

AMENDED

AGENDA FOR THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING TO BE HELD IN THE BOARD ROOM, CITY HALL, ON MONDAY, 2008-JUN-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:**
 - Add Item 11 (a) – Correspondence – Letter from School District 68 regarding potential reduction of School Board Trustees.
 - Add item 11 (b) – Correspondence – Letter from Mr. Nelson Allen opposing consideration of a School Board motion to reduce the representation on the School Board.
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, 2008-MAY-05 at 4:30 p.m. *Pg. 5-8*
5. **PRESENTATIONS:**
6. **DELEGATIONS PERTAINING TO AGENDA ITEMS: (10 MINUTES)**
7. **COMMISSION REPORTS:**
 - (a) **Parks, Recreation and Culture Commission – Review of 2008 Tournament and Festival Fund Grant Applications** *Pg. 9-10*

Commission's Recommendations: That Council:
 1. *deny the \$2,000. tournament and festival fund request from the Nanaimo School Financial Awards Society;*
AND:

2. approve \$1,700. from the tournament and festival fund for the Nanaimo Art Gallery – Festival of Banners, on one-time basis, to offset costs associated with the development of street banners (included in chart below);

AND:

3. approve the following 2008 Tournament and Festival Grant requests:

		2007 Approved	2008 Requested	2008 Recommended
(a)	CVI Botanical Garden Society	\$1,050	\$1,500	\$1,200
(b)	Canadian Body Painting Championships	n/a	\$6,250	\$1,800
(c)	Nanaimo Art Gallery – Artsfest	\$1,000	\$1,000	\$1,000
(d)	Nanaimo Art Gallery – Festival of Banners	n/a	\$4,758	\$1,700
(e)	Nanaimo Blues Festival	\$1,500	\$1,500	\$1,500
(f)	Nanaimo Breakers	n/a	\$2,500	\$900
(g)	Nanaimo Ice 2008 – Minor Hockey	n/a	\$2,000	\$1,400
(h)	Nanaimo School Financial Awards Society	n/a	\$2,000	0
(i)	Nanaimo Figure Skating Club	n/a	\$2,500	\$2,500
(j)	Vancouver Island Exhibition Association	\$1,200	\$2,000	\$1,700
(k)	White Rapids Invitational Meet	\$1,000	\$1,500	\$1,500
	Total	\$5,750	\$27,508	\$15,200

(b) **Parks, Recreation and Culture Commission – Travel Assistance Application from the Quick Silver Dragon Boat Team**

Pg. 11

Commission's Recommendation: That Council deny the application for a Travel Assistance Grant for the Quick Silver Dragon Boat Team because it does not meet two of the grant criteria – the team did not win a regional, provincial, or national competition to qualify, and they are not travelling out of the province.

8. **COMMITTEE REPORTS:**

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

DEVELOPMENT SERVICES:

(a) **Professional Builder Process**

Pg. 12-15

Staff's Recommendation: That Council direct Staff to implement a Professional Builder Stream building permit application process for single family dwellings on a trial basis, and provide Council with a report in six months recommending if the process should be implemented permanently.

CORPORATE SERVICES:

(b) **Request for Name Change by Tourism Nanaimo**

Pg. 16

Staff's Recommendation: That Council support Tourism Nanaimo's request for name change from "Nanaimo Tourist and Convention Bureau Society" to "Tourism Nanaimo Society".

10. **INFORMATION ONLY ITEMS:**

- (a) Report from Mr. A. W. Laidlaw, General Manager of Community Services, re: Multiplex Site – Call for Proposals.

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11. **CORRESPONDENCE:**

- (a) Letter dated 2008-MAY-30 from Mr. J. David Green, Secretary-Treasurer, School District 68 (Nanaimo-Ladysmith), requesting City Council's input regarding the potential reduction of School Board Trustees from nine to seven Trustees.

Pg. 21.1-
21.2

- (b) Letters dated 2008-JUN-07 and 2008-JUN-08 from Mr. Nelson Allen, Vice-Chair, Board of Education, Nanaimo-Ladysmith, advising of his objections to the School Board motion to consider a reduction of School Board Trustees from nine to seven Trustees.

Pg. 21.3-
21.12

12. **NOTICE OF MOTION:**

13. **OTHER BUSINESS:**

- (a) Cancellation of the Finance / Policy Committee of the Whole Meeting to
be held on Monday, 2008-JUN-30

*Staff's Recommendation: That Council cancel the Finance / Policy
Committee of the Whole Meeting to be held on Monday, 2008-JUN-30
as it is the day prior to a statutory holiday.*

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, 2008-MAY-05 COMMENCING AT 4:30 P.M.

PRESENT: Councillor Brennan, Chair

Members: Mayor G. R. Korpan
Councillor W. L. Bestwick
Councillor J. D. Cameron
Councillor W. J. Holdom
Councillor L. D. McNabb
Councillor C. S. Manhas
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
I. Howat, Director of Legislative Services
T. P. Seward, Director of Permits and Properties
B. E. Clemens, Director of Finance
L. Coates, Manager of Accounting Services
D. Lindsay, Manager of Planning and Development
P. Kristensen, Director of Information Technology
G. Ferrero, Manager of Business Applications
S. Graham, Manager of Financial Planning and Payroll
Chief R. Lambert, Nanaimo Fire Rescue
R. J. Harding, Director of Parks, Recreation and Culture
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. INTRODUCTION OF LATE ITEMS:

- (a) Replace Pages 33 and 34 – Information Only Items – Agenda Item 10 (b) – Report from Mr. B. E. Clemens, Director of Finance, re: 2007 Surplus Allocation.
- (b) Councillor Brennan advised that she would be bringing forward an item under Other Business regarding Mr. Herman Vanden Broek's property at 6101 Pearce Road.

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Regular Finance / Policy Committee of the Whole Meeting held in the Board Room, City Hall, on Monday, 2008-APR-21 4:30 p.m. be adopted as circulated. The motion carried unanimously.

5. PRESENTATIONS:

- (a) Mr. Dean Smith and Mr. Stephen Beamish, Intelivote Systems Inc., provided a PowerPoint Presentation regarding the Intelivote electronic voting system.

6. DELEGATIONS PERTAINING TO AGENDA ITEMS:

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

- (a) There were no delegations pertaining to the 2008 – 2012 Financial Plan.

7. COMMISSION REPORTS:

- (a) Parks, Recreation and Culture Commission – Travel Assistance Grant Request

It was moved and seconded that Council award \$1,500. to the Wellington Secondary School Band to attend the Canadian National Band Competition. The motion carried unanimously.

- (b) Parks, Recreation and Culture Commission – Travel Assistance Grant Criteria and Process

It was moved and seconded that:

1. Council adopt the Travel Assistance Grant criteria as revised;
2. Council provide Recreation and Culture staff with the authority to recommend directly to the Parks, Recreation and Culture Commission Travel Assistance Funding for travel grants that clearly meet the grant criteria; and,
3. Staff notify the Recreation and Committee Chair when a grant application has been processed.

The motion carried unanimously.

8. STAFF REPORTS:

CORPORATE SERVICES:

(a) 2008 General Election – Electronic Voting

It was moved and seconded that Council support the City of Nanaimo conducting the 2008 General Election by way of electronic voting (Intelivote).

It was moved and seconded that Council support in principle, and ask Staff to report back to Council with other concerns. The motion was defeated.

Opposed: Mayor Korpan, Councillors Bestwick, Brennan, Cameron, Holdom, McNabb, Manhas and Unger

The vote was taken on the main motion.

The main motion carried.

Opposed: Councillor Sherry

(b) 2007 Annual Financial Report

It was moved and seconded that Council approve the 2007 Annual Financial Report for the City of Nanaimo. The motion carried unanimously.

(c) 2007 Statement of Financial Information

It was moved and seconded that Council approve the City of Nanaimo 2007 Statement of Financial Information for filing with the Ministry of Community Services. The motion carried unanimously.

COMMUNITY SERVICES:

(d) Pavement Management System

It was moved and seconded that Council authorize Stantec Engineering to supply Pavement Management services at a cost of \$117,290. plus tax. The motion carried unanimously.

9. INFORMATION ONLY ITEMS:

(a) Report from Councillor McNabb, Chair, Parks, Recreation and Culture Commission, re: Yearly Changes for Parks, Recreation and Culture "Nominal" Fee Licences and Agreements.

(b) Report from Mr. B. E. Clemens, Director of Finance, re: 2007 Surplus Allocation.

10. OTHER BUSINESS:

(a) Councillor Brennan – 6101 Pearce Road *(Supplemental)*

It was moved and seconded that Council confirm with Staff that they are following the policy regarding the Urban Containment Boundary and the Agricultural Land Reserve. The motion carried unanimously.

11. ADJOURNMENT:

It was moved and seconded at 5:48 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

DIRECTOR,
LEGISLATIVE SERVICES

REPORT TO: FINANCE / POLICY COMMITTEE OF THE WHOLE

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

RE: REVIEW OF 2008 TOURNAMENT AND FESTIVAL FUND GRANT APPLICATIONS

RECOMMENDATION:

That the Parks, Recreation and Culture Commission recommends that Council:

1. not approve the \$2,000 tournament and festival fund request from the Nanaimo School Financial Awards Society; and further,
2. approve \$1,700 from the tournament and festival fund for the Nanaimo Art Gallery – Festival of Banners, on one-time basis, to offset costs associated with the development of street banners (included in chart below); and,
3. approve the following 2008 Tournament and Festival Grant requests:

		2007 Approved	2008 Requested	2008 Recommended
(a)	CVI Botanical Garden Society	\$1,050	\$1,500	\$1,200
(b)	Canadian Body Painting Championships	n/a	\$6,250	\$1,800
(c)	Nanaimo Art Gallery - Artsfest	\$1,000	\$1,000	\$1,000
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(h)	Nanaimo School Financial Awards Society	n/a	\$2,000	0
(i)	Nanaimo Figure Skating Club	n/a	\$2,500	\$2,500
(j)	Vancouver Island Exhibition Association	\$1,200	\$2,000	\$1,700
(k)	White Rapids Invitational Meet	\$1,000	\$1,500	\$1,500
TOTAL:		\$5,750	\$27,508	\$15,200

EXECUTIVE SUMMARY:

The 2008 Parks, Recreation and Culture Budget includes funding to help the City host tournaments and festivals. The Parks, Recreation and Culture Commission's major thrust for this initiative is to encourage new, or to expand existing, tournaments and festivals. In addition to the \$20,000 allocated for 2008 Tournament and Festival Fund Grants, \$150 was carried forward from 2007 and \$8,000 was provided by Economic Development for a total of \$28,150. \$8,000 was previously allocated for tournaments and festivals held from January to May 2008 leaving \$20,150 for tournament and festivals held June to December 2008. At their meeting of 2008-MAY-28, the Parks, Recreation and Culture Commission unanimously passed a motion that the Finance / Policy Committee of the Whole approve the above recommendations totaling \$15,200.

☐ Council
☒ Committee E.R.C.O.W.
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2008-JUN-16

BACKGROUND:

The Recreation Committee reviewed 11 submissions requesting funds from the Tournament and Festival Fund Grant program. Commissioners discussed each application individually and determined that only the Nanaimo School Financial Awards Society did not meet the grant qualifications and application criteria. The request was for \$2,000 to assist with a work experience program to plant vegetation along the Millstone River. Commissioners discussed this tournament and festival request and determined that the Society did not meet the grant criteria as the event is not open to the community or attracts a local or regional market.

In addition, when reviewing the request from the Nanaimo Art Gallery for \$4,758 to assist with costs associated with the development of street banners, the Commission felt that the activities did not align with the intent of the tournament and festival funding criteria and were a better fit with the cultural event funding criteria. However, based on higher funding levels, the Committee moved to support the festival on a one-time basis with direction that staff let the group know that in future they should be applying for cultural event funding.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Larry McNabb".

Larry McNabb, Chair
Parks, Recreation and Culture Commission

File: A4-1-2 / B3-5-9
2008-MAY-30
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REPORT TO: FINANCE / POLICY COMMITTEE OF THE WHOLE

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

RE: TRAVEL ASSISTANCE APPLICATION FROM THE QUICK SILVER DRAGON BOAT TEAM

RECOMMENDATION:

That Council deny the application for a Travel Assistance Grant for the Quick Silver Dragon Boat Team because it does not meet two of the grant criteria - the team did not win a regional, provincial or national competition to qualify and they are not travelling out of province.

EXECUTIVE SUMMARY:

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

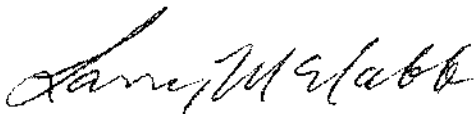
At their meeting of 2008-MAY-05, City Council passed a motion recommending that Recreation and Culture staff be given the authority to evaluate Travel Assistance Grant Applications and make recommendations directly to the Parks, Recreation and Culture Commission based on strict adherence to the grant criteria.

On 2008-MAY-13, Ms. M. Smith, Manager of Recreation and Culture Services, reviewed a Travel Assistance Grant application from the Quick Silver Dragon Boat Team. Ms. Smith recommends that the Parks, Recreation and Culture Commission deny the application because it does not meet two of the grant criteria - the team did not win a regional, provincial or national competition to qualify and they are not travelling out of province. Shirley Lance, Chair of the Recreation Committee, has been advised and concurs with the recommendation. At their 2008-MAY-28 meeting, the Parks, Recreation and Culture Commission unanimously supported the recommendation to deny the Quick Silver Dragon Boat Team funding request.

BACKGROUND:

On 2008-MAY-13, Ms. M. Smith, Manager of Recreation and Culture Services, reviewed a Travel Assistance Grant application from the Quick Silver Dragon Boat Team. Ms. Smith recommends that the Parks, Recreation and Culture Commission deny the application because it does not meet two of the grant criteria - the team did not win a regional, provincial or national competition to qualify and they are not travelling out of province. At their 2008-MAY-28 meeting, the Parks, Recreation and Culture Commission unanimously supported the recommendation to deny the Quick Silver Dragon Boat Team funding request.

Respectfully submitted,



Larry McNabb, Chair,
Parks, Recreation and Culture Commission

☐ Council
☒ Committee *F/PCOW*
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: *2008-JUN-16*

STAFF REPORT

TO: T. P. SEWARD, DIRECTOR, PERMITS AND PROPERTIES

FROM: J. D. KINCH, MANAGER, BUILDING INSPECTION DIVISION

RE: PROFESSIONAL BUILDER PROCESS

STAFF'S RECOMMENDATION:

That Council direct Staff to implement a Professional Builder Stream building permit application process for single family dwellings on a trial basis and provide Council with a report in six months recommending if the process should be implemented permanently.

EXECUTIVE SUMMARY:

In response to a request from the Canadian Home Builders' Association – Central Vancouver Island (CHBA-CVI) and the ongoing high volume of applications for residential construction, Staff is proposing to initiate a streamlined building permit application processing system for Professional Builders. The goal of the Professional Builder Stream would be to maintain a two-week processing time for one and two family dwelling building permit applications.

In order to qualify for the Professional Builder Stream, applicants must be full-time builders that meet a number of criteria and would be responsible for completing a detailed checklist that would allow City Staff to process the application much quicker.

BACKGROUND:

Representatives of the CHBA-CVI have approached Staff and expressed their concerns with respect to present building permit application processing time and request a separate application process for Professional Builders. It is the request of the CHBA-CVI that Professional Builders, whose primary source of income is residential construction, be held to a higher standard for building permit applications and in return, that their permits be processed in a separate, faster stream. CHBA-CVI believes it would be extremely beneficial to Professional Builders that regardless of the number of applications by individuals whose principle income is not derived from residential construction, the Professional Builders' applications would be processed in a separate approval stream.

Staff has met with the executive and membership of the local CHBA-CVI and discussed the challenges associated with a two stream process and believe there are changes that can be made to the City's present process, which would achieve CHBA-CVI goals and still maintain the high level of customer service provided to all applicants. In order to achieve this, it has been made clear to the CHBA members that a high degree of professionalism will be required on the part of the Professional Builders, both with respect to the information provided at the time of application and in the actual construction.

☐ Council
☒ Committee F/PCOW
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2008-JUN-16

In 2007, the average number of one and two family dwelling building permits issued each month was 35 with a maximum of 51 in March and minimum of 22 in April. For the first five months of 2008, the average was 29 with a maximum of 38 in May and a minimum of 23 in March. If the Professional Builder Stream is implemented, Staff estimate that initially 20 – 30% of the applications will be processed through this stream, eventually increasing to 50 – 60% when builders see the benefit of the expedited review.

In 2008, processing time for one and two family residential building permits has fluctuated between two weeks and six weeks. For this reason, the CHBA-CVI has approached Staff and asked that the City explore ways of maintaining a two-week processing time for Professional Builder applications.

To achieve the goal of providing consistent, quick turn-around times for Professional Builder applications, the Professional Builders would be required to ensure that their applications are complete and all foreseeable issues related to the proposed construction have been considered. To this end, Staff has prepared a concise checklist (draft copy attached) for the applicants to complete, which will guide them in providing the information required to facilitate an expedited review. The checklist also outlines the criteria that must be met to be considered for the Professional Builder Stream.

In order to ensure timely processing of all applications, multiple Staff members will be assigned to process permits in the individual streams, thereby avoiding the potential for delays in the process due to volume, staffing, etc.


There are a few other jurisdictions that either already have a two stream processing system in place or are discussing implementing one. Staff has also been asked to consider a separate Professional Builder's stream for commercial, residential and institutional permit applications, which will be considered if the system proposed in this report is successful.

Staff believe the benefit of implementing a two stream application system is to decrease Staff processing time, by requiring Professional Builders to troubleshoot problems in advance of applying for permits. Also, if this process proves to be successful, it could be instituted on other types of applications at a later date. Accordingly, Staff is seeking Council's direction to proceed immediately with implementing this process on a trial basis and reporting back in six months on the results, to determine if the process should be implemented permanently.

Respectfully submitted,

for 

J. D. Kinch, Manager
Building Inspection Division
DEVELOPMENT SERVICES DEPARTMENT

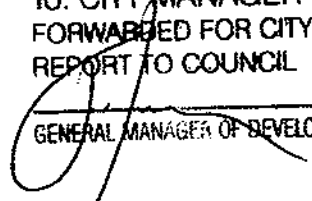


T. P. Seward, Director
Permits and Properties
DEVELOPMENT SERVICES DEPARTMENT

JK/nlr/hp

g:devbldg/council/2008 reports/ professional builder process
Committee: 2008-JUN-16

TO: CITY MANAGER
FORWARDED FOR CITY MANAGER'S
REPORT TO COUNCIL



GENERAL MANAGER OF DEVELOPMENT SERVICES

Professional Builder Building Permit: Application Checklist

REQUIRED:

Business Licence#

Proposed sub-trade list (list attached; provide previous project sub-trades, if needed)

HPO Registered Builder#

Full-time builder/contractor for a minimum of three immediately preceding years in residential construction (confirm start date)

Completion of a minimum of three recognized training courses in the past three years (minimum one course relating to Building Green)

Documentation to meet Building Code energy requirements

Documents to accompany plans

- ☐ Property title
- ☐ Homeowner Protection Office document (sealed/notarized); registered builder to supply at pick up
- ☐ Appointment of agent form signed or completed purchase agreement (if applicant is not owner)
- ☐ Completed application cover sheet for appropriate zone, filled out with contact name and phone#
- ☐ Driveway access application (unless strata)
- ☐ Building permit application including
- ☐ Site Plan/Survey
 - ☐ Site plan is to scale
 - ☐ Setbacks, easements, right of ways and cantilevers identified
 - ☐ Most restrictive building points used to establish minimum setback
 - ☐ Size and configuration of building concur with submitted plans
 - ☐ No roof encroachments over right of ways, unless previously approved
 - ☐ Site plan (scaled/signed) with location/height survey from BCLS; all elevations geodetic
 - ☐ Site plan has curb elevation @ centre of lot on down-sloping lots if height calculation is taken from highest street abutting property
 - ☐ Height survey has outermost corners identified (as per City's height guideline)
 - ☐ Driveway indicated, including grade, at crossing 5' min. from property line. Maximum 20' width
 - ☐ Driveway grade of 15% or less, or as approved by Engineering Division
 - ☐ Letter to retain BCLS to pin foundation on lot (as per height & site guideline)
 - ☐ Retaining walls – show natural grade and top of guard elevations, (if guard required) or top of wall to confirm zoning compliance— separate permit application required for walls 1.5 meters or taller
- ☐ Truss plan with point loads and maximum truss height
- ☐ Engineered floor system with point loads (if applicable)
- ☐ Engineered beam plan with point loads (if applicable)
- ☐ Engineering where applicable
 - ☐ Foundations over coal mines or ICF foundations
 - ☐ Over-height foundations or point loads over 20,000 lbs
 - ☐ Plans requiring seismic design or framing over 12'
 - ☐ Retaining walls (see retaining wall handout)
 - ☐ Review geotechnical report if applicable and provide structural engineering, as necessary

Information to be on plans, including Designer's name and phone number**Elevation plans**

- ☐ Building height (proposed and maximum permitted)
- ☐ Roof pitch to conform with pitch on truss plan
- ☐ Final grade and natural grade to match height survey; verify roof peak elevation
- ☐ Finished and natural grades drawn and noted on all four elevations
- ☐ Perimeter wall height (check Zoning Bylaw for requirements, example: RS-1 – 24' max., RS-1a – 22' max.)
- ☐ Spatial separation information – wall area, limiting distance and % of unprotected openings
- ☐ Retaining wall over 5' in height (or possibility of) – engineering and separate building permit application required
- ☐ Exterior finish & type of roofing identified

Floor plans

- ☐ Use of all rooms are identified
- ☐ Unfinished and finished areas are identified, sundeck finish and railing type identified
- ☐ Structural review (bearing to ground, beams/lintels sized, un-factored point loads specified) shown on plans
- ☐ Over-height backfill at foundation walls – engineering required, (i.e. review stairs in garage)
- ☐ Floor system type identified (if engineered floor plan submitted, timber floor joists should not be indicated on plans), (also identified on application cover sheet)
- ☐ Secondary Suite fully specified (all items on checklist)

Cross-sections

- ☐ Venting detail where deck areas are over garage or heated space
- ☐ Full details of construction specifications
- ☐ Floor to ceiling heights; confirm height

APPLICATION FORM COMPLETED BY:

Print Name

Contact Phone Number and Email Address

STAFF REPORT

REPORT TO: IAN HOWAT, DIRECTOR OF LEGISLATIVE SERVICES

FROM: AMRIT MANHAS, RESEARCH & INFORMATION ANALYST

RE: REQUEST FOR NAME CHANGE BY TOURISM NANAIMO

STAFF'S RECOMMENDATION:

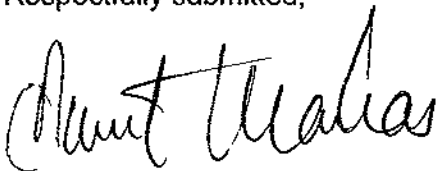
That Council support Tourism Nanaimo's request for name change from "Nanaimo Tourist and Convention Bureau Society" to "Tourism Nanaimo Society".

BACKGROUND:

At the 2008 Tourism Nanaimo annual general meeting held on April 9th, Tourism Nanaimo's Board of Directors and membership passed a motion to change Tourism Nanaimo's registered name from "Nanaimo Tourist and Convention Bureau Society" to "Tourism Nanaimo Society". The rationale for this name change is that in internal as well as external markets this organization is better known as Tourism Nanaimo. All marketing campaigns and materials display the Tourism Nanaimo logo and read "Tourism Nanaimo". Also the website address is tourismnanaimo.com. For purposes of consistency Tourism Nanaimo seeks this name change.

The Registrar's office with the Ministry of Finance requires that this name change is supported by the City of Nanaimo Council, the founding body for Tourism Nanaimo.

Respectfully submitted,



Amrit Manhas
Research & Information Analyst



Ian Howat
Director of Legislative Services

☐ Council
☒ Committee *FLPCOW*
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: *2008-JUN-16*

FOR INFORMATION ONLY

REPORT TO: J.D. BERRY, CITY MANAGER

FROM: A. LAIDLAW, GENERAL MANAGER, COMMUNITY SERVICES

RE: MULTIPLEX SITE – CALL FOR PROPOSAL

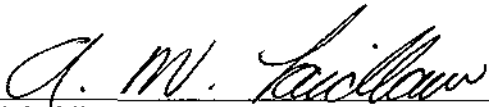
RECOMMENDATION:

That Council receive the information report.

BACKGROUND:

At the Council meeting of 2008-Apr-28, staff were directed to proceed with identifying a potential multiplex site in the downtown. The Downtown is identified in Schedule A. Appended is the Terms of Reference for a consultant study to identify potential sites. It is anticipated the Request for Proposals will close on 2008-Aug-11 at which time staff will bring forward a recommendation to award a contract.

Respectfully submitted,



A.W. Laidlaw,
General Manager, Community Services

AWL/fg

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Request for Proposals

**RFP -2008
Multiplex Site Assessment**

**City of Nanaimo
British Columbia**

Project Goal :

The City of Nanaimo wishes to engage an architect or urban planning firm (and appropriate subcontractors) to complete a report that will identify, examine, and rank potential sites for a new 5,000 to 6,000 seat multiplex facility in the downtown.

Review Area:

The area for review is the Downtown of Nanaimo. The map included in Appendix 1 depicts the area of review and its boundaries.

Project Goals:

The Multiplex site assessment will include identification of potential sites suitable for a multiplex facility and an assessment of sites based on the following criteria:

- suitability as a trade show venue for the Port of Nanaimo Centre
- compatibility with surrounding area,
- "suitability" of the site
- compliance with the Downtown Urban Plan and Guidelines
- safety and security
- exposure
- proximity to demand generators
- pedestrian access and facilities
- ability to be served by public transit
- availability of onsite and offsite parking facilities (preference given to the utilization of existing public parking facilities)
- transportation impact analyses based on ITE recommended practices
- geotechnical issues
- contaminated soils issues
- archeological issues
- existing infrastructure and site servicing costs
- site acquisition costs
- site improvement costs
- ease of site acquisition and assembly

Project Timeline:

Task	Who	Expected Date
RFP out	City of Nanaimo	2008-Jul-4
RFP closes	City of Nanaimo	2008-Aug-11
Award proposal	City of Nanaimo	2008-Aug-18
Project initiation meeting	City of Nanaimo/ Consultant	2008-Aug-25-
Submit Draft Report	Consultant	2008-Nov-28
Present final report	Consultant	2009-Jan-16

Consultant Tasks and Deliverables:

The chosen consultant will be expected to:

- Attend project initiation meeting with staff, provide updates on project progress on a bi weekly basis.
- At the site identification stage provide a list of sites identified.
- At the completion of preliminary review stage, provide a list of major issues (if any) attached to each site.
- Prepare ranking matrix with weightings of each criteria prior to start of ranking process.
- Complete ranking process.
- Prepare a final report with rankings of sites and recommendations.

City Responsibilities:

The project will be managed by the Consultant. Staff will provide the following information:

- overall area mapping
- water, sewer, and storm drainage infrastructure mapping
- overall contours, aerial photos and site surveys
- available traffic count information

Questions about this Request for Proposals document can be directed to Maurice Mauch at 756-5328 or via email maurice.mauch@nanaimo.ca.

Proposal Requirements:

The Proposal should be concise without excess verbiage and shall contain as a minimum the following:

1. A description of the method by which the work will be performed.
2. The detailed methodology that includes tasks to be performed and resources assigned for this project.
3. A brief list of deliverables at various stages of submittal (completion of site identification stage, completion of preliminary review stage, completion of ranking stage, and final report).
4. A list of all sub-consultants complete with their office location and their relationship to the project.
5. A fee structure and total upper limit cost of the project which shall include as a minimum:
 - hourly charge-out rates and person-hour requirements for all personnel involved
 - disbursements, meetings and all other costs to complete the work
 - allowance for the Federal Goods and Services Tax at 5 percent

The fee structure should also include an explanation of the company's billing procedures.

The following points shall be applied to the preparation of the proposal:

1. Any reports and other material provided by the consultant will become property of, and for the sole use of, the City of Nanaimo.
2. These Terms of Reference and the accepted proposal documents will form part of the contract made with the consultant.
3. The City withholds payment of 20 percent of the total fee until completion of the project.
4. Only personnel listed in the successful proposal shall perform the work unless otherwise approved in writing by the City of Nanaimo.
5. The successful consultant shall not address any communications directly to Council. All communications shall be directed to the appropriate City staff.

6. The successful consultant shall hold a valid City of Nanaimo business license for the duration of the project. The consultant shall provide their business license number prior to award of the project.

Submittal Deadline:

Five copies of the proposal will be received up to 2:00 pm, local time, 2008-Aug-11 at the City of Nanaimo Purchasing Department located at 2020 Labieux Road, Nanaimo, BC. Proposals received after the closing time will not be considered. It is the sole responsibility of the person(s) submitting to deliver the proposal to the City of Nanaimo Purchasing Office before the closing time.

These terms of reference and the accepted proposal documents will form part of the contract made with the consultant.

General Conditions:

If a member of Council, or a person who was a member of Council in the previous six months, has a direct or indirect interest in the contract, then the Bidder shall report this to Council in accordance with Section 107 of the *Community Charter* upon being notified of the award of the contract.

The Bidder warrants and represents that it has not received any information or a record from any Council member or former Council member contrary to Section 108 of the *Community Charter*.

The City of Nanaimo reserves the right to negotiate with the preferred proponent. The City of Nanaimo reserves to accept or reject any and all proposals and to accept the proposal which is in the best interests of the City.

g:\Pubworks\Mauch\RFP_Multiplex_site

**SCHOOL DISTRICT 68 (NANAIMO-LADYSMITH)***Today's Learner – Tomorrow's Future*

395 Wakesiah Avenue
Nanaimo, BC V9R 3K6
Telephone (250) 754-5240
Fax (250) 741-5309

From the Office of the Secretary-Treasurer

May 30, 2008

Mr. Gary Korpan, Mayor
Nanaimo City Hall
455 Wallace Street
Nanaimo, BC V9R 5J6

Dear Mr. Korpan:

The Board of Education of School District 68 (Nanaimo-Ladysmith) is considering making a request to the Minister of Education that the size of the Board be reduced.

- Currently the Board of Education has **nine** trustees elected at large from the entire school district once every three years.
- It is being proposed that the Board of Education consist of **seven** trustees elected at large from the entire school district once every three years.
- The majority of school districts in British Columbia that are the size of Nanaimo-Ladysmith operate with Boards of Education of seven trustees.
- The enrolment of the school district has declined by almost 20 percent in the last 10 years. The number of elementary schools in the district has been reduced from 37 to 31 in the past four years and the number of secondary schools will be reduced from the current seven to six in 2012.

The primary rationale cited for the reduction of the number of elected trustees is at a time of budget restraints, the Board wishes to show leadership by reducing the costs of Board operations. The reduction of two trustees would result in an approximate savings of \$40,000 annually.

The Board invites public input on this proposal. In particular, the Board would appreciate receiving comments from the Nanaimo City Council. There are several ways you can provide your comments to the Board:

- Write to the Board of Education, School District 68 (Nanaimo-Ladysmith), 395 Wakesiah Avenue, Nanaimo, B.C. V9R 3K6 or fax 250 741-5309.
- Send an e-mail to the Board of Education care of ckelt@sd68.bc.ca.
- Make a short presentation to the Board's Business Committee on Wednesday, June 18 at 6 p.m. You must register to make a presentation by calling 741-5238 or e-mailing ckelt@sd68.bc.ca by 4 p.m. on Friday, June 13.

Please note that all written input must be received by 4 p.m., Thursday, June 19.

The Board of Education will meet Wednesday, June 25 to discuss the input it has received and to make a decision as to whether it will request that the size of the Board be reduced.

On behalf of the Board, I would like to thank you for your consideration of this proposal.

Yours truly,

A handwritten signature in black ink, appearing to read 'J. David Green'.

J. David Green, CA
Secretary-Treasurer



School District 68 (Nanaimo-Ladysmith)

Today's Learner - Tomorrow's Future

TRUSTEE REDUCTION CONSULTATION

The Board of Education of School District 68 (Nanaimo-Ladysmith) is considering making a request to the Minister of Education **that the size of the Board be reduced.**

- Currently the Board of Education has **nine** trustees elected at large from the entire school district once every three years.
- It is being proposed that the Board of Education consist of **seven** trustees elected at large from the entire school district once every three years.
- The majority of school districts in British Columbia that are the size of Nanaimo-Ladysmith operate with Boards of Education of seven trustees.
- The enrolment of the school district has declined by almost 20 percent in the last 10 years. The number of elementary schools in the district has been reduced from 37 to 31 in the past four years and the number of secondary schools will be reduced from the current seven to six in 2012.

The primary rationale cited for the reduction of the number of elected trustees is at a time of budget restraints, the Board wishes to show leadership by reducing the costs of Board operations. The reduction of two trustees would result in an approximate savings of \$40,000 annually.

The Board invites public input on this proposal. There are several ways you can provide your comments to the Board:

- Write to the Board of Education, School District 68 (Nanaimo-Ladysmith), 395 Wakesiah Avenue, Nanaimo, B.C. V9R 3K6.
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Please note that all written input must be received by **4 p.m., Thursday, June 19.**

The Board of Education will meet Wednesday, June 25 to discuss the input it has received and to make a decision as to whether it will request that the size of the Board be reduced.

June 7, 2008

Mayor Korpan and Councilors City of Nanaimo

The attached letter and appendix is in direct response to the letter you received from the Secretary-Treasurer of the Nanaimo-Ladysmith School District. Could you please place on the appropriate Council agenda?

I have made the point quite clearly in the letter that the Board of Education of Nanaimo-Ladysmith did not pass any motion related to the rationale as referred to in this letter. A Board of Education does not take a public position on a very important matter of democratic representation without voting to establish the exact wording of a motion to establish a rationale.

The Board of Education has not established any rationale by vote or otherwise that could be construed as a Board position on this issue.

I would also point out that the fourth bullet in this letter refers to an almost 20% reduction of student enrolment in this district in the last decade. This seems to imply that the number of trustees then should also be reduced. Perhaps this observation might have some merit if in fact other districts that have had enrolment declines would have reduced the number of trustees of their Boards of Education. I cannot find an example of any such reduction in my research.

In fact, in Education Minister Bond's riding of Prince George, 14 schools have been closed since 2002. Two trustees should have come off their board, following the logic outlined by the Secretary-Treasurer given the reduction of students in those 14 schools. That never happened.

In addition the issue of democratic representation is determined by the number of parents and residents there are in a geographical area. While the interior of BC has had a decline in population Nanaimo-Ladysmith continues to grow at a rapid pace.

The increased mandate the government gave to Boards of Education to be responsible for public libraries, pre-school children and adult programmes in the community calls for the maintenance of the number of trustees we have in order to deliver representation to a diverse district. Please read the enclosed material prior to any vote you may have.

These letters represent a minority report on this issue of trustee reduction. I would urge you to give very careful consideration to all the points raised in the letters and attached material prior to making a response.

Respectfully submitted

Nelson Allen, B.Ed., M.A.
Vice-Chair
Board of Education
Nanaimo-Ladysmith

June 8, 2008

I am writing to you to provide you with a different perspective related to recent Board of Education business. A trustee, like any other elected official has an obligation to communicate with constituents. Local governments and other agencies located in the Nanaimo-Ladysmith School district are constituents of elected trustees.

I am communicating with you because you have been, or will be, asked to respond to a question of whether or not you have any opinions or objections to the reduction of the number of trustees on the Nanaimo-Ladysmith Board of Education.

Under Ministry of Education guidelines a change in trustee representation might only occur if the attached guidelines, shown in appendix I are followed.

You will note that on page 1 of appendix I number 1 that the school board needs to have a stated rationale for requesting a variation of the number of trustees in the school district.

The Board of Education for the Nanaimo-Ladysmith School District does not have a stated rationale for a variation in the number of trustees. The recent letter from the school district requesting feedback on this issue is premature and confusing for those who have received it.

A Special Board Meeting was called for May 14, 2008 for one purpose, and that was to discuss and/or vote on the 2008-2009 Budget.

This meeting had the following in attendance:

Trustees:

J. Brennan

T. Hennig

A. Bonkowski

J. Harrison

A. Polling

T. Saunders

Three trustees were absent:

D. Allen, N. Allen, R. Dale

That is, one third of the elected board was not present.

A motion by Trustee Ron Dale, made at the very end of the Budget Committee held on May 12th, to reduce the number of trustees from 9 to 7, he said, was as a way of indicating to the community that the Board was going to “share the pain” of budget reductions. There was no substantial debate on this issue at all as I checked the recording of the meeting.

When a fundamental issue of political representation is contemplated by any elected body, a process for canvassing public opinion, both general and specific is required. Those elected, who may in fact have a conflict of interest, or a political interest in the composition of the number of representatives should not unilaterally decide to change the representation without a stated rationale gathered by a comprehensive canvassing of opinion.

None of this happened prior to Trustee TerryLynn Saunders moving and Trustee June Harrison seconding the following motion: “That the Board of Education of School District 68 (Nanaimo-Ladysmith) reduce the number of trustees from nine to seven.” This motion calls for a conclusion; it does not indicate any desire for consultation with the community.

Of the six trustees present only five voted in favor of the motion, with Trustee Andrea Bonkowski opposed with three trustees absent.

We now have a motion to reduce the political representation of some 90,000 citizens with a vote of 5 out of 9 trustees, with two trustees who had no notification that this issue was to be put on an agenda and had no opportunity to participate.

Imagine if this happened in your council or board. The possibility of having a quorum of say, 4 of 7 members present that could vote to reduce the number of representatives in your jurisdiction, with a vote of 3 to 1. Effectively, in this example, a minority of members could

dictate your representation. I rather think you would not allow that to happen.

While our Board Chair chairs and presides over the process he may not have many options to forestall a motion that is fraught with serious flaws.

At the meeting of the Board on May 28th there was some general discussion around this issue wherein I requested that the public needed to be canvassed prior to any vote on reduction of political representation. A suggestion by the Chair for a motion for reconsideration was not made because three trustees who had not voted on the issue or had voted against it were not eligible to move such a motion. No trustee of those who had supported the motion made a motion for reconsideration, which would have had the full board have a fulsome discussion on a fundamental question of electoral representation. Therefore the motion stood and communication was sent out to local governments and other agencies.

I am only giving you a perspective of the background of this issue for a specific purpose. From my last count four of the nine trustees oppose the motion as outlined on May 14th.

I personally feel and suggested to the Board that if we have responsible rationale to consider a change in representation of the public we should have a community committee canvas and investigate the issue fully and report back to a newly elected board with recommendations. This suggestion was not acted upon.

Therefore I am writing to you to suggest that under these circumstances that it would be very difficult if not impossible for you to make a group judgment that the number of trustees should be reduced. On what basis could you make that judgment when the Board has not provided any rationale?

The stated rationale in the newspaper ad and letters sent out to groups recently states in part: "The primary rationale cited for the reduction of elected trustees is at a time of budget restraints, the Board wishes to show leadership by reducing the costs of Board operations. The reduction of two trustees would result in an approximate savings of \$40,000 annually."

The Board did not vote on and pass this statement. This was written by staff. No such motion exists that states this rationale. The only legal rationale by the Board was quoted earlier and that was they wanted to reduce the number of trustees from 9 to 7, without any stated rationale.

I expressed to the Board last week that it cannot "contract out" its political responsibilities to staff, but it must develop its own rationale and have it presented to the Board for debate. This has not happened. Clearly the Minister of Education would have an interest in this issue, as would the Ombudsman's office.

While I would not presume to suggest any outcome to any elected group I will suggest that if an informed response is to be made by any elected body it should be based on responsible criteria.

I have a very strong commitment to the democratic process. I believe in the democratic process. I believe in local government and the right of locally elected bodies to develop policy by which they can carry out their mandates.

To have a knee jerk suggestion to reduce a budget of some \$ 120 million dollars by \$ 40,000 by reducing the people's choices and numbers of elected representatives is abhorrent to me and I suggest to any person who supports democratic principles.

Finally, a responsible Board of Education does not decide to reduce its budget by some 0.0003 percent by elimination of public representation without consultation. There have been plenty of suggestions of where much more than \$ 40,000 could have been eliminated from the current budget.

I would also point out that the regulations of the Ministry of Education as I read them, state clearly that a Board must have a clearly stated rationale BEFORE it votes to ask for a change in representation. It does NOT say you decide first and then attempt to cobble up some rationale that might sound good.

I have been involved in and a supporter of local government at the city council level, the regional board level, parks and recreation commission and school boards for some 20 years. In addition I have a degree in Political Science and a major in comparative government. This suggestion to reduce the number of trustees is based on an opinion of a few trustees. In my opinion this proposal was not fully examined and discussed, as it should have been, by all members of the Board. In my view it is totally irresponsible and dangerous.

Sincerely,

Nelson Allen, B.Ed., M.A.
Vice-Chair
Trustee
Nanaimo-Ladysmith Board of Education

Appendix: 1

Trustee Variation Guidelines

PROVINCE OF BRITISH COLUMBIA, MINISTRY OF EDUCATION

Appendix 1.1: Trustee Variation Guidelines

Note: "person" in the *Interpretation Act*, includes a corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to law.

These guidelines provide assistance to persons or school boards when they wish to vary the numbers of trustees in a school district, or to vary the trustee electoral areas and/or the number of trustees assigned to trustee electoral areas.

A person or school board must consider the principle of voter parity (representation by population) based on the concept of "one person – one vote". Any movement away from "one person – one vote" will only be allowed if it is impossible to have relative equality of voting power and the change will result in more effective representation.

Relevant Legislation

Section 30 (4) (5) of the *School Act*

Procedures

The following procedure is provided as a guide:

1. A person or a school board **should have a stated rationale for requesting a variation in the number of trustees in a school district, any trustee electoral areas and/or the number of trustees assigned to trustee electoral areas.**
 2. The rationale **should be brought to public attention and the views of the public obtained, as expressed through some form of public consultation.**
 3. The views of appropriate municipal and regional board officials should be obtained as well as the views of other special interest groups (e.g. First Nations) which will have an interest in this matter.
-
1. A person or a school board should then write a letter to the Minister requesting that, pursuant to section 30 (4) of the *School Act*, the Minister consider making a variation order.

TRUSTEE ELECTION GUIDELINES - continued

5. The letter should include:
 - a. in respect to a variation of trustee electoral areas
 - i. for the current trustee electoral areas
 - the name of each trustee electoral area
 - the number of trustees representing each area
 - the metes and bounds description of each area (if currently available)
 - a map which clearly indicates each area (preferably a single map of the complete school district indicating each area);
 - ii. for the proposed trustee electoral areas
 - the name of each area
 - the number of trustees representing each area
 - the metes and bounds description of each area (in both hard copy and electronic format - Microsoft Word preferred)
 - a map which clearly indicates each area (preferably a single map of the complete school district indicating each area);
 - b. the rationale for the changes requested and an indication of the nature of the public discussion that was involved including any discussion with school boards, municipal councils, regional boards or special interest groups (e.g. First Nations);**
 - c. if applicable, the date that the school board, municipality, regional board, etc. passed a resolution to request a trustee variation for the school district and/or for certain trustee electoral areas; and**
 - d. a request that, pursuant to section 30 (5) of the *School Act*, the Minister vary the number of trustees in the manner described or vary the electoral areas, or both of these, including any suggestions by the board, municipality, regional board, etc. concerning the manner in which and the times at which any new trustees under the variation order are to be appointed or elected.**
6. The Minister will consider the request and, if the request is not from the school board affected, the Minister will forward the request and the supporting documentation to the affected school board to give it an opportunity to respond.
7. Once the Minister has received the affected school board's response in the event that another person is requesting the variation or, if it is only the school board that is making the request, the Minister will consider all the documentation presented and will notify all persons making a request as to the decision as soon as is practical.

8. Note that section 30 (5) of the *School Act* states that if the Minister reduces the number of trustees, then the order reducing the number of trustees becomes effective for the following general school election.

Contact

If you have questions/comments relating to these guidelines, please contact the Governance and Legislation Unit at EDUC.GovernanceDepartment@gov.bc.ca or (250) 356-1404