

AMENDED

AGENDA FOR THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING TO BE HELD IN THE BOARD ROOM, CITY HALL, ON MONDAY, 2009-MAR-16, COMMENCING AT 4:30 P.M.

1. **CALL THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING TO ORDER:**
2. **INTRODUCTION OF LATE ITEMS:**
 - (a) Add Item 6 (b) – Delegations Pertaining to Agenda Items – Mr. Randall C. Stearman regarding the Business Improvement Area Tax
 - (b) Add Item 6 (c) – Delegations Pertaining to Agenda Items – Mr. Ernie Rushworth, 234 Commercial Street, Nanaimo BC, regarding the BIA Renewal.
 - (c) Add Item 6 (d) – Delegations Pertaining to Agenda Items – Mr. Jack McLellan, 169 Comox Street, Nanaimo BC, regarding BIA Bylaw Renewal.
 - (d) Add Item 9-(a-1) – Staff Reports – Vancouver Island Conference Centre Greening.
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, 2009-MAR-02 at 4:49 p.m. *Pg. 3-5*
5. **PRESENTATIONS:**
6. **DELEGATIONS PERTAINING TO AGENDA ITEMS: (10 MINUTES)**
 - (a) Delegations pertaining to the 2008 – 2012 Financial Plan *Pg. 6*
 - Ms. Patricia Portsmouth, 934 Highview Terrace, Nanaimo, BC, V9R 6K5, on behalf of Mr. Douglas Hardie, Chair, South End Community Association, regarding funding for the South End Neighbourhood Plan.
 - (b) Mr. Randall C. Stearman, 6430 Phantom Rd, Lantzville, BC, V0R 2H0, regarding the Business Improvement Area Tax. *Pg. 6.1*

(c) Mr. Ernie Rushworth, 234 Commercial Street, Nanaimo BC, regarding the BIA Renewal. Pg. 6.2

(d) Mr. Jack McLellan, 169 Comox Street, Nanaimo BC, regarding BIA Bylaw Renewal. Pg. 6.3

7. **COMMISSION REPORTS:**

8. **COMMITTEE REPORTS:**

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

ADMINISTRATION:

(a) **2009 Budget and Property Tax Bylaw** No report attached

Staff's Recommendation: That Council provide direction regarding the 2009 Budget and Property Tax Bylaw.

(a-1) **Vancouver Island Conference Centre Greening** Pg. 6.4 -6.5

Staff's Recommendation: That Council award a fixed price contract to Vondella Mechanical in the amount of \$2,020,692.73 for the air source heat pump system and solar hot water heating system at the Port of Nanaimo Centre.

CORPORATE SERVICES:

(b) **Business Improvement Area (BIA 1) Bylaw 2009 No. 7086**
Business Improvement Area (BIA 2) Bylaw 2009 No. 7087 Pg. 7-8

Staff's Recommendation: That Council:

1. receive the results of the "Local area service on council initiative – subject to petition against" process for BUSINESS IMPROVEMENT AREA (BIA 1) BYLAW 2009 NO. 7086 and BUSINESS IMPROVEMENT AREA (BIA 2) BYLAW 2009 NO. 7087 as included in this report;

AND:

2. provide Staff with direction with regard to the above noted bylaws.

- (c) **Verbal Report from Mr. I. Howat, Director of Legislative Services,
regarding Legislative Services Operations** *No report
attached*

10. **INFORMATION ONLY ITEMS:**

- (a) Report from Mr. B.E. Clemens. Director of Finance, re: Assessment Roll Adjustments *Pg. 9-10*

11. **CORRESPONDENCE:**

12. **NOTICE OF MOTION:**

13. **OTHER BUSINESS:**

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

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

16. **ADJOURNMENT:**

MINUTES OF THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING
HELD IN THE BOARD ROOM, CITY HALL,
ON MONDAY, 2009-MAR-02 COMMENCING AT 4:49 P.M.

PRESENT: His Worship 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: G. D. Berry, City Manager
A. C. Kenning, Deputy 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
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 Permits and Properties
A. J. Tucker, Director of Planning
R. J. Harding, Director of Parks, Recreation and Culture
S. Graham, Manager of Financial Planning
T. Kraft, Manager of Engineering Projects
J. E. Harrison, Manager of Legislative Services
L. Dennis, Recording Secretary
S. McMillan, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

The Regular Finance / Policy Committee of the Whole Meeting was called to order at 4:49 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Delete under Agenda Item 5 (a) – Presentation by Legislative Services
- (b) Add under Agenda Item 9 – Staff Reports – Nanaimo/Millennium Hotel
- (c) Add Agenda Item 9 (1-a) – Staff Reports – Building Canada Fund Grant – Second Intake
- (d) Add Agenda Item 10 (a) – Information Only Item – E.J. Hughes Mural Project

- (e) Add Agenda Item 13 (a) – Other Business – Resolution regarding a Staff Report on Blasting

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 Minutes of the Special Finance / Policy Committee of the Whole Meeting held at the Public Works Yard, 2020 Labieux Road, on Monday, 2009-FEB-12 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

It was moved and seconded that Minutes of the Special Finance / Policy Committee of the Whole Meeting held in the Board Room, City Hall, on Monday, 2009-FEB-16 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

It was moved and seconded that Minutes of the Special Finance / Policy Committee of the Whole Meeting held in the Board Room, City Hall, on Monday, 2009-FEB-19 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

5. PRESENTATIONS:

- (a) Per Christensen, Director of Information Technology gave a presentation on the operations of the Information Technology Department.

6. STAFF REPORTS:

ADMINISTRATION:

- (a) Nanaimo/Millennium Hotel

It was moved and seconded that Council endorse the draft framework agreement and extend the "standstill period" for a further 30 days to permit development of a further Amendment Agreement to the Amended Partnering Agreement. The motion carried.

Opposed: *Councillors Bestwick, Kipp, Pattje, and Sherry*

CORPORATE SERVICES:

- (b) Building Canada Fund Grant – Second Intake

It was moved and seconded that Council endorse Green Lake Sewer as the application to be submitted for the 2009-MAR-16 deadline for the second intake of the Building Canada Fund. The motion carried unanimously.

COMMUNITY SERVICES:

(c) Lake View Crescent Petition

It was moved and seconded that Council delay further consideration of the proposal for cost sharing sewer services with Lake View Crescent property owners until results of the Federal and/or Provincial Infrastructure Grant applications are known. The motion carried unanimously.

7. INFORMATION ONLY ITEMS:

- (a) Report from R.J. Harding, Director of Parks, Recreation and Culture, re: E.J. Hughes Mural Project

8. OTHER BUSINESS:

(a) Staff Report on Blasting

It was moved and seconded that Council direct Staff to prepare a report regarding the possible implementation of a Bylaw to regulate blasting/excavation. The report should address, among other issues:

- the costs associated with taking on this new function
- the municipal liability associated with regulating blasting
- the effect a Blasting Bylaw would have on the timeframes associated with development approvals; and
- how a Blasting Bylaw would provide greater home owner protection from blasting/excavating

The motion carried unanimously.

9. ADJOURNMENT:

It was moved and seconded at 5:45 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

DIRECTOR,
LEGISLATIVE SERVICES

Sheila McMillan

From: Lisa Dennis on behalf of Legislative Services Office
Sent: March 11, 2009 12:08 PM
To: Sheila McMillan
Subject: FW: Request to Appear as Delegation

-----Original Message-----

From: webmaster@nanaimo.ca [mailto:webmaster@nanaimo.ca]
Sent: March 11, 2009 12:04 PM
To: Cam Scott; Legislative Services Office
Subject: Request to Appear as Delegation

Douglas Hardie, Chair South End Community Association has requested an appearance before council.

The requested date is Mar 11, 2009.

The requested meeting is:
FPCOW

Presenter's information

Address: 32 Gillespie St
City: Nanaimo
Province: BC
Postal Code: V9R 4Y3
Home Phone: 250-754-0677
Business Phone: 250-754-2773
Fax: 250-754-1605

Details of Presentation:

Regarding the proposed Neighborhood Plan for the South End, funding for the plan, and commitment from City Hall to this process

☐ Council
☒ Committee FPCOW
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2009.MAR.16

Delegation Request

Randall C. Stearman has requested an appearance before council.

The requested date is Mar 16, 2009.

The requested meeting is:
FPCOW

Presenter's information

Address: 6430 Phantom Rd.
City: Lantzville
Province: B.C.
Postal Code: V0R 2H0
Home Phone: 250-390-4700

Details of Presentation:

Business Improvement Area Tax

☐ Council
☒ Committee.....FPCOW
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2009-MAR-16

2009-03-14 11:33

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Page 1 of 1

City of Nanaimo

Request to Appear as a Delegation



Please complete the application form; required fields are marked *

Date of Presentation: * Mar 16 2009

Council - 7:00 pm in the Shaw Auditorium - 38 Commercial Street

Finance / Policy Committee of the Whole - 4:30 p.m. in the City Hall Board Room,
455 Wallace Street

Presenter Name: *

ERNIE RUSHWORTH

Street Address: *

234 COMMERCIAL

City: *

NANAIMO

Province: *

B.C.

Postal Code: *

Home Phone: *

247 9399

XXX-XXX-XXXX

Business Phone:

247 9399

XXX-XXX-XXXX

Fax:

247 9395

XXX-XXX-XXXX

Name of Applicant if other than above:

Details of Presentation: *

B.T.A.I. - BYLAW RENEWAL.

Submit

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☐ Council
☒ Committee EPCOW
☐ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2009 MAR 16

http://www.nanaimo.ca/delegation/request_to_appear.aspx

14/03/2009

6.2

City of Nanaimo



Request to Appear as a Delegation

Please complete the application form; required fields are marked *

Date of Presentation: *

Mar 16 2009

☐ Council - 7:00 pm in the Shaw Auditorium – 38 Commercial Street☒ Finance / Policy Committee of the Whole - 4:30 p.m. in the City Hall Board Room,
455 Wallace Street

Presenter Name: *

Jack McKellan

Street Address: *

169 Comox

City: *

Nanaimo

Province: *

Postal Code: *

Home Phone: *

xxx-xxx-xxxx

754-9149

Business Phone:

xxx-xxx-xxxx

3-9155

Fax:

xxx-xxx-xxxx

Name of Applicant if other than above:

Details of Presentation: *

BIA Bylaw Renewal

Submit

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☐ Council
☒ Committee... ERCOW
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2009-MAR-16

STAFF REPORT

TO: G.D. BERRY, CITY MANAGER

FROM: A.C. KENNING, DEPUTY CITY MANAGER

RE: VANCOUVER ISLAND CONFERENCE CENTRE GREENING

STAFF RECOMMENDATION:

It is recommended that Council award a fixed price contract to Vondella Mechanical in the amount of \$2,020,692.73 for the install of the air source heat pump system and solar hot water heating system at the Port of Nanaimo Centre.

BACKGROUND:

On 2009-JAN-12 Council approved the concept of sole sourcing the mechanical contractor for the Vancouver Island Conference Centre greening project subject to negotiation of acceptable pricing and terms and subject to Council approval of the final contract. Council made this decision because Vondella Mechanical was the mechanical contractor for the original construction of the Port of Nanaimo Centre and is intimately familiar with the existing mechanical systems. Since the majority of this "Greening" is a retro fit of existing systems it was considered essential to work with the existing mechanical contractor in order to maximize the benefits and minimize the costs.

As was noted in the previous staff report, the work proposed consists of a new solar hot water system, to service the VICC kitchen and a new unitary air source heat pump system for air heating and cooling. The heat pump system will be sized to match the available electrical supply and will be installed in the parkade with a four pipe system connected to new hydronic coils installed in the existing roof top units. The Solar Hot Water System will consist of roof top solar collectors, a heat exchanger and hot water storage tanks. An environmentally friendly glycol solution will be circulated to the collectors by pumps energized when solar energy is available. Heated water will be stored in the storage tanks for use on demand from the facility. The rooftop solar collectors will be evacuated tube type collector panels.

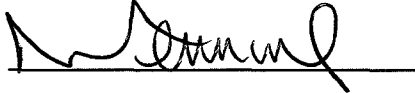
Vondella Mechanical has now determined a fixed price for the work based on detailed drawings and specifications prepared by the design team (the design team is lead by Stantec Engineering and includes structural, electrical, and other consultants). The fixed all inclusive price from Vondella is \$2,020,692.73. The total project cost estimate remains \$2.5 million as originally budgeted after inclusion of engineering fees, building permit fees and contingency.

6.4

☐ Council
☒ Committee *FPCOW*
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: *2009-MAR-16*

Work is scheduled to mobilize during the week of March 16' 2009, and completion is anticipated in the fall of 2009. Much of the work is scheduled during the good weather season to minimize weather disruptions. It also will be scheduled during periods when disruption to the conference Centre operations is minimized.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'J. D. K.', is written over a horizontal line.

ACK/jdk

Council: 2009-MAR-13

2009-MAR-16

STAFF REPORT

TO: I. HOWAT, DIRECTOR OF LEGISLATIVE SERVICES

FROM: J. E. HARRISON, MANAGER OF LEGISLATIVE SERVICES

RE: BUSINESS IMPROVEMENT AREA (BIA 1) BYLAW 2009 NO. 7086
BUSINESS IMPROVEMENT AREA (BIA 2) BYLAW 2009 NO. 7087

STAFF'S RECOMMENDATION:

That Council:

1. Receive the results of the "Local area service on council initiative — subject to petition against" process for BUSINESS IMPROVEMENT AREA (BIA 1) BYLAW 2009 NO. 7086 and BUSINESS IMPROVEMENT AREA (BIA 2) BYLAW 2009 NO. 7087 as included in this report; and
2. Provide staff with direction with regard to the above noted bylaws.

EXECUTIVE SUMMARY:

Sufficient petitions against the adoption of BUSINESS IMPROVEMENT AREA (BIA 1) BYLAW 2009 NO. 7086 and BUSINESS IMPROVEMENT AREA (BIA 2) BYLAW 2009 NO. 7087 have not been received. Therefore Council may proceed with these bylaws if they so choose. Staff request that Council provide direction to staff with regard to each of these bylaws.

BACKGROUND:

At the January 26, 2009 regular meeting of Council, BUSINESS IMPROVEMENT AREA (BIA 1) BYLAW 2009 NO. 7086 and BUSINESS IMPROVEMENT AREA (BIA 2) BYLAW 2009 NO. 7087 passed first reading. This step by Council initiated the "local area service on council initiative – subject to petition against" process in accordance with section 213 of the *Community Charter*.

The deadline for receipt of petitions against the adoption of the above noted bylaws was Tuesday, March 10, 2009.

RESULTS:

As per section 212 of the *Community Charter*, "in order for a petition for a local area service to be certified as sufficient and valid,

- (a) the petition must be signed by the owners of at least 50% of the parcels that would be subject to the local service tax, and
- (b) the persons signing must be the owners of parcels that in total represent at least 50% of the assessed value of land and improvements that would be subject to the local service tax."

☐ Council
☒ Committee FPCOW
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2009-MAR-16

BUSINESS IMPROVEMENT AREA (BIA 1) BYLAW 2009 NO. 7086

% of Owners Against	51.29%	(159 of 310 parcels)
% of Total Assessments Against	41.13%	(\$80,539,096 of \$195,822,496)

Despite the fact that 51.29% of the property owners within the proposed Business Improvement Area 1 were opposed to the adoption of Bylaw No. 7086, the petition is not deemed to be sufficient as the properties represented by the 51.29% of the owners equal less than 50% of the total assessed value of land and improvements within the proposed area.

BUSINESS IMPROVEMENT AREA (BIA 2) BYLAW 2009 NO. 7087

% of Owners Against	29.41%	(20 of 68 parcels)
% of Total Assessments Against	32.07%	(\$12,293,500 of \$38,330,000)


The submission of petitions against Bylaw No. 7087 (for Business Improvement Area 2) by 29% of the property owners representing 32.07% of the total assessed value of land and improvements within the proposed area, is also not deemed to be a "sufficient petition".

DISCUSSION:

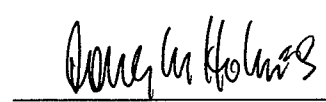
In accordance with section 211 of the *Community Charter*, Council may proceed with further readings and adoption of BUSINESS IMPROVEMENT AREA (BIA 1) BYLAW 2009 NO. 7086 and BUSINESS IMPROVEMENT AREA (BIA 2) BYLAW 2009 NO. 7087 if they so choose.

Staff request that Council provide direction with regard to each of these bylaws. Should Council choose not to proceed with one or both of the bylaws, staff request that a motion to abandon such bylaw(s) be adopted.

Respectfully submitted,


J.E. Harrison, Manager
Legislative Services


Ian Howat, Director
Legislative Services


Douglas Holmes, GM
Corporate Services

INFORMATION ONLY REPORT

REPORT TO B. E. CLEMENS, DIRECTOR OF FINANCE

FROM R. J. REIMER, MANAGER REVENUE SERVICES & FINANCIAL SYSTEMS

RE: ASSESSMENT ROLL ADJUSTMENTS

March 5, 2009

STAFF'S RECOMMENDATION:

That Council receive the report.

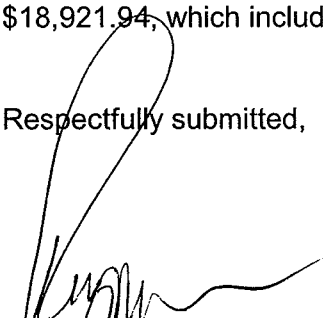
DISCUSSION:

We are now in receipt of an additional assessment roll adjustment from BC Assessment processed as "2008 Supplementary 12" which was received in 2009.

The attached schedule summarizes the assessment adjustments and the impact on property taxation levies.

The impact of this 2008 assessment adjustment received in 2009 is to decrease gross taxation by \$18,921.94, which includes a decrease in the municipal portion of \$11,396.12.

Respectfully submitted,



Raymond J. Reimer
Manager, Revenue Services
& Financial Systems



Brian E. Clemens
Director of Finance



Douglas W. Holmes
General Manager,
Corporate Services

RR/amlis

FPCoW: 2009-03-16
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☐ Council
☒ Committee FPCoW
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2009-MAR-16

CITY OF NANAIMO
ASSESSMENT ADJUSTMENT SCHEDULE

YEAR	SUPPLEMENTARY	GENERAL, DEBT, AND LIBRARY	OTHER AGENCIES	TOTAL ADJUSTMENTS
2008	12	(\$11,396.12)	(\$7,525.82)	(\$18,921.94)
Total Adjustments		<u>(\$11,396.12)</u>	<u>(\$7,525.82)</u>	<u>(\$18,921.94)</u>