



## **AGENDA SPECIAL COUNCIL MEETING**

Monday, April 8, 2019, 4:30 P.M.

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE  
80 COMMERCIAL STREET, NANAIMO, BC

---

Pages

1. **CALL TO ORDER:**
2. **INTRODUCTION OF LATE ITEMS**
3. **APPROVAL OF THE AGENDA:**
4. **ADOPTION OF THE MINUTES:**
5. **MAYOR'S REPORT:**
6. **PRESENTATIONS:**
  - a. Superintendent Cameron Miller, OIC, Nanaimo Detachment RCMP, to provide a presentation regarding Quarterly Review and Council Priorities. 4 - 27
7. **DELEGATIONS:**
  - a. Delegation from ACE Nanaimo regarding Downtown Nanaimo 28  
Nigel Neufeld, Michaela Binda, Sara Holmes and Sarah Vowles, ACE Nanaimo, to provide a presentation regarding their proposal for a revitalization project in Downtown Nanaimo.
  - b. Delegation from Graham Truax, Innovation Island, regarding Innovate BC Initiatives 29 - 39  
Graham Truax, Innovation Island, to provide a presentation regarding the Innovate BC Initiatives that are delivered by Innovation Island.

## 8. REPORTS:

- a. Departure Bay Waterfront Walkway Feasibility Study 40 - 66

To be introduced by Dale Lindsay, Director, Community Development.

*Purpose: To provide Council with background information and the steps required to examine the viability of an on-beach walkway at the toe of slope or on-beach green-shores approach for a section of the waterfront walkway from BC Ferries Departure Bay Terminal to Battersea Road.*

Recommendation: That the report titled "Departure Bay Waterfront Walkway Feasibility Study", dated 2019-APR-08, be received for information.

- b. Office of the Information and Privacy Commissioner Findings and Recommendations 67 - 83

To be introduced by Sheila Gurrie, City Clerk.

*Purpose: To provide Council with an update on the recommendations of the Office of the Information and Privacy Commissioner.*

Recommendation: That Council endorse Staff's initiatives to endeavor to comply with all of the recommendations of the Information and Privacy Commissioner of British Columbia.

- c. Electric Vehicle Charging Station Grant Opportunity Follow Up 84 - 89

To be introduced by Bills Sims, Director, Engineering and Public Works.

*Purpose: To seek Council direction to participate in the Mid-Island Electric Vehicle Network Project and associated CleanBC Communities Fund Application with the Regional District of Nanaimo.*

Recommendation: That Council direct Staff to:

1. participate in the Mid-Island Electric Vehicle Network Project and associated CleanBC Communities Fund Application with the Regional District of Nanaimo (RDN) as the lead applicant;
2. allocate up to \$24,000 from within the 2019-2023 Financial Plan for the installation of four public electric vehicle charging stations at City-owned sites within the community;
3. amend the 2019-2023 Financial Plan to add the charging stations project to 2019 for \$80,000 including private (grant) contributions and City share, and,
4. collaborate with RDN Staff to select specific locations within the area that optimize coverage.

## 9. QUESTION PERIOD:

**10. PROCEDURAL MOTION:**

That the meeting be closed to the public in order to deal with agenda items under the *Community Charter*:

Section 90(1) A part of the Council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

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

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public;

(n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2); and,

*Community Charter* Section 90(2):

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

**11. ADJOURNMENT:**

# Nanaimo RCMP



Supt. Cameron Miller  
OIC RCMP Nanaimo Detachment  
April 8 2019



# Quarterly RCMP Presentation

- Current Policing Pressures
- Various Statistics
- Policing Priorities

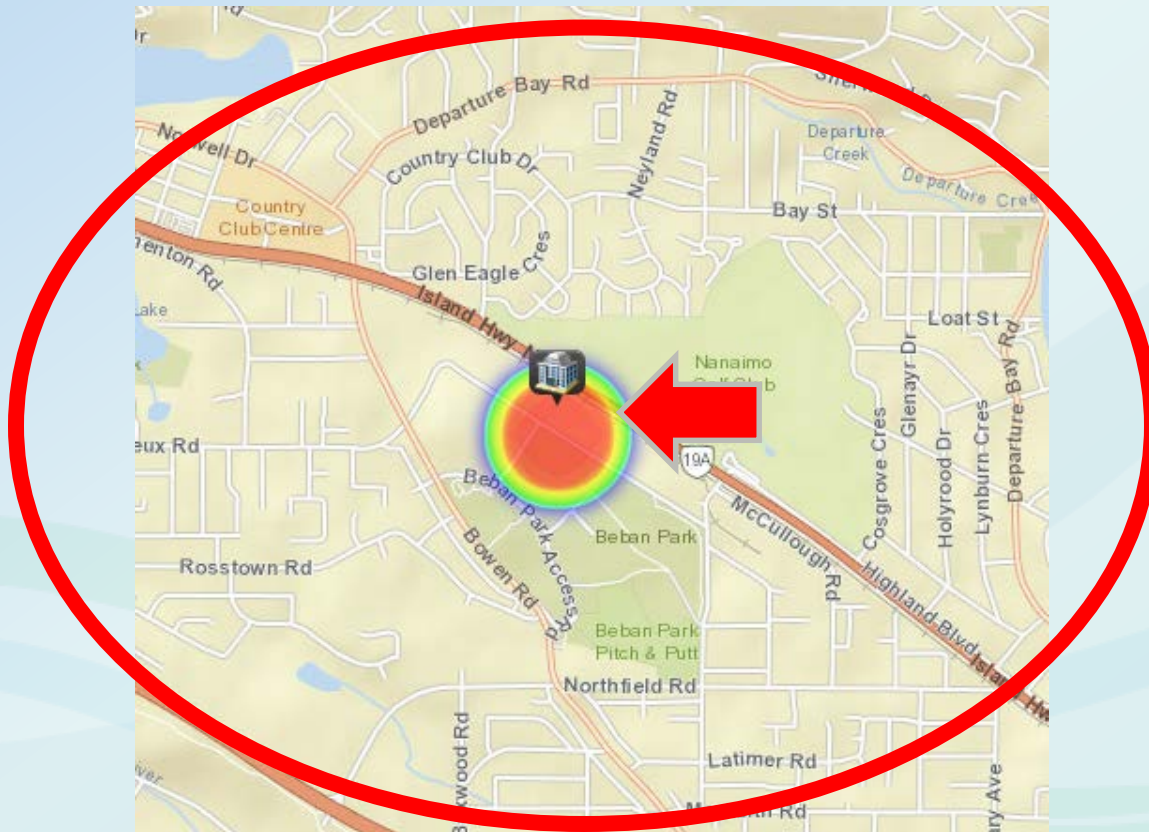
# Current Policing Pressures

# Current Policing Pressures

- Increase in calls for service at temporary shelters
- Increase in overall homelessness
- Increase in fatal motor vehicle accidents

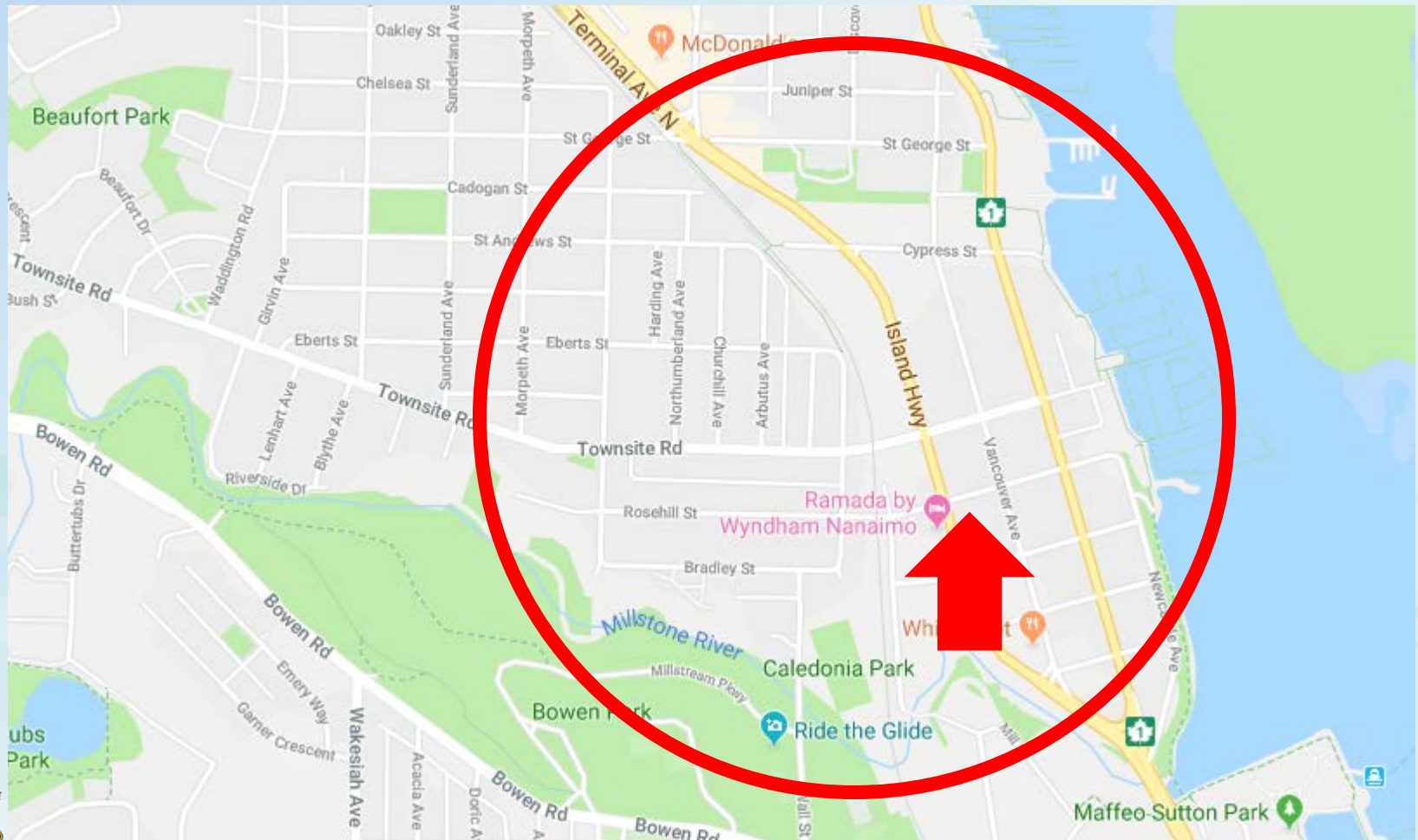
# Temporary Housing Shelters

Labieux Place - 2060 Labieux Rd.



# Temporary Housing Shelters

## Newcastle Place - 250 Terminal Ave N.



# Temporary Housing Shelters

- Calls for Service around both Shelters
- Time period consistent
  - November 20<sup>th</sup> 2016 – March 25<sup>th</sup> 2017
  - November 20<sup>th</sup> 2017 – March 25<sup>th</sup> 2018
  - November 20<sup>th</sup> 2018 – March 25<sup>th</sup> 2019



# Calls for Service in vicinity of Temporary Housing Shelters

November 20<sup>th</sup> to March 25<sup>th</sup>



# Calls for Service in vicinity of Temporary Housing Shelters

## **Labieux**

- 2016 – 2017 – 217 Calls
- 2017 – 2018 – 321 Calls – increase of 47%
- 2018 – 2019 – 803 Calls – increase of 250%

## **Terminal Park**

- 2016 – 2017 – 573 Calls
- 2017 – 2018 – 660 Calls – increase of 15%
- 2018 – 2019 – 1097 Calls – increase of 66%



# Current Police Activities

- Dedicated Police Officer reviewing all files for each location
- Ongoing relationships with:
  - Island Crisis Care Society (Newcastle)
  - Pacifica Housing (Labieux)
  - BC Housing
  - Community Advisory Committee
  - Block Watch

# Traffic Enforcement Activities

# 2018 Annual Ticket Stats

- 2735 Traffic Tickets
- 843 Traffic Warnings or Vehicle Safety Violations.
- 668 Park Bylaws
- 283 Bylaws
- 213 Liquor Bylaws or Violation Tickets
- 509 Seatbelt Violations
- 249 Electronic Device Violations
- 11 Cannabis Tickets
- TOTAL – 5511 Offences

# 2018 Annual Impaired Driving Stats

- 70 Suspension (24hr) by alcohol or drug
- 34 Three day (3) IRP
- 4 Seven day (7) IRP
- 2 Thirty day (30) IRP
- 157 Ninety (90) day IRP / Refusal
- 267 Total Alcohol Related Investigations

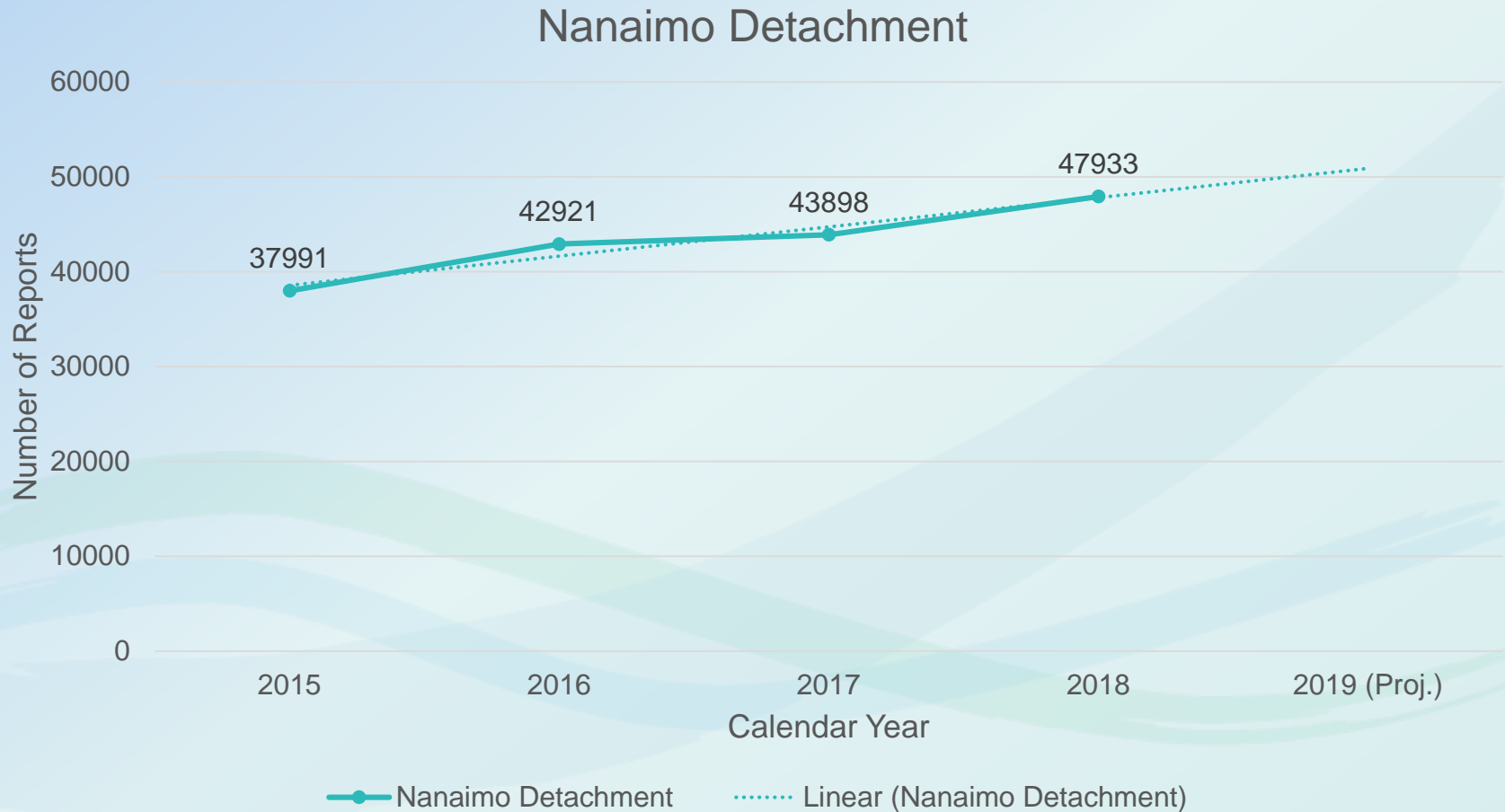
# 2019 Jan. and Feb. Traffic Stats

- 931 Traffic and Bylaw Offences (896 in 2018)
- 41 Alcohol Related Offences (28 in 2018)
- 6 Fatal MVI's this year as of April 3<sup>rd</sup>, 2019.  
There have been 13 fatal collisions in the last 12 months.

# January to March 2019 Traffic Special Projects

- 36 School Zone enforcement projects – typically conducted before or after school in school zones. 21 tickets and 20 Verbal Warnings.
- March was Distracted Driving Enforcement – 11 VT's issued.
- Commuter Enforcement Blitz on March 28<sup>th</sup> and 29<sup>th</sup> – 47 VT's and one Warning.

# Total Number of Files per Year



# File count for January and February

- Comparison for Jan/Feb 2018 / 2019.
  - Assaults 102 / 187 (+83%)
  - Drug Trafficking 5 / 32 (+540%)
  - Possession of Stolen Prop. 15 / 44 (+193%)
  - Harassment 34 / 79 (+132%)
- Total C.C. Files 1617 / 2406 (+48.79%)



# Establishing Policing Priorities

# Annual Performance Plan (APP)

- Several priorities that guide the detachment's focus for the coming year.
- Identified through a variety of consultations:
  - Mayor and Council
  - Chief and Council
  - Community groups
  - And others

# Annual Performance Plan (APP)

- Usually 4 or 5 priorities are identified
- For each priority several initiatives are identified and given a goal for each year.
- Initiatives are updated Quarterly, with a final summary at the end of the fiscal year.

# 2018/2019 Priorities (5)

- Violence in Relationships
- Crime Reduction
- Road Safety
- Youth
- Community Engagement

# Looking Forward

- Policing initiatives for 2019/2020
- Any policing related topic i.e.
  - Bylaw
  - Organized Crime
  - Crime Trends
  - Substance Abuse

# Looking Forward

- Priorities are suggested by community and governmental groups.
- Once Priorities are selected, police will operationalize the issues.
- Initiatives will be developed to address the areas of concern.
- Meet with Council in a month to discuss.

# Questions?



### Delegation Request

ACE Nanaimo has requested an appearance before Council.

The requested date is April 8, 2019.

The requested meeting is:  
COW

Presenter's Information:

City: Nanaimo  
Province: BC  
Bringing a presentation: Yes

Details of Presentation:

We are a group of Environmental Design Students who are proposing a revitalization project for the downtown core. Our goal is to not only attract tourists, but also create a welcoming atmosphere downtown for locals. The call to action is ACE - Activate, Connect, and Engage.



### Delegation Request

Graham Truax has requested an appearance before Council.

The requested date is April 8, 2019.

The requested meeting is:  
COW

Presenter's Information:

City: Nanaimo  
Province: BC  
Bringing a presentation: Yes

Details of Presentation:

To ensure that Council is updated on Innovate BC initiatives as delivered by its regional partner, Innovation Island.

## About us +

**Innovation Island<sup>1</sup> Technology Association (IITA) is a regional partner** of the [BC Acceleration Network](#). We deliver the [Innovate BC](#) (formerly known as “BCIC”) Venture Acceleration Program ([VAP](#)) to Island communities outside of greater Victoria, including the Gulf Islands and the Sunshine Coast. IITA also facilitates other [Innovate BC Programs](#) to qualifying clients and applicants including programs and services for [NRC-IRAP](#). **Our mission is to support entrepreneurs to start and grow technology companies by providing them with programs and resources they need to succeed.**

IITA has affiliate relationships with the [BC Tech Association](#)<sup>2</sup> and regionally we are long-standing members of the Vancouver Island Coast Economic Developers Association ([VICEDA](#)) and the Vancouver Island Economic Alliance ([VIEA](#)).

As the regional voice for technology entrepreneurship, IITA is proud of our client achievements and is dedicated to expanding these results over the region and coming years; since VAP start in FY-2014, **160+ new tech-based jobs have been created by our client companies ~ over \$15.2 million of new revenue has been generated and this has attracted \$16.8 million of early-stage technology investment.** For the past 20 years, Innovation Island has been instrumental in fostering and encouraging growth in the regional technology sector.

In conjunction with our Government and Industry partners, IITA also has many relationships with technology-based investors, Angels, VC’s and Private Equity firms. As such, IITA is well versed in various aspects of due-diligence, supporting studies & strategies and detailed reporting requirements. In addition, Innovation Island has led, facilitated and participated in several regional technology impact studies over the years.

Working under renewed mandates issued by the [Ministry of Jobs, Trade and Technology](#), and the newly named [Innovate BC](#), IITA is poised to expand upon the [#BCTECH Strategy](#) in benefit to our clients and region.

---

<sup>1</sup> Innovation Island, formerly known as MISTIC (the Mid-Island Science, Technology and Innovation Council), was established in 1998 as a registered non-profit organization.

<sup>2</sup> See also the [BC Technology Ecosystem Map](#).

**modus operandi**

**BUILD**  **GROW**  **STAY** 

<https://innovationisland.ca/>

IITA uses a three-point framework toward realization of our mandates and mission.

- 1) We take an industry-centric approach to our scope of work and employ strategies and methodologies that are fitting to the stage and needs of the regions tech sector.**
- 2) We parse actionable Governmental data and programs to better position our region and we work to communicate what Government can or cannot do to these ends.**
- 3) We use local data and knowledge (from IITA client companies and beyond, including local post-secondary institutions and private sector associations) to inform our scope of work and to create proactive action plans that can better leverage more collaborative engagements within the region.**

Many communities within our region are experiencing an influx of knowledge-based workers and tech-sector entrepreneurs. With the increasing capabilities of broadband connectivity, cloud computing, viability of remote work forces, and desires for meaningful work-life balance, a positive and developing trend is occurring which places new challenges and demands for the pursuit of these growth opportunities.

The tech sector, by design, is a fast-moving ever-changing marketplace filled with new terms and acronyms that are often difficult to interpret or forecast. It is a widely diverse \$3 Trillion<sup>3</sup> global industry. Canada<sup>4</sup> accounts for approximately 4% of this activity (\$120 Billion) and British Columbia<sup>5</sup> represents about 20% of Canada's performance in the market at \$26 Billion.

While these are generally positive indicators for our Province and Nation, the position of smaller communities<sup>6</sup> in this industry is far more fledgling and precarious. Opportunities exist but challenges abound. The tech sector in smaller regional or non-urban locations<sup>7</sup> is often far more random and circumstantial in its establishment than most people realize; having less industrial development, industry-sectoral or geographical logic or affinity than might be expected.

---

<sup>3</sup> [Forrester Research](#) Tech Market Outlook For 2017 To 2018.

<sup>4</sup> [The State of Canada's Tech Sector](#), the Brookfield Institute for Innovation + Entrepreneurship

<sup>5</sup> [Profile of the B.C. High Technology Sector](#) (2017 Edition).

<sup>6</sup> [Lower density towns or cities](#) with less than 100,000 immediate population.

<sup>7</sup> StartupCity: [The role of local government in entrepreneurial ecosystems](#).

**modus operandi**

**BUILD**  **GROW**  **STAY** 

<https://innovationisland.ca/>

While Municipal leaders and decision makers would greatly prefer to have their respective communities become the next tech hub or “ecosystem”, as a region we are arguably much stronger working together.

As an accredited Technology Accelerator, IITA works to bridge these challenges, locally, and with various national counterparts and foreign markets; such as, the [Canadian Technology Accelerator](#) agency, the [MaRS Discovery District](#), and the [C100](#) (Canadian thought leaders in the San Francisco Bay Area).

### What is Technology and Innovation?

In the simplest of terms a “technology” or “innovation” company can be considered as an entity building proprietary products or services and/or using third-party products/services in unique or innovative ways. For generations, builders, farmers, fishers, foresters and mechanics, etc., have been highly innovative; employing and sometimes developing enabling technologies. However, advances in [disruptive innovation](#), and rapid iteration and integration, are challenging new and old industries alike.

### What is a Tech Ecosystem?

From a physical or infrastructure perspective, tech ecosystems are an assembly of business and/or R&D activities [working collectively] in a defined space or geography. They comprise a mix of people, organizations, entrepreneurs, mentors/advisors, incubators/accelerators and investors, often with supporting government programs and policies. These “ecosystems” are meant to stir entrepreneurial creativity and expedite success [[strategic pivots](#) or even failures] of their constituents.

Startup or “tech” ecosystems typically develop and thrive under two conditions: density [of constituent population] and associated network effects. These are somewhat intractable problems for smaller communities in dealing with access to investors, customers and talent.

The vast majority of Angel investors, and most VC’s, place capital<sup>8</sup> within extremely tight geographies. Adversely, most early-stage startups in tech or innovation enter global markets from day-one; as such, smaller communities typically “do not” have access to tech-industry

---

<sup>8</sup> [The Extreme Geographic Inequality of High-Tech Venture Capital](#)

**modus operandi**

**BUILD**  **GROW**  **STAY** 

<https://innovationisland.ca/>

customers [for R&D, product testing or sales transactions] within their immediate locations. Ergo, industry-based talent does not organically mature beyond the pace set by available capital and market accessibility.

[Network effects](#) are chiefly byproducts of industry maturation and population density. Tech ecosystems flourish in these environments, especially when they realize a degree of critical mass. Of the many recipes on [How to Build a Startup Ecosystem](#) there are four immutable components that must be developed.

1. **Access to Great Ideas.** Great ideas turn into great businesses.
2. **Access to Talent.** Great entrepreneurs, preferably serial entrepreneurs that have learned from prior mistakes, are ultimately going to dictate the success of their businesses, and in turn, the success of the ecosystem.
3. **Access to Capital.** The best ideas and the best talent are useless without the capital to fund their vision.
4. **Access to Customers.** Customers drive revenues. Revenues impress investors. Investors fund growth. Growth leads to big exits. Big exits leads to a robust ecosystem.

By industry definition, only three communities in our Province have what would be considered the vital ingredients of a tech ecosystem: Vancouver, Victoria and Kelowna<sup>9</sup>.

An often understated factor, but known “catalyst” in ecosystem development, are the rarefied BC-based success stories of [Club Penguin](#) (Kelowna), [Hootsuite](#) (Vancouver) and [Slack](#) (Vancouver/Silicon Valley) who built, grew and essentially “stayed” within their founding communities. These types of rapidly growing companies, and a few selected others, often become ecosystem cornerstones for talent, investment, and peer-based mentorship.

Unlike many industries within traditional economic development purviews, locally and regionally, tech-sector businesses are challenged to play on either national or international stages from day one. **Startups are the DNA of tech ecosystem development and pro-active partnerships are vital to its success.**

---

<sup>9</sup> See Kelowna [#OKGNtech](#) Techstars Scorecard Readout.



October 26, 2018

VIA EMAIL, AND FORWARDED TO INNOVATION ISLAND BOARD OF DIRECTORS

Rebecca Kirk  
CEO, Manufacturing Technology &  
Entrepreneurship Council (MTEC)  
Rebecca Kirk <rkirkis@gmail.com>

John Hankins  
CEO, Mid Island Business Initiative (MIBI)  
John Hankins <john@mibi.ca>

**RE: Innovation Island support letter to MTEC**

Dear Rebecca and John,

With respect to the letter of support that you recently received from Innovation Island I would like to communicate some disappointment in how this document has been used or interpreted.

I appreciate the collaborative aspirations of this relationship but regrettably I have been informed [by multiple parties] that your intentions are contrary to the spirit of this letter; significantly.

Please be advised that as of September 12, 2018 our Board of Directors have now voted to rescind this letter effective immediately. Please provide us with the names and details of who or how this letter was used so that we may properly inform these parties of such. Accordingly, we will be advising impacted parties at our discretion.

Perhaps at some point in the future we can find a project where collaborative efforts are reciprocated.

Regards,

Graham Truax  
Interim Executive Director and EiR

**From:** [Graham - Innovation Island](#)  
**To:** [Amrit Manhas \(Amrit.manhas@nanaimo.ca\)](mailto:Amrit.manhas@nanaimo.ca)  
**Cc:** [Chelsea - Innovation Island](#)  
**Subject:** FW: (Update) Innovation Island ~ Technology Stewardship  
**Date:** March 22, 2019 8:25:00 AM  
**Attachments:** [About IITA.pdf](#)  
[IITA-MTEC.pdf](#)  
**Importance:** High

---

Attn: **Amrit Manhas, Economic Development Officer, City of Nanaimo**  
by Email [amrit.manhas@nanaimo.ca](mailto:amrit.manhas@nanaimo.ca)

RE: [FINANCE AND AUDIT COMMITTEE MEETING](#) - Wednesday, March 20, 2019  
Delegation from John Hankins, CEO, Mid-Island Business Initiative

Dear Amrit,

Pursuant to the Finance and Audit Committee meeting above, and with respect to a related correspondence to Mayor and Council further below, I would like to provide you with some comments and concerns that I feel are relevant to matters of economic development and technology & innovation within Nanaimo and the Mid-Island region.

I would first like to acknowledge your dedicated work and expertise in Ec.Dev. going back to the NEDC and many years prior. Since you have been our primary contact person with the City I hope that your receipt of this correspondence is appropriate.

As I mentioned in my Dec. 7<sup>th</sup> letter (below) my initial concerns surrounded a component of the MIBI/MTEC presentation that was awaiting a "Provincial Funding decision" ~ via the Ministry of Jobs, Trade and Technology ([JTT](#)) ~ which misleadingly used a letter of support provided by my board of directors. I am now aware, as I believe has been internally disclosed, that this funding application was rejected by the Ministry. While I am not privy to JTT's decision on this matter I would simply like to comment on three factors that certainly influenced Innovation Islands decision to rescind its support of MTEC.

1. The MTEC application was chiefly a duplication of services; which the Provincial Government already funds via [Innovate BC](#), through Innovation Island, as a member of the [BC Acceleration Network](#); notwithstanding the position of other pre-existing service providers.
2. The proponents of MTEC do not have adequate technology-industry credibility or experience; and as such many of their propositions were misguided and/or misplaced to the needs of the community and region.
3. The MIBI/MTEC consortium posed numerous conflicts of interest in association to interface with non-profit organizations and other tax-payer funded initiatives.

In addition to the items above, as was the case for Innovation Island, support letters to MIBI/MTEC were generic and did not specify what projects or funding applications they were to be used for; that in-itself was misleading. Furthermore, it was determined that very little due-diligence was conducted on the proponents, their proposed use of funds and specific outcomes or deliverables.

In consideration to the March 20<sup>th</sup> Finance and Audit meeting [delegation from John Hankins] I would like to address several matters as they pertain to references associated to Innovation Island; transcribed from the publicly available video presentation. It is also my intention [to appear as a delegation before Council](#), per your instructions or advice, to perhaps further address these subjects.

**RE: Nanaimo as the fourth tech hub ~ Minister Ralston radio interview**

As you may know, as referenced herein, Innovate BC (and in-turn Innovation Island) [works under](#) Minister Ralston and JTT. Innovation Island is the regional delivery partner of the [Venture Acceleration Program](#) (VAP). Along with our counterparts across the Province (VIATEC in Victoria, Accelerate Okanagan in Kelowna, KAST in the Kootenay's, Kamloops Innovation, e@UBC and SFU VentureLabs in Vancouver, and others) the BC Acceleration Network [BCAN] is making a substantial impact within the Provincial technology sector and local economic development standpoints.

In reporting to the Ministry, all BCAN partners track various key performance indicators (KPI's) and what we call OKR's (Objectives and Key Results). To this end Innovation Island has often taken the #1 spot (Provincially) in several quarterly metrics. Since VAP start in FY-2014, **160+ new tech-based jobs have been created by our client companies ~ over \$15.2 million of new revenue has been generated and this has attracted \$16.8 million of early-stage technology investment ~** throughout the Mid-Island region. Respectfully, this is why Minister Ralston considers Nanaimo (home-base of Innovation Island) as "perhaps" the fourth tech hub.

**RE: 4 key areas ~ gaps and challenges**

The delegation (John Hankins) stated that there are 4 key areas, or gaps, that the MTEC proposal is trying to solve; 1) local talent pool, 2) access to capital, 3) access to information and resources and 4) community building strategies. Points 1 & 2 are huge challenges that the entire Province is grappling with, which cannot be fully addressed in this correspondence, and by his own account the delegate "does not play in this space in terms of tech".

With respect to item 3, access to information and resources, there are three "highly" localized pre-existing organizations who provide tremendous resources; [Community Futures Central Island](#), [Greater Nanaimo Chamber of Commerce](#) and the [BDC's business centre in Nanaimo](#). The Innovation Island [resource page](#) (used by thousands) also provides simple and easy-access to both Provincial and Federal programs and services, etc. Not to mention the excellent work of the [VIEA Economic Resource Library](#) and numerous other specialty sites typically accessed via Google.

In regard to item 4, community building strategies, this too has much more activity than the delegation suggested; albeit many events and strategies are perhaps not as widely promoted as they could or should be. The Vancouver Island Coast Economic Developers Association ([VICEDA](#)) and the Vancouver Island Economic Alliance ([VIEA](#)) are actively engaged in many tech-based initiatives, with Innovation Island. As you know, and skilfully lead, the Nanaimo



Economic Development office (<http://www.investnanaimo.com/>) is a long-standing trusted and respected partner in all of this.

I respectfully state that these organizations do “collaborate” (and they have done so for many years). Albeit to matters herein MIBI/MTEC give little credit to anyone beyond a passing mention ~ at best.

As referenced in the attachment [About IITA] the tech sector, by design, is a fast-moving and widely diverse \$3-Trillion global industry; Canada accounts for approximately 4% of this activity (\$120 Billion) and British Columbia represents about 20% of Canada’s performance in the market at \$26 Billion. In a recent report by Dr. Alan E. Winter, BC's Innovation Commissioner ([Observations on Innovation in British Columbia](#)) it was somewhat humbly stated that “the tech sector in BC consists of a growing base of companies across a diverse range of sub-sectors [with] 90% of tech companies having less than 10 employees ~ with a focus on services (93%) rather than manufacturing” -- this certainly rings true in our region.

For the past 20 years, Innovation Island has been instrumental in fostering and encouraging growth in the regional technology sector. In conjunction with our Government and Industry partners we bring deep domain expertise to the clients and communities that we serve. We’ve worked with dozens of companies, hundreds of entrepreneurs, and we’ve conducted more events, workshops and other programs (in technology & innovation) than any other body within our region. However, perhaps to a fault, we are front-line workers, we tend not to spend much time on marketing, promotions or local boosterism (chiefly because we know, especially in tech, where the bar is set --- and we know we have a lot of ground work ahead of us). We all need to do more in our respective roles and responsibilities but we greatly caution those who take a [FITYMI](#) approach to this sector.

Thank you for receiving this information, and for your time and consideration.

Graham Truax

Interim Executive Director and EiR

**INNOVATION ISLAND TECHNOLOGY ASSOCIATION**

#13 327 Prideaux Street | Nanaimo BC | V9R 2N4

**C 250.702.7461** **O 250.753.8324** **W** [innovationisland.ca](http://innovationisland.ca)

---

**From:** Graham - Innovation Island <[graham@innovationisland.ca](mailto:graham@innovationisland.ca)>

**Sent:** December 7, 2018 5:09 PM

**To:** [mayor&council@nanaimo.ca](mailto:mayor&council@nanaimo.ca)

**Cc:** [leonard.krog@nanaimo.ca](mailto:leonard.krog@nanaimo.ca); [sheryl.armstrong@nanaimo.ca](mailto:sheryl.armstrong@nanaimo.ca); [don.bonner@nanaimo.ca](mailto:don.bonner@nanaimo.ca); [tyler.brown@nanaimo.ca](mailto:tyler.brown@nanaimo.ca); [ben.geselbracht@nanaimo.ca](mailto:ben.geselbracht@nanaimo.ca); [erin.hemmens@nanaimo.ca](mailto:erin.hemmens@nanaimo.ca); [zeni.maartman@nanaimo.ca](mailto:zeni.maartman@nanaimo.ca); [ian.thorpe@nanaimo.ca](mailto:ian.thorpe@nanaimo.ca); [jim.turley@nanaimo.ca](mailto:jim.turley@nanaimo.ca)

**Subject:** Innovation Island ~ Technology Stewardship

**Importance:** High

**Attn: Mayor and Council, City of Nanaimo | Sensitive & Confidential ~ Without Prejudice**

RE: [Delegation from John Hankins regarding the Mid-Island Business Initiative](#)  
REGULAR COMMITTEE OF THE WHOLE MEETING - November 26, 2018

Dear Mayor and Council,

May I first extend congratulations on your respective appointments and Godspeed to an exciting term and future for the City of Nanaimo.

Following some recent communications, and the aforementioned delegation from the Mid-Island Business Initiative (MIBI), I feel compelled to provide you with some supplemental information surrounding the Nanaimo and region technology sector. And, to voice several concerns and corrections to related issues.

As you may or may not know, Nanaimo is home to the Innovation Island Technology Association (IITA). Our organization, formerly known as MISTIC (the Mid-Island Science, Technology and Innovation Council), was established in 1998 as a registered non-profit.

IITA is a regional partner of the [BC Acceleration Network](#). We deliver the [Innovate BC](#) (formerly known as “BCIC”) Venture Acceleration Program ([VAP](#)) to Island communities outside of greater Victoria, including the Gulf Islands and the Sunshine Coast. IITA also facilitates other [Innovate BC Programs](#) to qualifying clients and applicants including programs and services for [NRC-IRAP](#). **Our mission is to support entrepreneurs to start and grow technology companies by providing them with programs and resources they need to succeed.**

IITA has affiliate relationships with the [BC Tech Association](#) and regionally we are long-standing members of the Vancouver Island Coast Economic Developers Association ([VICEDA](#)) and the Vancouver Island Economic Alliance ([VIEA](#)).

As the regional voice for technology entrepreneurship, IITA is proud of our client achievements and is dedicated to expanding outcomes over the region and coming years; **since VAP start in FY-2014, one-hundred and sixty-one new tech-based jobs have been created by our client companies, \$13,578,688. of new revenues have been generated and this has attracted \$13,964,818. of technology investment.** For the past 20 years, Innovation Island has been instrumental in fostering and encouraging growth in the regional technology sector.

For more on our core philosophy and approach please see the PDF attached (About IITA).

Regarding the delegation from MIBI I respectfully provide a brief chronology of certain matters for your consideration. Generally, we are supportive of the MIBI (<https://mibi.ca/>) initiative and their respective marketing campaign(s).

On December-05-18 I received an email correspondence addressed to “Mid-Island Business Leaders”. In this correspondence, and as was referenced in the MIBI presentation materials, it was stated/suggested that MIBI was “connected with the [Angel Forum](#) who will be running their first workshop outside of Vancouver in Nanaimo on January 24th, 2019”. A broadcast

email and [MIBI news post](#) (as of today) further stated that “this is a real coup for our region”.

May I slightly correct the above matter by saying that Innovation Island, in co-operation with the Greater Nanaimo Chamber of Commerce “and” MIBI have arranged for Angel Forum to come to Nanaimo for a half-day workshop, panel discussion and networking event on January 24th, 2019. See our blog post [here](#) for the approved copy from the Angel Forum (Innovation Island has been proud to have hosted several Angel Forum events including their hard-hitting Investor Ready Workshop going back to 2011).

Please know that I am not here to quibble over issues of local boosterism. Albeit the BC Business Magazine feature (also included in the MIBI presentation materials) does have several embellishments and somewhat misleading claims; which are verifiable. The BCBUSINESS article, [Harbouring Ambitions](#) (Aug. 20, 2018) covered perhaps a wider perspective on related issues.

My primary concern, herein, surrounds a component of the MIBI presentation dealing with the Manufacturers Technology Entrepreneurship Council (MTEC) ~ that is supposedly awaiting a “Provincial Funding decision” (with support of Mayor Krog championing a request to Minister Ralston ~ per transcript from the delegation).

While it is certainly the prerogative of citizens or organizations to submit proposals to Government this particular proposal [funding request] included a support letter from Innovation Island that was rescinded on October 26, 2018 (see attached). This letter was also provided to the Minister, and other associated parties, for point of clarification, as of November 22, 2018. Although I cannot speak for others, I do know that the support of this initiative is not as widespread as it may appear or has been presented.

Aside to concerns expressed in the letter (with respect to both the spirit and intent our support being misrepresented) Innovation Island uncovered numerous direct and indirect conflicts of interests on this matter that we simply could not condone. Suffice to say our actions thereto were not unwarranted.

Thank you for your time and consideration. If requested, I would gladly make myself available to further explain these matters and/or share more about the work that we do at Innovation Island.

Sincerely,  
Graham Truax

Interim Executive Director and EiR

**INNOVATION ISLAND TECHNOLOGY ASSOCIATION**

#13 327 Prideaux Street | Nanaimo BC | V9R 2N4

**C 250.702.7461** **O 250.753.8324** **W** [innovationisland.ca](http://innovationisland.ca)

DATE OF MEETING    APRIL 8, 2019

AUTHORED BY        [BILL CORSAN, DEPUTY DIRECTOR, COMMUNITY DEVELOPMENT]

SUBJECT              [DEPARTURE BAY WATERFRONT WALKWAY FEASIBILITY  
STUDY]

## **OVERVIEW**

### **Purpose of Report**

To provide Council with background information, and the steps required to examine the viability of an on-beach walkway at the toe of slope or on-beach green-shores approach for a section of the waterfront walkway from BC Ferries Departure Bay Terminal to Battersea Road.

### **Recommendation**

That the report titled "Departure Bay Waterfront Walkway Feasibility Study", dated 2019-APR-08, be received for information.

## **DISCUSSION**

The waterfront walkway is one of the City's key recreational assets for both local residents and visitors. In the 2012-2015 Strategic Plan, City Council identified a vision for a 'continuous, uninterrupted and accessible trail from Departure Bay to the Nanaimo River Estuary'; a total distance of 13km. In the 2016-2019 Strategic Plan Update, Council identified the waterfront walkway as one of the City's key Capital Projects. The expansion of the existing waterfront walkway is also supported by several neighbourhood plans and other City policies, including the Transportation Master Plan and Official Community Plan.

To date, 4.5km of the planned 13km walkway has been built to varying standards and widths, and has been focused along the downtown core, the Newcastle Channel, the Departure Bay seawall, and behind the BC Ferries Departure Bay Terminal. There are currently a number of missing gaps that limit the connectivity and use of the walkway between the Departure Bay seawall and downtown, and there are no waterfront connections south of downtown.

At the 2017-DEC-18 Council meeting, Council endorsed the Waterfront Walkway Implementation Plan. The plan set out an orderly approach to completing a continuous 13km pathway over a ten-year period, and included order-of-magnitude construction cost estimates valued at over \$36M. The plan was completed with significant input from the community and revealed a strong public support for the development of the waterfront walkway. The community engagement process also revealed that development of the walkway between the existing Departure Bay seawall and the BC Ferries Terminal was the top priority section. The consultant team identified two main options for completing this 1,200 meter section of walkway: an elevated walkway (\$15.5M) and an 'on-beach' option (\$7M).

The Waterfront Walkway Implementation Plan included a recommendation that the project be broken up into two sections: from BC Ferries Departure Bay Ferry Terminal past Northfield

Creek to the existing trail at White Eagle Terrace; and from White Eagle Terrace to Battersea Road.

As part of the public consultation, both an elevated walkway and a trail at the toe of the slope were presented. There was a preference for the elevated walkway with approximately 60% of respondents choosing that option.

The first phase of the Departure Bay Walkway (Northfield Creek section) included the following design elements:

- 350m of elevated concrete walkway;
- steel pile foundations to minimize disturbance to the marine environment, shoreline vegetation, and steep slopes;
- a width of 7.2m wide to allow safe use by pedestrians and cyclists of all ages and abilities.
- appropriate safety features such as LED lighting and cycling-height railings;
- amenities such as benches and waste receptacles and a viewing platform;
- connections to Beach Estates Park and White Eagle Terrace; and
- safety improvements to the existing White Eagle Terrace Trail.

In 2018, functional design work was completed for the project and permits were submitted to Provincial and Federal agencies for review. The original cost estimate based on the conceptual design pegged the project at \$3.5M. Through the functional design work, additional scope was added and new site-specific constraints were discovered, such as constructability. This led to a project cost estimate of \$10.5M.

To better understand the costs, risks, and feasibility of the project, Staff subsequently undertook a value engineering study of the functional design. A team of value engineering consultants were engaged in the fall of 2018 to review the project design, confirm costs, and identify alternative design options. The key findings included:

- Cost Savings – ideas were generated that could reduce the elevated walkway project costs by up to \$2M (from \$10.5M to \$8.5M).
- Constructability – the project as envisioned is very difficult to build due to the sensitive nature of the foreshore and the lack of access points. Construction access risks could subject the project to additional costs of at least \$4.1M.
- Rise of Further Price Escalation – a key component of the project is the use of steel piles. The cost of steel has risen sharply due to tariffs introduced by Canada and the United States. It is difficult to predict the cost of steel in six months and this poses a significant financial risk.
- Alternative walkway design concepts and order-of-magnitude cost estimates were presented including:
  - an on-beach walkway along the existing toe of the slope (\$4.8M)
  - an on-beach green-shores walkway with headland pocket beach (\$5.4M)
  - a shoreline boardwalk structure along the existing toe of slope (\$6.3M)

Staff believe it would be prudent to explore the Northfield Creek walkway alternatives presented in the value engineering study and investigate the feasibility of extending these designs beyond White Eagle Terrace to Battersea Road to ensure future phases can also be constructed with the same alternative approach. The preparation of an alternative option will enable Council to

compare it to the elevated walkway with information at a similar level of detail with respect to cost, constructability, durability, impact, and aesthetics.

The scope of work will be broken into two phases, starting with the feasibility study consisting of survey work, environmental work, and coastal engineering to proof out the on-beach/toe-of-slope approach. A functional design and detailed costing will be completed if the feasibility study shows merit.

At the 2019-MAR-18 Council Meeting, Council passed a motion which allowed \$400,000 from the 2018 general surplus to be allocated to the General Financial Stability Reserve to fund the Waterfront Walkway Feasibility Study.

Staff will now proceed with a Request for Qualifications for a consultant team to undertake the Waterfront Walkway Feasibility Study. When the project work is complete, Council will be able to compare the raised walkway with the on beach/toe of slope and the associated costs, impacts, and benefits.

If Council wishes to proceed with construction of the walkway, the project will be funded through borrowing, which will require the assent of the electors through an Alternative Approval Process or a Referendum.

Staff believe the above-noted work is critical in understanding the overall cost and implications of the design and would recommend this work prior to seeking electoral assent.

### **SUMMARY POINTS**

- The expansion of the waterfront walkway is one of the five projects identified by Council in the 2016-2019 Strategic Plan.
- The Waterfront Walkway Implementation Plan was endorsed by Council in December 2017 and identified the Northfield Creek section of the Departure Bay Walkway as a priority.
- In 2018, a functional design for the Northfield Creek Section was completed. The design was based on a 350m elevated walkway. A value engineering review of the project noted concerns about price and constructability. In addition, the report identified that an on-beach walkway at the toe of slope or on-beach green-shores approach may be less expensive and be easier to construct.
- At the 2019-MAR-18 Council Meeting, Council allocated \$400,000 from the 2018 general surplus to the General Financial Stability Reserve to fund the Waterfront Walkway Feasibility Study.
- When complete, Council will be in a position to evaluate the two options and to compare costs, constructability, durability, impact, and aesthetics.
- If Council wishes to proceed with construction of the walkway, the project will be funded through borrowing, which will require the assent of the electors through an Alternative Approval Process or a Referendum.

## **ATTACHMENTS**

### ATTACHMENT A: Proposed Study Area

#### **Submitted by:**

Bill Corsan  
Deputy Director, Community Development

#### **Concurrence by:**

Dale Lindsay  
Director, Community Development

Laura Mercer  
Acting Director, Financial Services



# SECTION 1

# Departure Bay BC Ferries Terminal to Cilaire

## ATTACHMENT A



### Archaeological

Archaeologist has completed an assessment for project area with First Nations.

Low potential for archaeological impact because project is located within foreshore.

During construction, project will be monitored by an archaeologist to minimize any impacts.

### Geotechnical

Slope reviewed, walkway has been placed away from the bluff in case of slope failure

Borehole drilling and soil testing has been completed to aid in foundation design.

Potential liquefiable natural soils in foreshore.

Various depths to bedrock or dense soils suitable to support piles.

### Environmental

Project reduces impact on foreshore through use of piles rather than fill.

An Aquatic Effects and Serious Harm assessment is in progress for project area to support approval applications including,

- ◆ A background review of environmental features (fish, wildlife and habitats),
- ◆ An assessment of fish and wildlife habitat,
- ◆ An outline of project features that may affect the environment,
- ◆ Specific mitigation measures to minimize or eliminate potential environmental effects, and
- ◆ An assessment of residual serious harm (Fisheries Act).



# Departure Bay Waterfront Walkway Feasibility Study

2019-APR-08



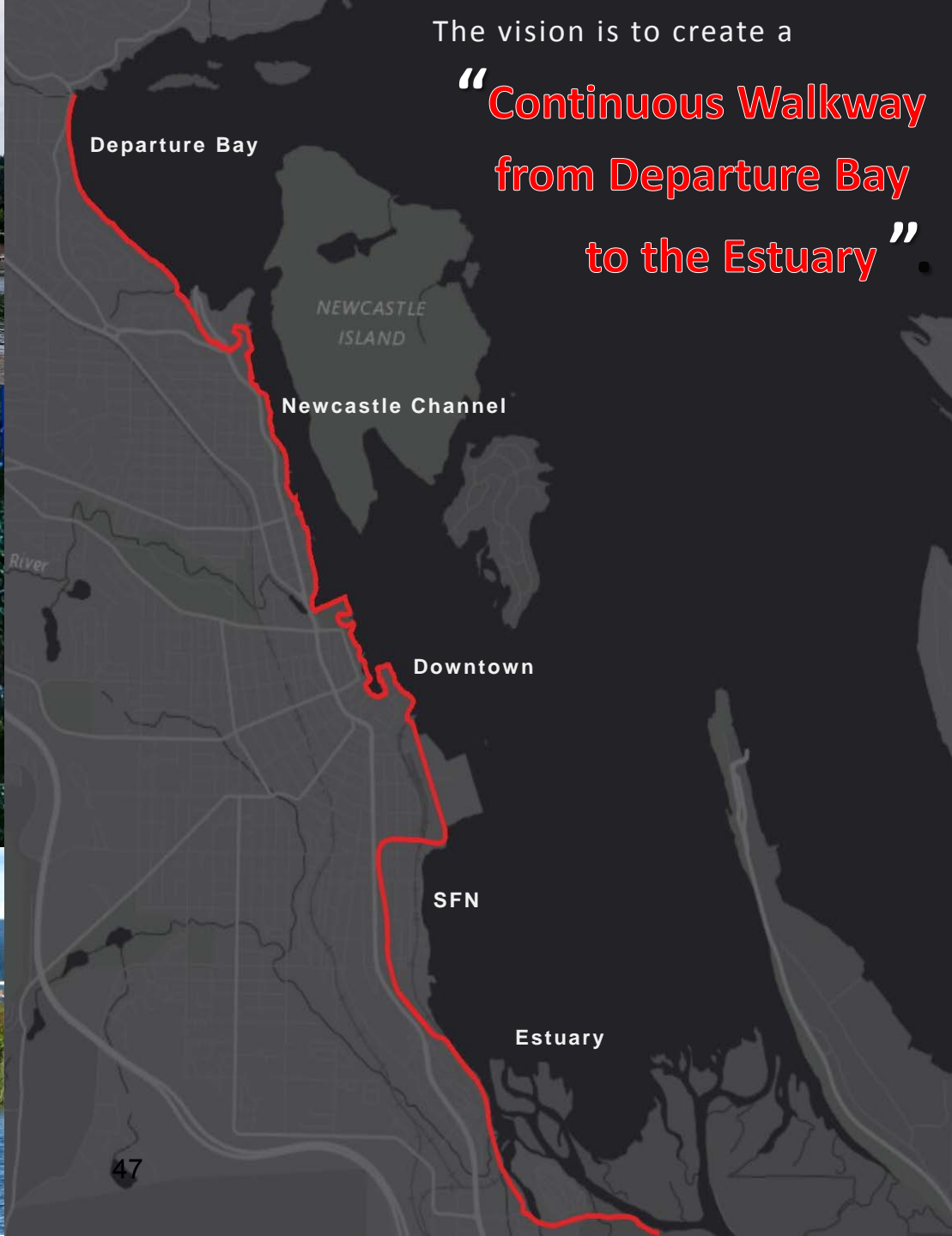


# Agenda

- Background
- Northfield Creek Section
- Value Engineering Findings
- Alternative Design Concepts
- Process





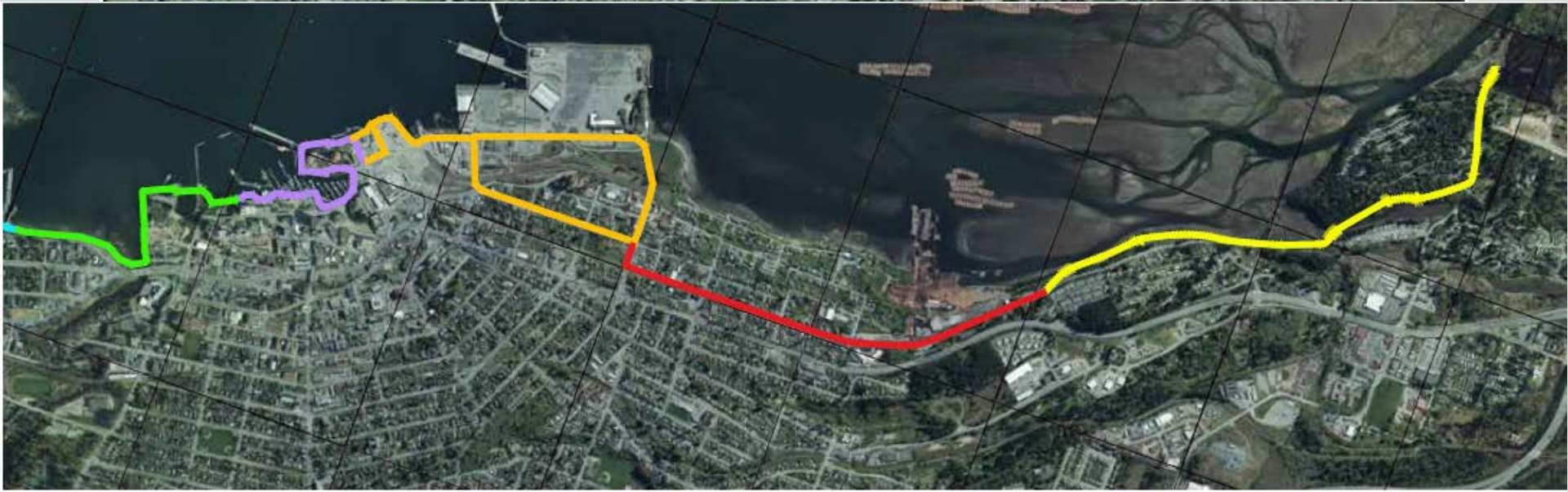
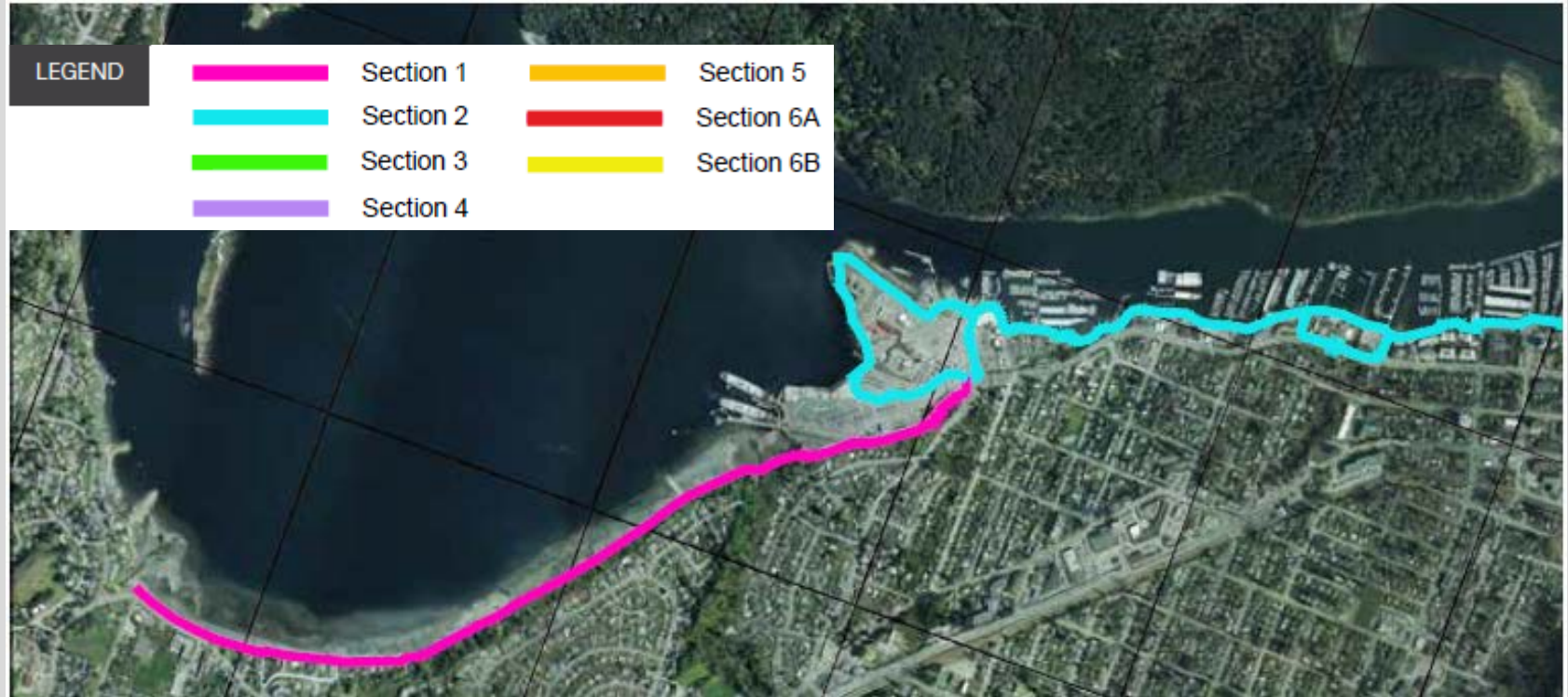


## Background

---

- The waterfront walkway is one of the City's key recreational assets for both local residents and visitors.
- Council identified a vision for a 'continuous, uninterrupted and accessible trail from Departure Bay to the Nanaimo River Estuary'; a total distance of 13km.
- To date, 4.5km of the planned 13km has been built to varying standards and widths.
- The Waterfront Walkway Implementation Plan was endorsed by Council in December 2017.
- The plan was completed with significant input from the community and revealed a strong public support for the development of the waterfront walkway.





## Progress Update

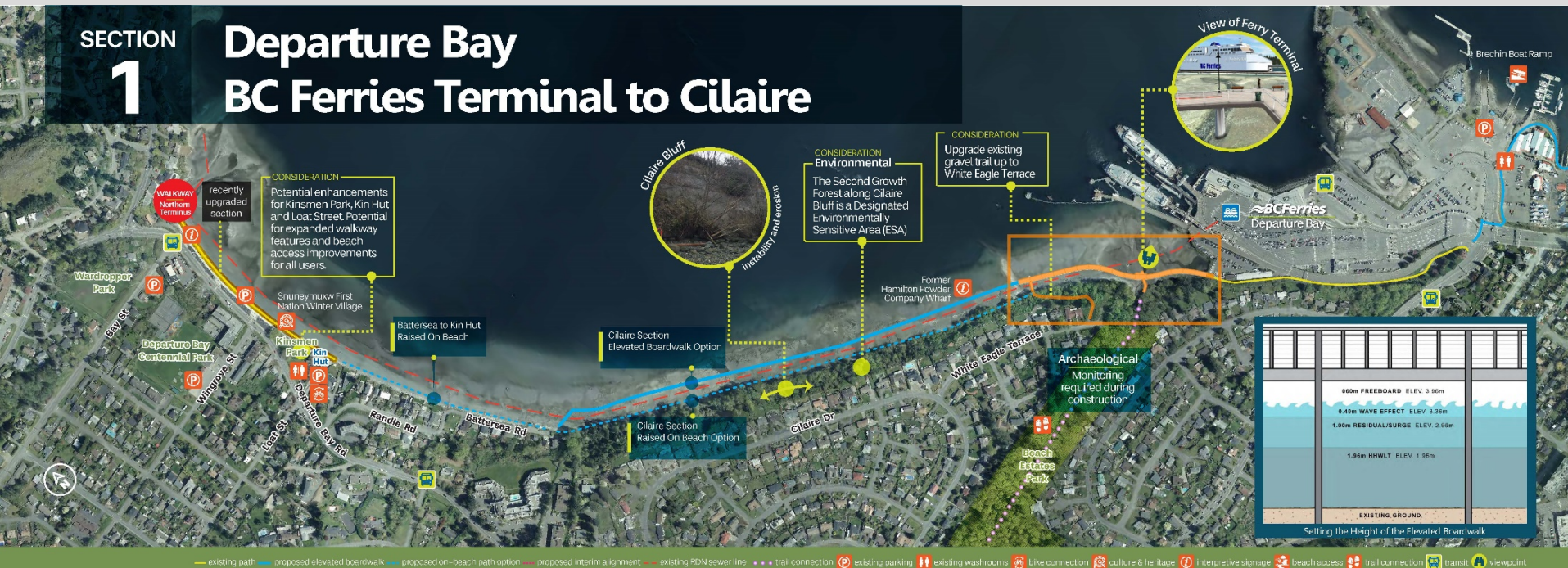
---

- Living Forest – 500m+ upgraded by BC Hydro to an interim standard. Still need to secure right-of-way for public use.
- South Downtown Waterfront – 1,000m (to be complete Summer 2019)
- Nautical's (Newcastle Channel) – 150m ( to be complete Summer 2019)
- Shipyard Detour (Newcastle Channel) – 200m (summer 2020)
- Nanaimo Yacht Club Upgrade (Newcastle Channel) – 150m (summer 2020)



# SECTION 1

## Departure Bay BC Ferries Terminal to Cilaire



### Archaeological

Archaeologist has completed an assessment for project area with First Nations.

Low potential for archaeological impact because project is located within foreshore.

During construction, project will be monitored by an archaeologist to minimize any impacts.

### Geotechnical

Slope reviewed, walkway has been placed away from the bluff in case of slope failure

Borehole drilling and soil testing has been completed to aid in foundation design.

Potential liquefiable natural soils in foreshore.

Various depths to bedrock or dense soils suitable to support piles.

### Environmental

Project reduces impact on foreshore through use of piles rather than fill.

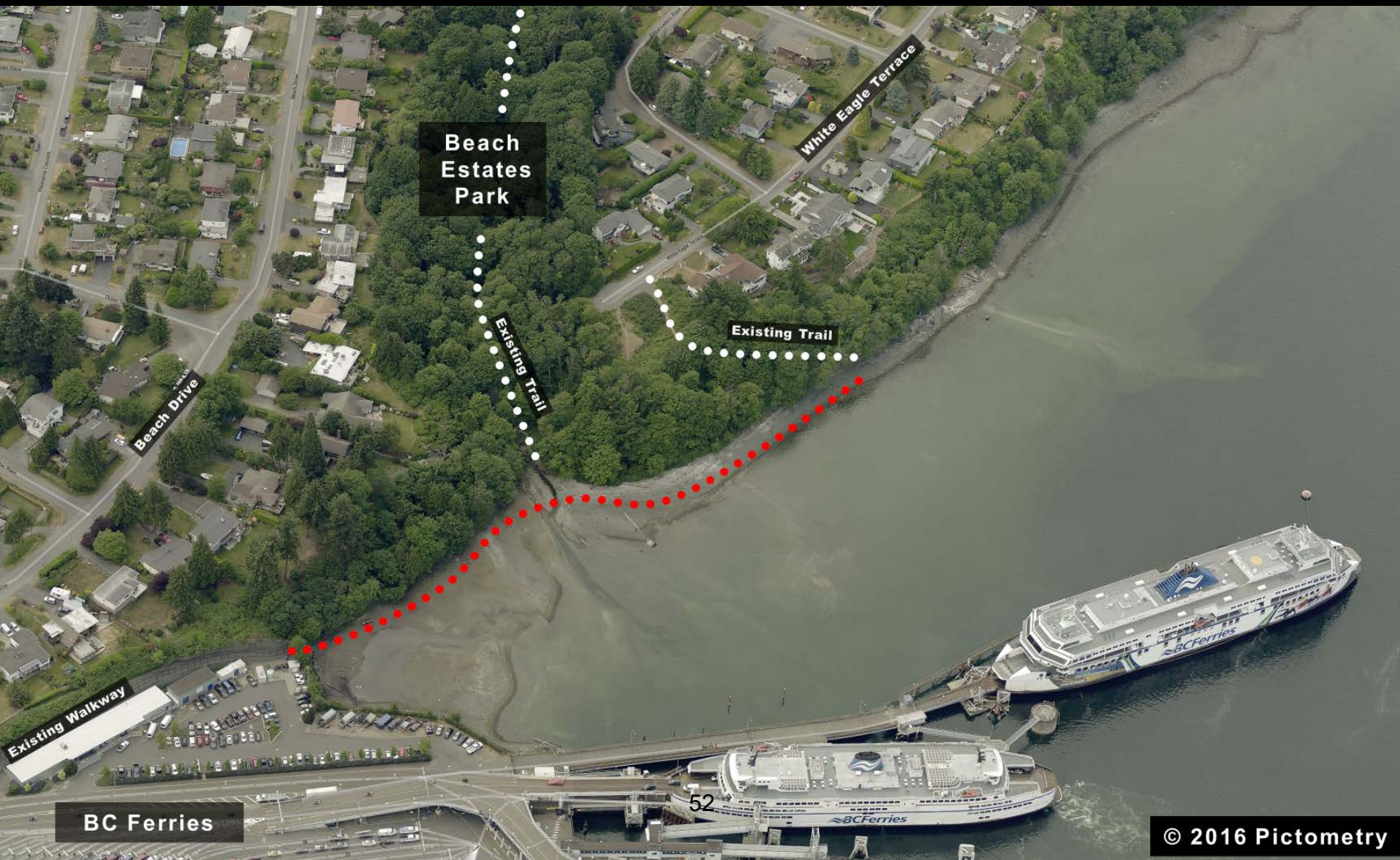
An Aquatic Effects and Serious Harm assessment is in progress for project area to support approval applications including,

- ◆ A background review of environmental features (fish, wildlife and habitats),
- ◆ An assessment of fish and wildlife habitat,
- ◆ An outline of project features that may affect the environment,
- ◆ Specific mitigation measures to minimize or eliminate potential environmental effects, and
- ◆ An assessment of residual serious harm (Fisheries Act).



# Nanaimo Waterfront Walkway Priority Project – Northfield Creek

Length = 350m





## Northfield Creek Section - Proposed Design

---

The Northfield Creek section of the walkway was set up to include the following design elements:

- 350m of elevated concrete walkway;
- steel pile foundations to minimize disturbance to the marine environment, shoreline vegetation, and steep slopes;
- a width of 7.2m wide to allow safe use by pedestrians and cyclists of all ages and abilities;
- appropriate safety features such as LED lighting and cycling-height railings;
- amenities such as benches and waste receptacles and a viewing platform;
- connections to Beach Estate Park and White Eagle Terrace; and
- safety improvements to the existing White Eagle Terrace Trail.

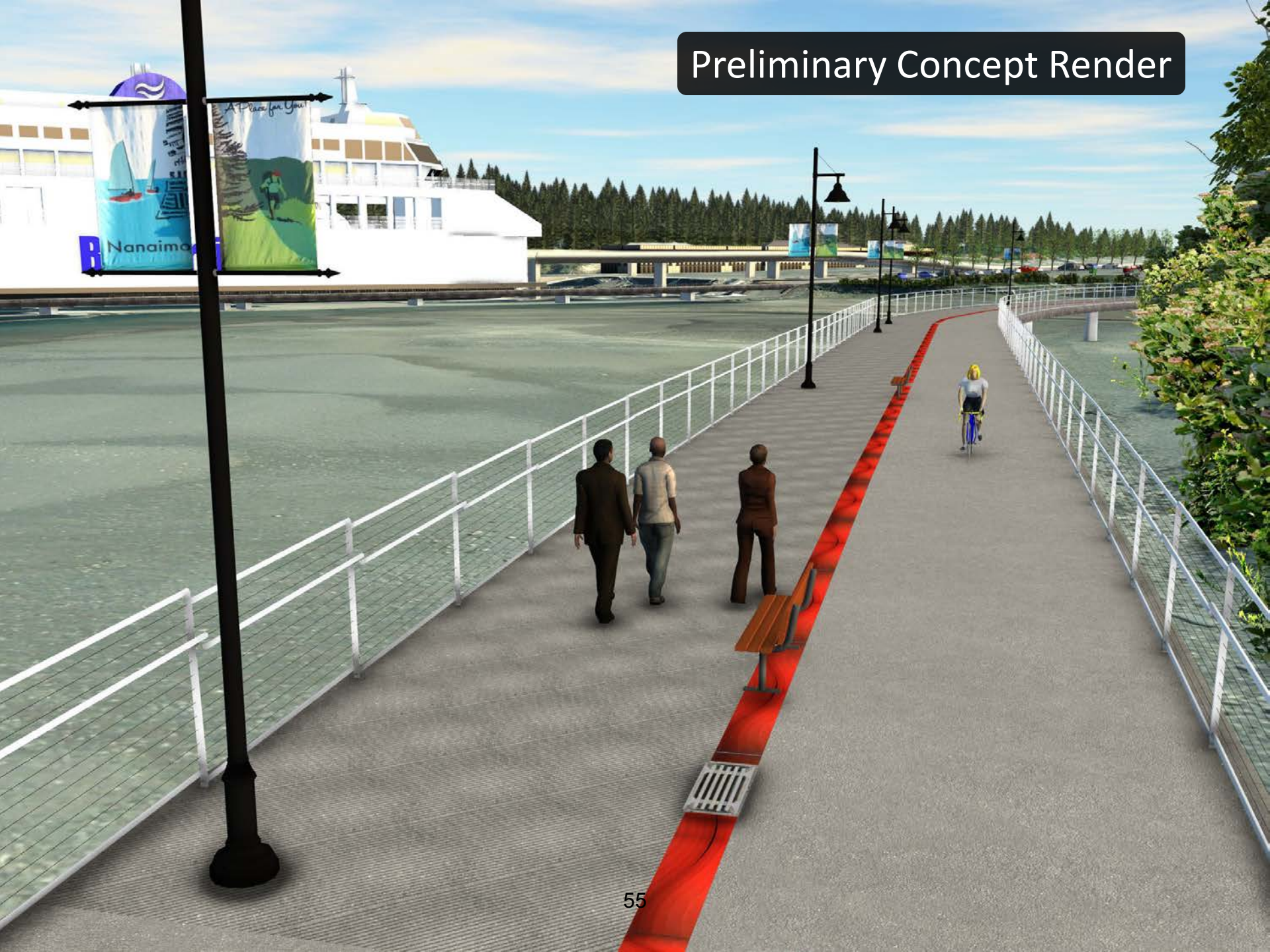


# Preliminary Concept Render

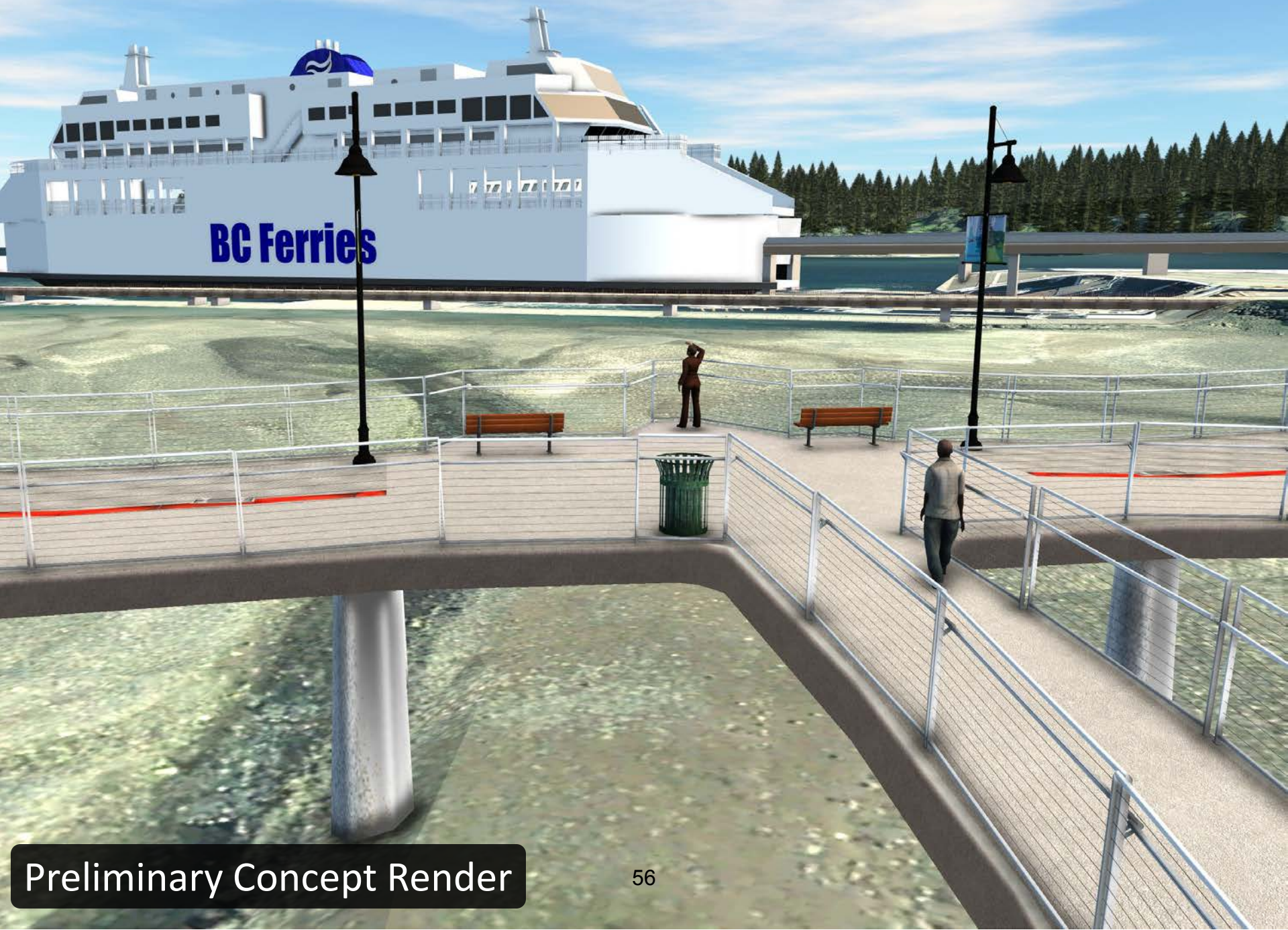




# Preliminary Concept Render







Preliminary Concept Render





**BC Ferries**

Preliminary Concept Render

## Value Engineering Consultants – Key Findings

---

To better understand costs, risks and feasibility of the project, City Staff undertook a value engineering study of the functional design. A team of value engineering consultants was engaged in the fall of 2018. The key findings included:

- **Cost Savings** – ideas were generated from the elevated walkway that could reduce project costs by up to \$2m.
- **Constructability** – the project as envisioned is very difficult to build due to the sensitive nature of the foreshore and the lack of access points. Construction access risks could subject the project to additional costs of at least \$4.1m.
- **Rise of Further Price Escalation** – a key component of the project is the use of steel piles. The cost of steel has risen sharply due to tariffs introduced by Canada and the United States. It is difficult to predict the cost of steel in six months and this poses a significant financial risk.



## Alternative Design Concepts

---

- Alternative walkway design concepts and order-of-magnitude cost estimates were presented including:
  - An on-beach walkway along the existing toe of the slope (\$4.8M)
  - An on-beach green shores walkway with headland pocket beach (\$5.4M)
  - A shoreline boardwalk structure along the existing toe of slope (\$6.3M)
- Staff believe it would be prudent to explore the Northfield Creek walkway alternatives presented in the Value Engineering study and investigate the feasibility of extending these alternative designs beyond White Eagle Terrace to Battersea Road to ensure future phases can also be constructed with the same alternative approach.

## Alternative Design Concepts – Toe of Slope Example





# Alternative Design Concepts – Toe of Slope Example

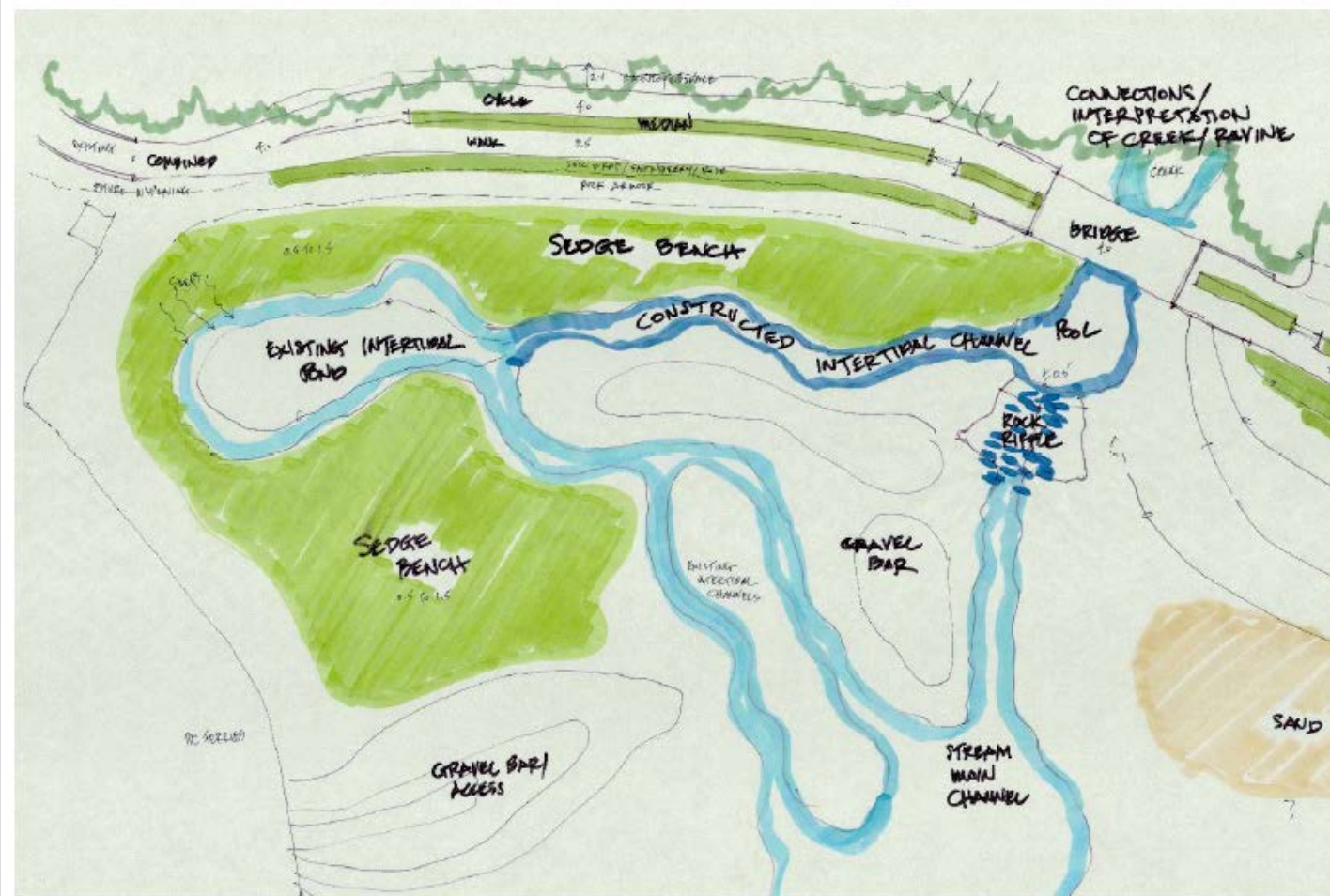


# Alternative Design Concepts – Greenshore Example

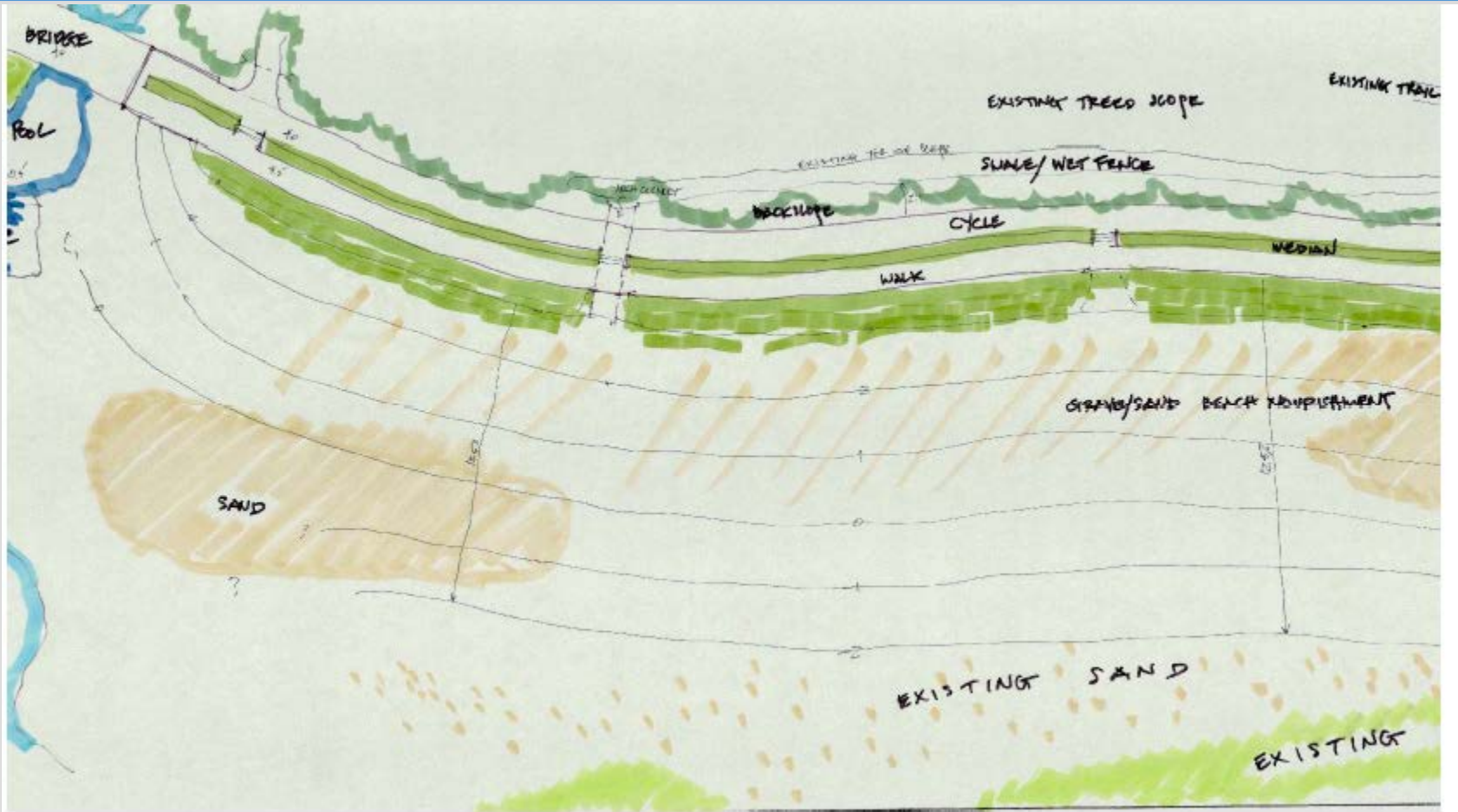




# Alternative Design Concepts

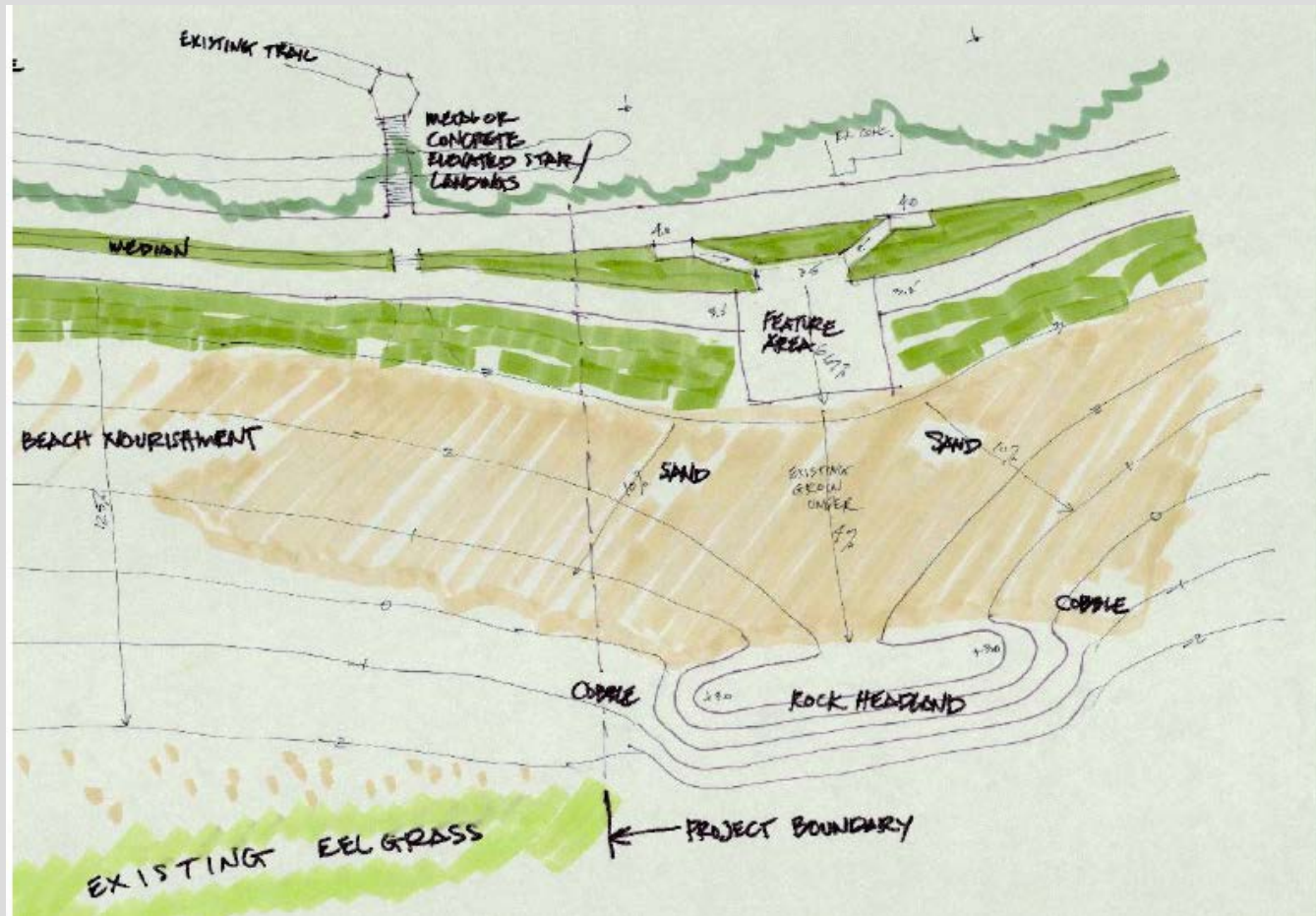


## Alternative Design Concepts





# Alternative Design Concepts



# Process



DATE OF MEETING April 08, 2019

AUTHORED BY MEGAN WAGGONER, RECORDS/INFORMATION & PRIVACY  
COORDINATOR

SUBJECT OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER  
FINDINGS AND RECOMMENDATIONS

## **OVERVIEW**

### **Purpose of Report**

To provide Council with an update on the recommendations of the Office of the Information and Privacy Commissioner.

### **Recommendation**

That Council endorse Staff's initiatives to endeavor to comply with all of the recommendations of the Information and Privacy Commissioner of British Columbia.

## **DISCUSSION**

On August 2, 2018, British Columbia's Information and Privacy Commissioner, Michael McEvoy, wrote a letter to the City of Nanaimo advising of the conclusion of the Office of the Information and Privacy Commissioner's (OIPC) investigation into several breaches of personal information (Attachment A). In his letter the Commissioner outlined the following recommendations that the City must comply with:

The Commissioner recommended that:

1. The City take immediate steps to implement a Privacy Management Program. The program should include:
  - a. designating a staff member responsible for reviewing the City's privacy policies and security arrangements relating to the protection of personal information in the City's custody or control; and
  - b. a privacy policy that applies to every instance of collection, use or disclosure of personal information, as a necessary component of the diligence required by s. 30 of the *Freedom of Information and Protection of Privacy Act* (FIPPA).
2. The City conduct comprehensive mandatory and ongoing privacy training for all employees and officers to ensure those who handle personal information are made aware of their obligations under FIPPA.

The position of Claims/FOI Coordinator, which has the delegated authority of the Freedom of Information (FOI) Head under “Freedom of Information and Protection of Privacy Bylaw 2006 No. 7024” has been updated to reflect the requirements set out in recommendation 1(a), and is now titled Records/Information & Privacy Coordinator. This position, under the direction of the FOI Head, will be responsible for implementing and maintaining a Privacy Management Program for the City, which will include improved records management practices and policies; a new records classification and retention schedule which will identify personal information banks and appropriate records retention and destruction timelines; implementation of a privacy policy that applies to every instance of collection, use, or disclosure of personal information (attached); and various other elements of a functioning Privacy Management Program.

In regards to the second recommendation, the City has increased staff education opportunities significantly since 2017 when the OIPC investigation commenced. Legislative Services staff have attended departmental staff meetings for various departments where staff have given verbal presentations about *FOIPPA*, and provided handouts relevant to the departments such as: OIPC orders; *FOIPPA* handouts; routinely available records list; and, answered staff questions specific to their job functions.

The Legislative Services department has been working with the Human Resources (HR) Department to schedule mandatory training for all staff. Historically there has been voluntary *FOIPPA* training offered once annually to staff who wish to attend, this training has been organized and tracked through the HR Department and taught by the FOI Head. In 2019, we have increased this training to three sessions a year provided through the HR Department, as well as attending other City facilities every two months to provide smaller group training courses. This training will be mandatory for all staff and attendance will be tracked through the HR Department. Where the departmental training courses have typically been fairly informal, we will now take the same course content noted above to these smaller meetings in order to ensure that all required content is covered by all staff. Additionally, there has been a *FOIPPA* component incorporated into the Corporate Orientation, which is provided twice a year to new employees as well as employees who have changed from temporary to permanent employment status. Our hope is that with this rigorous training schedule, we will be able to deliver the appropriate training to staff and increase privacy awareness throughout the City of Nanaimo.

In his letter, the Commissioner notes that those who are entrusted to serve the public and who possess personal information by reason of their public duties have a responsibility to treat it with respect and in compliance with the law. All City of Nanaimo officers and staff must understand and employ the fundamental practices required to protect personal data – from secure methods to collect, store and transmit personal data through to secure methods of destruction. Everyone in the organization has a role to play in protecting the personal information that the organization collects, uses, and discloses, and every individual within the organization contributes to the success of the program.



### **SUMMARY POINTS**

- The Information and Privacy Commissioner of British Columbia has made several recommendations to the City of Nanaimo.
- Staff are taking the necessary steps to meet the recommendations of the OIPC and comply with the *Freedom of Information and Protection of Privacy Act*.
- Staff will require the support of Council and the Senior Leadership Team in order to comply with the recommendations and implement a successful Privacy Management Program.

### **ATTACHMENTS**

OIPC F17-72024 Privacy Breach Investigation – Attachment A  
DRAFT City of Nanaimo Privacy Policy – Attachment B

#### **Submitted by:**

Megan Waggoner,  
Records/Information & Privacy Coordinator

#### **Concurrence by:**

Sheila Gurrie,  
Corporate Officer and FOI Head

August 2, 2018

Sheila Gurrie  
Corporate Officer  
City of Nanaimo  
455 Wallace Street  
Nanaimo, BC V9R 5J6

Dear Sheila Gurrie:

**Re: Privacy Breach Investigation – OIPC File F17-72024**

I write regarding reports you made to my office on behalf of the City of Nanaimo about three separate personal information disclosures.<sup>1</sup> You reported that the information in question was in the City's custody and control and was disclosed without any legal authority.

When an unauthorized disclosure of personal information is reported to the OIPC, my staff, expertly versed in such matters, normally help the public body or organization manage it. In the normal course of business, this means giving advice about preventing further disclosures and helping determine whether individuals affected by a disclosure should be notified. Usually, the public body or organization and its leadership are responsible for remedying a privacy breach, with oversight from the OIPC.

However, in this case, the disclosure reports to my office implicated senior members of the City's leadership, thereby casting doubt on the City's ability to properly remedy the alleged breaches. The former acting commissioner consolidated all of the matters you reported to our office into one investigation under s. 42(1)(a) of the *Freedom of Information and Protection of Privacy Act* (FIPPA).

On November 2, 2017, the former acting commissioner advised the City of the purpose of the investigation – to examine and assess the cause and extent of these disclosures and to assess the measures the City has taken to protect personal information and comply with the security measures required by FIPPA.

I have decided to post this reporting letter on our website given that the issues addressed in this review have been the subject of considerable public discussion and debate in Nanaimo. This letter also serves to remind those who serve in municipal offices that the public has entrusted them to protect the personal information within their custody or control and that they must take all reasonable measures necessary to do so.

---

<sup>1</sup> You are a designated "Head" of the City under s. 77 under FIPPA.

---

## Background

My staff interviewed a number of City employees and councillors under oath about the information disclosures as well as the privacy management practices at the City. Investigators collected and examined records relating to the incidents as well as information about the City's privacy management program.

My investigators observed significant adversarial relationships between some members of the council and administration. Those relationships are not within my authority to investigate. I mention them here only because it provides some context for the findings that follow.

The information at issue in the three disclosures is summarized as follows:

1. The workplace report

The City's Chief Administrative Officer (CAO)<sup>2</sup> complained to the City's Human Resources department in early 2017 that certain conduct toward her violated the City's "Respectful Workplace Policy". In response, the department retained an outside consultant to determine whether the policy was breached.

The consultant provided a workplace report to the Director of the City's Human Resources department on July 20, 2017. The report contains sensitive personal information about the complainant and several other individuals. In general terms, the report concerns allegations of conflict and dysfunction between some members of City council and City administration.

2. The consulting group email

On March 31, 2015, the City's mayor wrote an email to a consulting group and copied the City's then CAO. The purpose of the email was to engage the firm to assist in resolving adversarial relationships on council. Among other things, the email contained the Mayor's opinions about City councillor colleagues, some of which were not complimentary.

3. The two law firm letters

Two letters were sent to the City from a law firm representing a City Councillor:

- a letter dated December 10, 2015 addressed to the City's mayor; and
- a letter dated December 14, 2015 addressed to the City's Chief Administrative Officer (CAO).

---

<sup>2</sup> The CAO has since left the employ of the City.

The letters set out concerns about how certain City personnel matters were handled by council. The letters name several individuals in relation to those concerns.

## **Application of FIPPA**

### Personal information can only be disclosed with legal authority

The City of Nanaimo, like all public bodies in BC, is subject to FIPPA. The requirements of the legislation extend to all of the City's officers and employees, including the Chief Administrative Officer, the mayor, and councillors. Part 3 of FIPPA sets out specific rules about how personal information in the City's custody or control must be treated.

FIPPA defines "personal information" as information about an identifiable individual. This definition has been interpreted in court decisions to mean any information that is capable of being linked to an identifiable individual, on its own or in connection with other available information.

Section 30.4 of FIPPA prohibits the disclosure of personal information by City employees, officers and directors except as authorized by FIPPA.

### Obligation to protect personal information

Under s. 30 of FIPPA, public bodies, such as a city government, must make "reasonable security arrangements" to protect personal information in their custody or control from unauthorized access or disclosure. What constitutes reasonable security arrangements is contextual and can vary according to factors such as the sensitivity and amount of the personal information. Orders by my office note that while "reasonable" does not mean perfect, it does signify a very high level of rigour.

## **Application of FIPPA to the disclosures in this case**

As the City's head under FIPPA, you reported to my office that the workplace report, the consulting group email and the law firm letters were within the City's custody and control; contained personal information; and that this personal information was disclosed without authority. In short, these were privacy breaches.

On review, my investigators confirmed the report, email and letters were within the City's custody or under its control and that they contained personal information. The question therefore is whether the report, email and letters containing the personal information were disclosed and if so did this happen without legal authority provided under FIPPA. I consider each matter in turn.



### Workplace report

The consultants delivered the report to the City's Human Resources department on July 20, 2017. The department then provided a copy to the CAO and two individuals named in it. The Human Resources department temporarily<sup>3</sup> stored the report on a shared computer drive accessible to department staff.

Copies of the report were also circulated to city councillors at a July 26, 2017 in-camera council meeting. Those councillor copies were collected and returned to the Human Resources department at the end of the in-camera meeting.

On August 2, 2017, a major newspaper published an article stating that it was provided with a copy of the report. The article's author noted that the report had not been publicly released. There is no reason to doubt the newspaper's story that it was given a copy of the report. I therefore find the report, within the City's custody and control, was disclosed to the newspaper and there was, on its face, no legal authority for doing so.

We asked the CAO if she disclosed the report as she was quoted in the newspaper article saying she was afraid the report would not be made public. The CAO admitted to making that statement but denied disclosing the report to the newspaper. We also asked the other interviewees if any of them had disclosed the report. All denied doing so.

My investigators reviewed all other relevant evidence that they had collected in addition to the testimony taken under oath. Having carefully assessed it, my staff were unable to conclusively establish who disclosed the report to the newspaper.

While I find that the disclosure of the personal information in the report was not authorized by FIPPA, there was insufficient evidence to determine who at the City contravened s. 30.4 of FIPPA.

### Consulting group email

A copy of the Mayor's email to the consulting group was described, but not provided, by the CAO at an in-camera meeting of City council on or about March 21, 2016. On April 4, 2016, council passed a resolution requiring the CAO to provide it with a copy of the email. The CAO provided council with a copy of the email on June 22, 2016 redacting much, but not all, of the personal information of councillors.

A member of the public presented an unredacted copy of the email to an open meeting of City council on November 21, 2016. He said he found the email on his car windshield.

I find that the disclosure of the personal information in the email was not authorized by FIPPA, but my staff could not conclusively determine who provided the email to the

---

<sup>3</sup> Less than five days.

member of the public. The likely source of the email was from within the City, considering that the consulting group had little to gain from its disclosure. We interviewed City employees and officials who we identified as having had contact with the email. However, they all denied disclosing it, and we found no other independent evidence that conclusively demonstrated who released it.

### Two law firm letters

City staff distributed the December 10, 2015 letter to the Mayor from a law firm for discussion at a December 16, 2015 in-camera meeting of City council. The City could not confirm whether the December 14, 2015 letter was also distributed for the same meeting.

One councillor stated under oath to my investigators that he had received both letters by email for the purposes of an in-camera council meeting. He said that neither the email attaching the letters nor the letters themselves explicitly stated that they were confidential. He said that he disclosed both the December 10, 2015 and December 14, 2015 letters by posting them on a Facebook page that he administers.

On May 25, 2016, the City issued a written notice, pursuant to s. 73.1 of FIPPA, to the councillor demanding that he remove the information from this Facebook page. In response the councillor removed the information.

As described above, City councillors are officers of the City. They may only disclose personal information in the City's custody or under its control if there is authorization under FIPPA to do so. As the City's head, you are responsible for dealing with privacy breaches. You submitted there was no authority to disclose the personal information in the letters and I agree. The councillor in question is an experienced member of council and knew that documents distributed in-camera were not to be disclosed beyond council chambers. Common sense dictated that the lack of a "confidential" label could not be interpreted as a green light to release personal information in contravention of FIPPA, particularly given that the meeting was in-camera.

I find that the disclosure of any personal information in the letters by the councillor on the Facebook page was not authorized by FIPPA. While this constituted a contravention of s. 30.4 of FIPPA, the councillor properly took down the letters that he posted when the City first demanded that he do so under s. 73.1.

### **Consulting group email and December 14, 2015 law firm letter remain posted**

During this investigation my staff discovered that, in addition to the councillor posting the December 14, 2015 law firm letter on the Facebook page he administers, a member of the public also posted it to this page on May 19, 2016. When clicked, the hyperlink disclosed the December 14, 2015 law firm letter. We also learned that the same member of the public posted the consulting group email on the Facebook page on

November 22, 2016. The councillor administers and is responsible for that Facebook page and therefore controls its content.

The City issued written notices to the member of the public referred to in the preceding paragraphs, pursuant to s. 73.1 of FIPPA, on May 24, 2016 and on November 22, 2016 respectively, given that he possessed both the law firm letters and the consulting group email.

On May 27, 2016, the member of the public advised the City that he had destroyed the law firm letters. However, on November 27, 2016, in respect of the consulting group email, the member of the public stated that he would not destroy it.

We have discussed the November 27, 2016 response the City received from the member of the public. The City has now advised my office that it will re-issue a written notice, pursuant to s. 73.1 of FIPPA to the member of the public.

The City also advised my office that on July 25, 2018, it issued a further s. 73.1 notice to the councillor requiring him to securely destroy the documents posted on the Facebook page by the member of the public.

If the councillor refuses the City's demands, the City can ask the Attorney General of BC to petition the Supreme Court of British Columbia to enforce them. The City advises my office that it intends to do so if the councillor does not comply. I support the City's planned course of action and my office will assist the City as appropriate.

The posts containing personal information that appear on the Facebook page administered by the councillor, as of the writing of this letter, also constitute a contravention of s. 30.4 of FIPPA and can be prosecuted pursuant to s. 74.1. Prosecution of an offence under FIPPA by my office remains an option pending the outcome of the City's actions.

### **Protecting Personal Information**

This letter should not be taken as criticism of the actions you have taken as the City's Corporate Officer and head under FIPPA. During our investigation, you, along with other City staff, cooperated fully with my investigators and took steps, as best you could, to protect personal information within the City's custody or control. Indeed, you reported the disclosures to my office and acted to contain the breaches by ordering the recovery of the improperly disclosed personal information. I commend you for this. The steps you took are those I would expect a public body to take when managing a privacy breach.

Nevertheless, our investigation found that the disclosures of the personal information in the report, email and letters were not authorized by FIPPA. In reviewing the evidence, I can see that some officers of the City, including some members of council, lack a basic understanding of their privacy obligations under FIPPA. The City needs to remedy this to prevent future abuse.

I recommend that the City take immediate steps to implement a privacy management program to ensure it can meet all of its obligations under FIPPA. Executive-level support is the backbone of successful privacy management. City council and officers of the City should lead by example by demonstrating commitment and support for effective privacy management.

This program should include designating a staff member responsible for reviewing privacy policies and security arrangements in place to protect the personal information in the custody or under the control of the City. A privacy policy that applies to every instance of collection, use or disclosure of personal information is a necessary component of the diligence required by s. 30.

I further recommend that all employees and officers of the City who handle personal information be made aware of their obligations under FIPPA. This privacy training should be comprehensive, mandatory and ongoing for all employees and officers. The City should track participation in that training.

## **Conclusion**

Those who are entrusted to serve the public and who possess personal information by reason of their public duties have a responsibility to treat it with respect and in compliance with the law.

While there may be, in extraordinary circumstances, a lawful basis for public disclosure of sensitive personal information in a public body's custody or control, this is clearly not one of them. In this case, personal information was disclosed contrary to law and to the duty of trust required of public officials.

I have directed a senior member of my office to meet with members of council and senior City staff to discuss their legal responsibilities as outlined in this letter. I trust that the remedial approach I am taking in this case will ensure that I do not see a repeat of such incidents in Nanaimo.

My staff will follow-up with you for an update on the City's implementation of the recommendations in this reporting letter by November 20, 2018.

Sincerely,

## **ORIGINAL SIGNED BY**

Michael McEvoy  
Information and Privacy Commissioner  
for British Columbia





<b>Section:</b>	<b>Administration</b>	<b>1</b>
<b>Subsection:</b>	<b>Information and Privacy</b>	<b>0580</b>
<b>Title:</b>	<b>Privacy Policy</b>	<b>01</b>

## REASON FOR POLICY

The purpose of the City of Nanaimo's Privacy Policy is to describe how the City collects, uses, discloses and protects personal information. This policy provides a framework for how the City will operate in order to ensure personal information is managed in accordance with the *Freedom of Information and Protection of Privacy Act*. This policy also gives examples of what personal information the City needs, and examples of how it uses and discloses personal information.

## SCOPE

This policy applies to personal information that the City collects, uses or discloses in any form (including verbal, electronic or written personal information).

This policy does not apply to any collection, use or disclosure of personal information through the City's website. The City's website privacy policy can be accessed through this link:

<https://www.nanaimo.ca/privacy-policy>

## DEFINITIONS

The following definitions are used in this policy:

- a. "Act" means the *Freedom of Information and Protection of Privacy Act* (British Columbia);
- b. "City" means the City of Nanaimo;
- c. "employee" means an employee of the City, including a volunteer;
- d. "personal information" means recorded information about an identifiable individual;
- e. "service provider" means a person we retain under a contract to perform services for us;
- f. "us" refers to the City, as do "our", "we" and similar terms, not to any employees or elected or appointed City officials;
- g. "you" refers to anyone whose personal information we collect, use or disclose

## POLICY STATEMENT

This policy is established in accordance with the City's *Freedom of Information and Protection of Privacy Act Bylaw 7024*. We protect the personal information we collect, use and disclose in accordance with the *Freedom of Information and Protection of Privacy Act (FIPPA)* by promoting privacy awareness, applying sound privacy principles and implementing reasonable security measures.

This policy is the foundation for the City's privacy management program. It sets the framework for privacy to be a central component of our business practices and a built-in component of our day-to-day program operations.

## POLICY

### 1. COLLECTION OF PERSONAL INFORMATION

We collect personal information:

- a. where collection is authorized under a statute, which may include the *Community Charter*, or is authorized under City bylaws;
- b. for the purposes of our activities, services and programs;
- c. for the purposes of planning or evaluating our activities, services and programs;
- d. for law enforcement purposes, including enforcing our bylaws; and
- e. at presentations, ceremonies, performances, sports meets, or similar events, that are open to the public and where you voluntarily appear.

We collect your personal information directly from you, but we may also collect it from another source if you have consented to our doing so. We may collect your personal information from another source in these cases:

- f. where another law allows us to do so;
- g. for law enforcement, for a court proceeding, to collect a debt or fine from you, or to make a payment to you;
- h. where your personal information is necessary for us to deliver, or evaluate, a common or integrated program or activity;
- i. where your personal information is necessary to establish, manage or terminate an employment relationship between you and us;
- j. if your personal information may be disclosed to the City under Part 3 of the Act; or
- k. where we collect your personal information for the purpose of determining your suitability for an honour or award.

### 2. CONSENT, USE AND DISCLOSURE OF PERSONAL INFORMATION

We will use and disclose your personal information only for the purpose we collected it for or for a purpose that is consistent with why we collected it in the first place. We may also use or

disclose your personal information for another purpose if you have identified the information and consented to our other use. Lastly, we may use your personal information for a purpose for which it can be disclosed to us under Part 3 of the Act.

We may also disclose your personal information:

- a. if you have identified the information and consented in writing to its disclosure;
- b. to our employees or service providers if the information is necessary for their duties, for delivery of a common or integrated program or activity, or for planning or evaluating a City program or activity;
- c. if your personal information is made publicly available in British Columbia by a law that authorizes or requires it to be made public;
- d. to a public body or law enforcement agency to assist in a specific investigation or law enforcement proceeding;
- e. to your union representative who is making an inquiry, if you have given the representative written authority to make the inquiry or it is otherwise authorized;
- f. to our legal counsel for the purpose of legal advice or for use in legal proceedings involving us;
- g. to your Member of the Legislative Assembly if you have asked her or him to help resolve a problem; or
- h. as otherwise permitted under Part 3 of the Act.

Please note that all information provided at open meetings of Council or its committees is considered to be public. If you provide or disclose your personal information to us for that purpose, you are consenting to that information being available to the public, including through posting on our website. This information is considered to be a part of the public record and cannot be removed or changed. However, if you satisfy us in advance that you have legitimate personal safety concerns for yourself or an immediate family member, we may allow you to submit your personal information to Council or a committee in confidence. We will not make it publicly available in that case, although we will keep it in our Legislative Services office, as part of the record.

Express consent is always required when personal information is considered sensitive. Consent can be obtained in a variety of ways, including but not limited to: in person, by mail, by phone, and via the internet. Consent clauses should be easy to find and use clear and straightforward language. Records are to be kept of the consent received such as by notes to file, copy of email, copy of check-off boxes, and signature next to statement on forms. If you wish to withdraw consent at any time, please contact the Legislative Services department.

### **3. ACCURACY OF PERSONAL INFORMATION**

We make every reasonable effort to ensure that personal information we use to make a decision directly affecting you is accurate and complete.

#### **4. ACCESS TO PERSONAL INFORMATION**

You can ask us to give you a copy of your personal information that is in our custody or control by contacting the Legislative Services department. If you are an employee and would like a copy of your own employee personal information, you will need to contact the Human Resources department.

If we believe your request may involve someone else's personal information, or information protected under the Act, we may require you to make a formal request under the Act for access to records. The Act gives us 30 business days to respond to a formal request, starting on the date your request is received (the Act also allows that time to be extended). Please note that in some cases the Act may require us to refuse you access to even your own personal information. We will give you written reasons for every decision on a formal request.

Before disclosing your personal information, we will require you to verify your identity, so we can be assured that you are the individual whose information is being requested. This helps ensure we do not disclose your personal information to someone we should not give it to.

#### **5. CORRECTION OF PERSONAL INFORMATION**

If you believe there is an error or omission in your personal information that we have, you can contact us in writing and ask us to correct it. If we are satisfied that your request is reasonable, we will correct your information as soon as reasonably possible. If we decide not to correct your information, we will note your requested change on the information as well as why we did not correct your information as you asked. This paragraph applies only to factual errors or omissions of your personal information that is in our custody, not opinions or evaluations about you.

#### **6. RETENTION AND DISPOSAL OF PERSONAL INFORMATION**

If we use your personal information to make a decision that directly affects you, we will keep it for at least one year after we make our decision. We also keep personal information in accordance with our relevant record retention schedules. We use reasonable efforts to ensure that your personal information is destroyed securely when the time comes under our records retention schedules.

#### **7. RESPONSIBLE USE OF INFORMATION AND INFORMATION TECHNOLOGY**

Your privacy matters to us, so we use what we believe are reasonable security arrangements to protect your personal information against such risks as unauthorized access, collection, use and disclosure. These arrangements may include information technology measures, as well as policies and practices, to protect your personal information.

If we disclose your personal information to our service provider, we will make reasonable efforts to impose contractual protections on the service provider. Those protections vary according to the nature and sensitivity of the personal information involved. We require our service providers not to use or disclose personal information other than for the purpose of performing services for us.

All employees are required to respect the confidentiality of personal information they receive or compile and are required to use and disclose it only in accordance with this policy and the Act.



## **8. RESPONDING TO PRIVACY-RELATED COMPLAINTS**

Any complaint about any privacy-related matter under this policy or under the Act must be made to us in writing.

We will consider your complaint, including about a breach of your privacy, and will disclose the outcome to you in writing. We expect you to co-operate reasonably and in a timely way with our work, including by promptly providing us with information that we might reasonably need to do our work.

You can seek advice or information from the Office of the Information and Privacy Commissioner for British Columbia. You can also make a written formal complaint to that Office, although we encourage you to use our complaint procedure first. Wherever we can, we try to work things out directly with people, to their satisfaction.

## **9. EDUCATION AND AWARENESS**

All City employees require training on *FIPPA* and privacy generally as appropriate to their work function. Additional training is required in the following circumstances:

- Employees handling high-risk or sensitive personal information electronically require training related to information systems and their security, in co-ordination with the IT department's training.
- Employees managing programs or activities require training related to privacy impact assessments.
- Employees managing common or integrated programs or activities require training related to information sharing agreements.

## **10. PRIVACY RISK ASSESSMENT**

Privacy impact assessments (PIAs) are conducted to determine if a current or proposed system, project, program or activity meets or will meet the requirements of Part 3 of *FIPPA*. A PIA will be done for all new projects involving personal information and for any new collection, use or disclosure of personal information. It will also be conducted for common or integrated programs or activities and data-linking initiatives as well as when significant modifications are made to existing systems, programs or activities.

## **11. PRIVACY BREACH MANAGEMENT & PROTOCOLS**

Information regarding our procedure for responding to a privacy breach is outlined in the document RM-05 Privacy and Information Security policy.

## **12. SERVICE PROVIDER MANAGEMENT**

Employees who prepare or manage contracts are to include the privacy protection schedule or standard privacy language, as designated by the Privacy Officer, in all contracts that involve the service provider having access to, or collecting, using or disclosing, personal information in the custody or under the control of the City.

### 13. EXTERNAL COMMUNICATIONS

We will contact an individual in the following circumstances:

- To give notice of collection of their personal information
- When individuals request access to their personal information or access to records where someone else's personal information is involved
- When responding to requests for correction of personal information
- When personal information is disclosed without consent for compelling health or safety reasons
- When the City intends to give access to personal information in response to a freedom of information request.

### 14. ROLES & RESPONSIBILITIES

#### **Chief Administrative Officer**

- Approves policy and procedures and ensures all employees are given notice of, and access to, a copy of the policy.

#### **Department Heads**

- Support and co-operate with the Privacy Coordinator in implementing the policy and in complying with *FIPPA*.

#### **Corporate Officer/FOI Head**

- Responsible for overseeing the duties and responsibilities of the Records/Information & Privacy Coordinator

#### **Records/Information & Privacy Coordinator**

- Under the direction of the FOI Head, responsible for the development, management and implementation of the City's privacy management program including ongoing assessments and revisions.
- Coordinates employee training and education, ensuring that all new employees receive *FIPPA* orientation and training within the first year of their employment.

*See RM-02 Records Management Accountability Policy for full listing of roles and responsibilities with respect to management and governance of information and records.*

### CONTACT INFORMATION

If you have any questions about this policy or your personal information please contact Legislative Services at (250) 755-4405 or by email at [foi@nanaimo.ca](mailto:foi@nanaimo.ca)

### AUTHORITY TO ACT

The Corporate Officer is delegated responsibility and authority for ensuring compliance with this policy and *FIPPA*.

## RELATED DOCUMENTATION

### Legislation

City of Nanaimo's Freedom of Information and Protection of Privacy Bylaw 2006 No. 7024  
*Freedom of Information and Protection of Privacy Act* (RSBC 1996, c. 165)

### Records Management Policies and Procedures

RM-01 Records Management Framework Policy  
RM-02 Records Management Accountability Policy  
RM-03 Records Management Policy  
RM-04 Legal Hold Policy  
RM-06 Scanning and Imaging Policy  
RM-07 Email Management Policy  
RM-08 Vital Records and Business Continuity Policy  
RM-09 Access to Information Policy  
RM-10 Mobile Device Policy  
RM-11 Records in the Custody of Council Policy

## POLICY REVIEW

This policy shall be reviewed by the Corporate Records Officer at least every 3 years.

Date: 201X-XXX-XX Approved by:

DATE OF MEETING    APRIL 8, 2019

AUTHORED BY        JAMIE ROSE, MANAGER, TRANSPORTATION

**SUBJECT                ELECTRIC VEHICLE CHARGING STATION GRANT OPPORTUNITY  
FOLLOW UP**

## **OVERVIEW**

### **Purpose of Report**

To seek Council direction to participate in the Mid-Island Electric Vehicle Network Project and associated CleanBC Communities Fund Application with the Regional District of Nanaimo.

### **Recommendation**

That Council direct Staff to:

1. participate in the Mid-Island Electric Vehicle Network Project and associated CleanBC Communities Fund Application with the Regional District of Nanaimo (RDN) as the lead applicant;
2. allocate up to \$24,000 from within the 2019-2023 Financial Plan for the installation of four public electric vehicle charging stations at City-owned sites within the community;
3. amend the 2019-2023 Financial Plan to add the charging stations project to 2019 for \$80,000 including private (grant) contributions and City share, and,
4. collaborate with RDN Staff to select specific locations within the area that optimize coverage.

## **BACKGROUND**

Further to the April 1<sup>st</sup>, 2019 report Electric Vehicle Charging Station Grant Opportunity, this report provides follow up information, and maintains the same recommendation as the previous report. The original report dated, 2019-APR-01, is attached for reference.

Within the City of Nanaimo there are currently more than 20 publicly available vehicle charging stations. The majority of these are level 2 chargers and are located at commercial businesses and are owned, operated and maintained by the proprietor. Level 2 chargers operate at 220 volts and are similar to an oven or dryer circuit.

Some of the stations require membership in a service network, such as a Radio Frequency Identification (RFID) card or app, and others are accessible for free. In BC, the majority of these level 2 charging stations are currently free to use; however, parking fees normally apply.

The City of Nanaimo currently owns/operates three Level 2 (220 volt) public electrical vehicle charging stations. They are located at:

1. Port of Nanaimo Center Parkade – one Level 2 charger – free to use.
2. Harbourfront Parkade – one Level 2 charger (there is also a fast charger, see below) – free to use
3. Beban – two Level 2 chargers and two Level 1 chargers (110volt outlet) – free to use



There is also a Level 3 charging station (DC fast charge) located in the Vancouver Island Conference Centre (VICC) parkade that can charge a vehicle up to 80% in 30 minutes. This is a premium station installed in 2013 through a BC Hydro pilot program and there is a charge for use and consumption. This is the only City station has utilization information, and over the past year, there have been 1273 charging sessions. The fees charged are based on rates established by BC Hydro and generally make the station cost neutral.

Within the City, management of vehicle charging stations is currently not consolidated. Existing stations are maintained by the respective facility staff at the location.

With the planned Active and Sustainable Transportation Master Plan scheduled for 2020 the plan is to include an overall strategy and business plan around electric and autonomous vehicles. This would include an organizational evaluation and a staffing strategy for planning, implementing, operating and maintaining Electric Vehicle (EV) charging infrastructure. In the absence of a strategy, this is an opportunity. Four stations were seen as affordable without impacting the budget.

The Regional District of Nanaimo (RDN) is currently prioritizing locations for the 10 stations they have planned and funded. Within the City limits, RDN Staff are currently proposing that one of the stations be located at the RDN offices on Hammond Bay Road. RDN staff are planning to bring a detailed plan to the RDN Board at a future date, which may include a second location within the City limits. Without Nanaimo moving forward with the addendum to the grant application the charging stations will be limited to what the RDN Board approves. |

## **OPTIONS**

1. That Council direct Staff to:
  1. participate in the Mid-Island Electric Vehicle Network Project and associated CleanBC Communities Fund Application with the Regional District of Nanaimo (RDN) as the lead applicant;
  2. allocate up to \$24,000 from within the 2019-2023 Financial Plan for the installation of four public electric vehicle charging stations at City-owned sites within the community;
  3. amend the 2019-2023 Financial Plan to add the charging stations project to 2019 for \$80,000 including private (grant) contributions and City share, and,
  4. collaborate with RDN Staff to select specific locations within the area that optimize coverage.
    - **Budget Implication:** Allocating funds from within the existing 2019-2023 Financial Plan will not affect existing projects, but may limit Staff's ability to react to unanticipated projects.
    - **Strategic Priorities Implication:** Applying for this grant funding supports strategies towards sustainability.
2. That Council decline to participate in the Mid-Island Electric Vehicle Network Project and associated CleanBC Communities Fund application. |

### **SUMMARY POINTS**

- The Nanaimo Official Community Plan, the Nanaimo Transportation Master Plan, and the Community Sustainability Action Plan identify strategies to create a more sustainable transportation system in Nanaimo, which includes a shift to EV's.
- Grant funding provides an opportunity for a 73% cost savings on the expansion of publicly accessible EV Charging stations.
- The City and RDN are working together to improve sustainability throughout the region.

### **ATTACHMENTS**

Attachment A: Report 2019-APR-01 Electric Vehicle Charging Station Grant Opportunity |

#### **Submitted by:**

Jamie Rose

Manager, Transportation |

#### **Concurrence by:**

Poul Rosen

Sr. Manager, Engineering

Laura Mercer

A/Director, Financial Services |



## Staff Report for Decision

DATE OF MEETING    APRIL 1, 2019

AUTHORED BY        JAMIE ROSE, MANAGER, TRANSPORTATION

**SUBJECT                ELECTRIC VEHICLE CHARGING STATION GRANT OPPORTUNITY**

### **OVERVIEW**

#### **Purpose of Report**

To seek Council direction to participate in the Mid-Island Electric Vehicle Network Project and associated CleanBC Communities Fund Application with the Regional District of Nanaimo.

#### **Recommendation**

That Council direct Staff to:

1. participate in the Mid-Island Electric Vehicle Network Project and associated CleanBC Communities Fund Application with the Regional District of Nanaimo (RDN) as the lead applicant;
2. allocate up to \$24,000 from within the 2019-2023 Financial Plan for the installation of four public electric vehicle charging stations at City-owned sites within the community;
3. amend the 2019-2023 Financial Plan to add the charging stations project to 2019 for \$80,000 including private (grant) contributions and City share, and,
4. collaborate with RDN Staff to select specific locations within the area that optimize coverage.

### **BACKGROUND**

The Nanaimo Official Community Plan, Community Sustainability Action Plan and the Transportation Master Plan all outline strategies to reduce the environmental impacts of mobility. A common objective of these plans is to reduce the production of Greenhouse Gas (GHG's) emissions in the community. While the City has taken important steps to lower the use of motor vehicles by expanding active transportation infrastructure and by advocating, marketing, and educating users on how to comfortably walk, cycle, and use transit facilities; the majority of trips in Nanaimo are still taken by motor vehicles. Therefore, efforts are being made to support more environmentally sound vehicle choices, such as a shift to Electric Vehicles (EV's).

On February 26<sup>th</sup>, 2019, the Community Energy Association (CEA) made a presentation to the Regional District of Nanaimo (RDN) Board of Directors seeking approval to apply for CleanBC Communities Grant Funding with the RDN as the lead applicant. The intent of this application was to address shortfalls in the regional network of publicly accessible EV charging stations. The proposal presented by the CEA, was structured such that CEA would act as the Project Manager for the grant application, and oversee the design and construction of each charging station. Within this proposal, the CEA has indicated that the grant funding will cover 73% of the capital cost of each charging station with the RDN responsible for the remaining 27%. The RDN will be applying by the deadline of March 27, 2019.

At the February 26<sup>th</sup> RDN Board Meeting, the RDN Directors voted to direct Staff to work with the CEA to complete a grant application and to identify 10 - Level 2 charging stations.

Following this meeting, City and RDN staff discussed opportunities to collaborate with this grant. It was determined that the best way forward would be for the City to contribute funding for four additional locations and submit an addendum to the grant with a Council resolution. The exact cost of each station is expected to be in the range of \$13,000 to \$20,000; however, the exact costs will not be known until the sites are selected and the detailed requirements established. The total cost to the City for the four locations is expected to be in the range of \$80,000; however, 73% will be recovered through the grant. The net cost to the City is anticipated to be less than \$24,000.

## **OPTIONS**

1. That Council direct Staff to:
  - participate in the Mid-Island Electric Vehicle Network Project and associated CleanBC Communities Fund Application with the Regional District of Nanaimo (RDN) as the lead applicant and,
  - allocate up to \$24,000 from within the 2019-2023 Financial Plan for the installation of four public electric vehicle charging stations at City-owned sites within the community;
  - amend the 2019-2023 Financial Plan to add the charging stations project to 2019 for \$80,000 including private (grant) contributions and City share, and,
  - collaborate with RDN Staff to select specific locations within the area that optimize coverage.
    - **Budget Implication:** This change will be included in a future budget bylaw amendment for the 2019-2023 Financial Plan.
    - **Strategic Priorities Implication:** Applying for this grant funding supports strategies towards sustainability.
2. That Council direct Staff to not participate in the Mid-Island Electric Vehicle Network Project and associated CleanBC Communities Fund application.

## **SUMMARY POINTS**

- The Nanaimo Official Community Plan, the Nanaimo Transportation Master Plan, and the Community Sustainability Action Plan identify strategies to create a more sustainable transportation system in Nanaimo, which includes a shift to EV's.
- Grant funding provides an opportunity for a 73% cost savings on the expansion of publicly accessible EV Charging stations.
- Having the CEA manage the project of the grant application, will allow the work to be expedited.

## **ATTACHMENTS**



Attachment A – Regional District of Nanaimo Minutes 2019-FEB-26. |

**Submitted by:**

Jamie Rose  
Manager, Transportation |

**Concurrence by:**

Poul Rosen  
Sr. Manager, Engineering

Laura Mercer  
A/Director, Financial Services |