES INVOLVED IN THE INQUEST:**

Presiding Coroner: Rodrick H. MacKenzie

Court Reporting/Recording Agency: Verbatim Reporting Services

Participants/Counsel: Dr. Balfour and Dr. Paris/Mr. David Pilley  
Royal Canadian Mounted Police/Mr. David Kwan

The Sheriff took charge of the jury and recorded two exhibits. Fifteen witnesses were duly sworn in and testified.

#### **PRESIDING CORONER'S COMMENTS:**

*The following is a brief summary of the circumstances of the death as presented to the jury at the inquest. The summary and my comments respecting the recommendations, if any, are only provided to assist the reader to more fully understand the Verdict and Recommendations of the jury. This summary is not intended to be considered evidence nor is it intended in any way to replace the jury's verdict.*

On November 29th, 2007, Mr. Delorme was found by a member of the Nanaimo detachment of the Royal Canadian Mounted Police in a state of intoxication in a public place. He was lodged in the cells of the said detachment for his own protection to be released when sober.

An unexplained dispute which became physical arose between Mr. Delorme and his two cell mates. This dispute carried on for some time and ended only when Mr. Delorme's head was stomped several times onto the concrete floor of the cell. Mr. Delorme became still and may have lost consciousness. The cell mates both then sat down on the floor of the cell.

There were two jail guards on duty. One guard was male and one female. The female guard who was mopping the cellblock hallway heard a loud noise from the cell 100 feet away through a solid steel door (Mr. Delorme's head hitting the floor). She notified the male guard who had been booking in a prisoner. The guard ran to the cell, opened the door, and dragged Mr. Delorme out into the hallway.

An ambulance was summoned. The paramedics arrived quickly, provided first aid, and transported Mr. Delorme to the emergency room (ER) at the Nanaimo Hospital. The ER doctor accessed Mr. Delorme and employing staples closed the head wound Mr. Delorme suffered in the dispute. Mr. Delorme was still in a state of intoxication; therefore, he was returned to the cells and when later sober, released.

The following day, Mr. Delorme attended at the medical clinic where he had been receiving treatment for a number of years. He was seen by the Doctor on duty. He complained of headache and nausea. The Doctor accessed him and gave him a script for Tylenol.



## VERDICT AT INQUEST

### FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

File No.: 2007-0123-0089

DELORME

SURNAME

William Cory

GIVEN NAMES

For the following several days, Mr. Delorme complained of headache. His friends attempted, without success, to have him seek further medical attention.

On the evening of December 5<sup>th</sup> and into the early hours of December 6<sup>th</sup>, 2007, Mr. Delorme was drinking with friends at his residence. The friends noted that he became very still, but was still breathing. At the break of day, his friends noticed that he was cold and "something was wrong." They called for help. Help arrived and found Mr. Delorme to be deceased. The ambulance attendant, a man with 40 years experience, gave his opinion that Mr. Delorme died between 2:00 and 4:00 AM that morning.

The Jury heard evidence that a slow bleed related to a head injury is very difficult to diagnose. The pathologist who did the post mortem exam was of the opinion that the injury received in the cell on November 29<sup>th</sup> was the likely cause of Mr. Delorme's death on December the 6<sup>th</sup>.



## VERDICT AT INQUEST

### FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE NO.: 2007-0123-0089

DELORME

SURNAME

William Cory

GIVEN NAMES

*Pursuant to Section 38 of the Coroners Act, the following recommendations are forwarded to the Chief Coroner of the Province of British Columbia for distribution to the appropriate agency:*

#### **JURY RECOMMENDATIONS:**

To: Mayor and Council  
City of Nanaimo  
455 Wallace Street  
Nanaimo, BC

1. Enhanced capabilities of monitoring system – each cell have a dedicated camera with continuous viewing with audio capacity.

#### **Coroner's Comments:**

The Jury heard evidence that only some cells are viewed continuously and that there is no audio capacity. The evidence presented indicated that if there had been an audio capability, the guards may well have heard the dispute in time to have prevented the injury to Mr. Delorme.

2. Guards are not to be required to perform light cleaning and maintenance duties as per (CPIC checks and cell block 19.1-3.4). Custodial staff should be hired to perform cleaning and maintenance duties. In the event of an emergency, if custodial staff is not available, guards will be required to perform emergency cleaning that goes to the custody, protection and welfare of prisoners.

#### **Coroner's Comments:**

The Jury heard evidence that the female guard was cleaning (non-emergency), the male guard was busy booking in a prisoner and no one was watching the monitors or checking cells when Mr. Delorme was being assaulted.

To: Commanding Officer  
"E" Division  
657 West 37<sup>th</sup> Avenue  
Vancouver, BC, and

To: Mayor and Council  
City of Nanaimo  
455 Wallace Street  
Nanaimo, BC



## VERDICT AT INQUEST

### FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE No.: 2007-0123-0089

DELORME

SURNAME

William Cory

GIVEN NAMES

3. As per OPS manuals 19.3-Guarding Prisoners/Personal Effects  
Guards shall participate in annual training sessions consisting of review and interpretation of OPS Manual as it pertains to their responsibilities and duties.

The Jury heard evidence that no ongoing or refresher training is offered.

4. When feasible, guards will place a maximum of two individuals per cell.

The Jury heard care is taken to see that cell assaults are avoided through computer checks to see who is violent. The Jury also heard from a senior police officer that so many of the people who come to cells are noted as violent (perhaps from a decades old minor assault charge) that this check is of little use.

To: Vancouver Island Health Authority  
1952 Bay Street  
Victoria, BC

5. Investigate the feasibility of establishing detox centers or sobering sites.

The Jury heard that like many of the people who end up in cells, Mr. Delorme was not a criminal, but only needed a safe place to sober up. The Jury heard that, to good effect, some jurisdictions are setting up such places.



## FOR INFORMATION ONLY

TO: A.W. LAIDLAW, GENERAL MANAGER COMMUNITY SERVICES

FROM: A.M. DIETRICH, MANAGER POLICE SUPPORT SERVICES

### RE: PROPOSED PRISONER SURVEILLANCE REGULATIONS

#### BACKGROUND:

The Police Act (BC) requires municipalities with a population over 5,000 to provide "adequate accommodation, equipment and supplies for the detention of persons required to be held in police custody."

On January 20, 2010 the Minister of Public Safety and Solicitor General for BC wrote a letter to Council announcing his intention to create a *Police Act Regulation* for mandatory surveillance of prisoners held by the police. This follows a Coroner's Inquest into the death of Mr. Ian Bush, formerly of Houston, BC which recommended the installation and mandatory use of audio and visual recording equipment in police buildings.

#### DISCUSSION:

The new Regulations will require the City to install and use video recording equipment in interview rooms and areas of police buildings where "detained persons routinely interact with police personnel". This expands the scope of our current system and also introduces an audio component not currently in place.

The City Gaol, located in the Police Operations Building (RCMP Detachment), is equipped with a digital surveillance system in all twelve cells as well as some of the common areas that prisoners travel through on their way to and from their cells. Also, some interview rooms are monitored by video and audio recording equipment.

We will be required to expand the system to all interview rooms and to additional areas of the cell block not currently covered. We may also be required to record the front lobby as individuals do occasionally turn themselves into police and may legally become "detainees" immediately at that point.

The Solicitor General has proposed the following timeline for implementation:

- For immediate implementation:
  - Prisoner booking area.
- Year 1 ~ Fall 2010:
  - Sally port;
  - Outside locations that may be used for unloading or for release of prisoners; and
  - Interview Rooms (external to the cell block).
- Year 2 ~ Fall 2011:
  - Hallways and Elevators inside cell block;
  - Cells (including "Drunk Tanks", holding rooms & observation rooms); and
  - Interview Rooms (inside the cell block)
- Year3 ~ Fall 2012:
  - Fingerprint Rooms (used for compelled or in-custody persons); and
  - Breathalyser Test Apparatus (BTA) rooms.

One of the challenges that we will face is the retention and storage of the recorded audio/visual data. The RCMP are currently storing the recorded images for 90 days however, they are considering a

☐ Council  
☒ Committee  
☒ Open Meeting  
☐ In-Camera Meeting  
 Meeting Date: 2010-MAR-01

new retention policy that stores cell block data for up to two years as complaints and lawsuits often take longer than 90 days to develop. This will require substantially greater server space than the four terabytes of storage we currently have. An initial estimate by our LAN staff conservatively estimates we will need ten times the current capacity to manage this.

We are in the process of upgrading the cells to current RCMP standards however these proposed regulations are not included in the scope of the renovation budget.

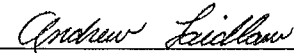
The RCMP is currently developing the standard technical specifications for these systems and we hope that they complete them quickly so they can be incorporated into the design of the cell block upgrade. It is anticipated that the standard will require the use of "Internet Protocol" (IP) cameras which will mean the replacement of all cameras currently in use. Unfortunately, the department within "E" Division that is tasked with this are mostly seconded to the 2010 Olympics at the present time.

Respectfully submitted,



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A.M. Dietrich  
Manager Police Support Services



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A.W. Laidlaw  
General Manager Community Services

## FOR INFORMATION ONLY

REPORT TO: ANDY LAIDLAW, GENERAL MANAGER OF COMMUNITY SERVICES

FROM: RICHARD HARDING, DIRECTOR OF PARKS, RECREATION AND CULTURE

RE: NANAIMO BASTION – UPDATE

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### STAFF RECOMMENDATION:

That Council receive the information report.

### EXECUTIVE SUMMARY:

As Council is aware, the Nanaimo Bastion is in need of restoration based on a 2009-APR-06 structural condition assessment and Staff have been working over the past six months with design specialists to arrive at the best restoration process to ensure that the Bastion is maintained as a heritage landmark as well as provide the same continued public access in the building.

### BACKGROUND:

On 2009-APR-06 a structural condition assessment was completed on the Nanaimo Bastion. Observation from this report determined that there is extensive wood decay of the south facing wood timbers and plate material resulting in a significant deviation of the building from a true vertical alignment. Temporary structural supports have been installed but it has been determined that access to the building should be denied until the restoration is completed. The deterioration in the building is a reoccurrence of work done in previous years.

At the regular meeting of Council 2009-NOV-09, Staff advised that in order to have the Bastion open for the 2010 season, it was necessary to prepare drawings, specifications and tender documents before the end of 2009. Staff allocated \$25,000 from existing 2009 Parks Capital to fund the design and preparation of contract documents to be used prior to tendering the restoration work on the Nanaimo Bastion.

Tender documents are now ready and staff will be proceeding with issuing this tender at the beginning of March. Given the complexities of restoring the heritage building we will not have complete costs until the tenders close. However, at this time we do anticipate costs to exceed \$200,000.00. Staff will return to Council with costs at tender completion and provide funding options to restore this building. Funding requirements will be included in the annual budget.

Staff continue to solicit non-profit organizations like the Lions Club and the Rotary Club for private contributions to help fund the preservation of this heritage building. Nanaimo District Museum will also be seeking funding under the Heritage Legacy Fund of BC and the Hudson's Bay Company Foundation.

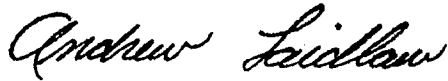
Staff will be present Monday evening to answer any questions regarding the current condition of the Bastion and what work needs to be done to preserve this building as well as maintain accessibility for public use.

Respectfully submitted,



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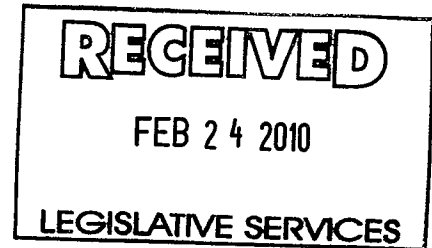
Richard Harding, Director  
Parks, Recreation and Culture



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Andy Laidlaw, General Manager  
Community Services

2010-FEB-25  
File: A4-1-2 / D1-5-7  
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February 22, 2010

Ref # 9881

Mayor John Ruttan  
City of Nanaimo  
455 Wallace Street  
Nanaimo BC V9R 5J6

Dear Mayor Ruttan:

Thank you for your letter of November 16<sup>th</sup>, 2009 to Howard Waldner on the subject of the Vancouver Island Health Authority's (VIHA) current practice regarding performing child car seat safety checks. Please accept my sincere apologies for the delay in responding to your inquiry.

I would note that VIHA does not have a written policy banning staff from performing car seat safety checks on our property; however, this is not a service currently provided by VIHA. It is my understanding that in the past, three Nanaimo-based public health nurses took an interest in car seat safety and became Certified Car Seat Installation Inspectors. For a period of time they performed car seat safety checks; however, it soon became apparent that this was a time-intensive endeavor and took time away from other core public health services. At that time, a decision was made to discontinue car seat safety checks provided by public health nursing and, instead, provide information about car seat safety in our prenatal classes, postpartum follow up, and other child care classes where appropriate. Car seat safety checks are provided through a joint initiative sponsored by the Insurance Corporation of BC and the BC Automobile Association. Information on seat safety check clinics can be found at <http://www.tsfbcaa.com/11.aspx> As well, I believe that some automotive dealerships also provide this service.

Please know that VIHA recognizes the importance of safely installed child car seats and will continue to provide information to the public. Thank you again for your interest in this important issue.

Regards

Ann Bozoian  
Director, Office of the President & CEO

☐ Council  
☒ Committee *F/PCow*  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: *2010-MAR-01*

#### Executive Office

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mailing address: 1952 Bay Street, Victoria, B.C., Canada V8R 1J8

*Our Vision: Healthy People, Healthy Island Communities, Seamless Service*



FILE COPY

2009-NOV-16

Vancouver Island Health Authority  
1952 Bay Street  
Victoria, British Columbia  
V8R 1J8

**FAX:** 250.370.8750

Attention: Mr. Howard Waldner, President

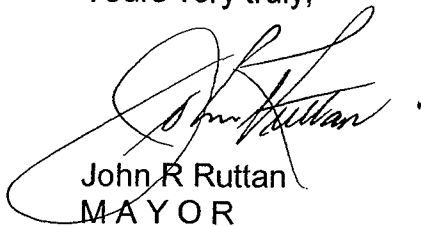
Dear Mr. Waldner:

Re: Child Car Seat Checks

At the Finance/Policy Committee of the Whole Meeting held 2009-NOV-02, Council received a presentation from a group of Nursing Students from Vancouver Island University with respect to Child Car Seats. At this meeting, Council passed a motion requesting that a letter be forwarded to the Vancouver Island Health Authority requesting that you reconsider the current policy which bans child car seat checks on VIHA property.

It would be appreciated if you would give serious consideration to changing this current policy.

Yours very truly,



John R Ruttan  
MAYOR

JRR/ms

L:CORR/091116VIHA.doc

Pc: Honourable Kevin Falcon, Minister of Health  
Honourable Michael de Jong, Attorney General Fax: 250-387-6411  
Mayor&Council