

**MINUTES**  
GOVERNANCE AND PRIORITIES COMMITTEE MEETING  
BOARDROOM, SERVICE AND RESOURCE CENTRE,  
411 DUNSMUIR STREET, NANAIMO, BC  
MONDAY, 2019-DEC-09, AT 11:00 A.M.

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Present: Councillor Z. Maartman, Chair  
Mayor L. Krog  
Councillor S. D. Armstrong (arrived 12:42 p.m.)  
Councillor D. Bonner  
Councillor T. Brown  
Councillor B. Geselbracht  
Councillor E. Hemmens  
Councillor I. W. Thorpe  
Councillor J. Turley (arrived 11:09 a.m.)

Staff: J. Rudolph, Chief Administrative Officer (arrived 11:06 a.m.)  
R. Harding, General Manager, Parks, Recreation and Culture (arrived 1:29 p.m.)  
D. Lindsay, General Manager, Development Services (arrived 11:06 a.m.)  
B. Sims, General Manager, Engineering and Public Works (arrived 11:04 a.m.)  
J. Van Horne, Director, Human Resources (arrived 2:55 p.m.)  
L. Mercer, Director, Finance  
P. Rosen, Director, Engineering (arrived 11:25 a.m., vacated 12:28 p.m., returned 1:48 p.m.)  
K. Fry, Fire Chief (arrived 2:58 p.m.)  
G. Norman, Deputy Fire Chief – Administration (arrived 2:58 p.m.)  
W. Fulla, Manager, Business, Asset & Financial Planning (arrived 2:47 p.m.)  
F. Farrokhi, Manager, Communications  
P. Stewart, Manager, Engineering Projects (arrived 1:48 p.m.)  
J. Rose, Manager, Transportation (arrived 1:42 p.m.)  
D. Fournier, Manager, Municipal Infrastructure  
J. Rushton, Manager, Purchasing & Stores (arrived 12:43 p.m.)  
B. Thomas, Assistant Manager, Transportation (arrived 1:45 p.m.)  
A. Coronica, Senior Financial Analyst (arrived 2:47 p.m.)  
A. Fipke, Capital Project Management Specialist (arrived 1:36 p.m.)  
S. Drinnan, Engineering Services Technologist (arrived 1:36 p.m.)  
D. Blackwood, Client Support Specialist (vacated 11:10 a.m., returned 2:47 p.m.)  
S. Gurrie, Director, Legislative Services  
K. Gerard, Legislative Services Steno (arrived 2:44 p.m.)  
N. Sponaugle, Legislative Services Clerk (arrived 1:13 p.m.)  
L. Young, FOI Claims & Records Clerk (vacated 12:44 p.m.)  
J. Vanderhoef, Recording Secretary

1. CALL THE GOVERNANCE AND PRIORITIES COMMITTEE MEETING TO ORDER:

The Governance and Priorities Committee Meeting was called to order at 11:02 a.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 5(d)(1) - Advisory Committee on Accessibility and Inclusiveness – add presentation from Natalie Sponaugle, Legislative Services Clerk.
- (b) Agenda Item 5(e)(1) - Governance and Priorities Committee Agenda Planning - replace Governance and Priorities Committee Agenda Planning Master List.

3. APPROVAL OF THE AGENDA:

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

B. Sims entered the Boardroom at 11:04 a.m.

4. REPORTS:

a. GOVERNANCE AND MANAGEMENT EXCELLENCE:

(1) Municipal Insurance Association of British Columbia

Introduced by Sheila Gurrie, Director, Legislative Services.

D. Lindsay and J. Rudolph entered the Boardroom at 11:06 a.m.

Presentation:

- 1. Tom Barnes, Chief Executive Officer, and Sherman Chow, Director of Claims, Municipal Insurance Association of BC (MIABC), provided a presentation as follows:
  - Provided a brief history of insurance for Municipal Governments

Councillor Turley entered the Boardroom at 11:09 a.m.

D. Blackwood vacated the Boardroom at 11:10 a.m.

- Premiums expected to remain the same for the City of Nanaimo
- City of Nanaimo was one of the first MIABC members to sign up
- Provide up to \$40,000,000 liability coverage per claim
- Provided an overview of what the MIABC is and what they do:
  - Not a typical insurance company as it is owned by its members
  - Created by the Union of BC Municipalities 33 years ago during an insurance crisis

Committee discussion took place regarding the cause of the previous insurance crisis being based on the idea of mass torts during the

1970's and a claim against the City of Brampton, Ontario, where the Court awarded \$4-5 million against the City of Brampton.

P. Rosen entered the Boardroom at 11:25 a.m.

Tom Barnes, Chief Executive Officer, and Sherman Chow, Director of Claims, MIABC, continued their presentation as follows:

- MIABC provides the following services for members:
  - Legal advice on non-claim related issues
  - Loss control services to limit risk exposure
  - Risk management education and training
- Listed some of the benefits of the MIABC membership: telephone and email support, risk management grant program, resource library, loss control inspections and the Risk Management Conference
- Dividends are paid annually to members
- “Loose Lips Sink Townships” and liability exposure for elected officials
- Negligent misrepresentation requires:
  - Untrue, misleading or inaccurate representation
  - “Special relationship”
  - Insufficient care
  - Reasonable reliance
  - A loss
- Methods of reducing risk: learn to identify risks, if unsure ask, have an invariable practice to follow, direct issues to the appropriate person and record exchanges
- Defamation causes the largest number of issues for elected officials – internet is the biggest problem

Committee discussion took place regarding the use of different personas on social media to separate personal life from political. People may still perceive members of Council as a Councillor regardless of which persona is being used.

Tom Barnes, Chief Executive Officer, and Sherman Chow, Director of Claims, MIABC, continued their presentation as follows:

- Defamation and what it requires – causes someone harm/embarrassment/financial loss
- Methods to reduce risk of defamation:
  - Apologize without trying to justify the situation
  - Develop good communication practice/policy
  - Do not trust communications will be private
  - Get advice
- How MIABC reviews and investigates claims:
  - Negotiate and resolve issues quickly
  - Do not pay nuisance claims or for economic/financial reasons

Committee discussion took place regarding:

- Hold Harmless Agreements still current practice
- MIABC legal advice being available to elected officials
- Forest fires and other natural disasters being covered by MIABC
- Liability to comply with the Strategic Plan

P. Rosen vacated the Boardroom at 12:28 p.m.

- Other municipalities using self insurance – larger Cities with more resources may choose to self insure to provide more control
- Passing confrontational bylaws and potential for lawsuits
- \$40 million coverage amount and potential for large claims

Sheila Gurrie, Director, Legislative Services, noted that MIABC provides coverage for claims for damages and bodily injury. She also noted that in the event of a major catastrophe the \$40 million coverage might be inadequate.

Councillor Armstrong entered the Boardroom at 12:42 p.m.

Committee discussion continued regarding snow removal from sidewalks and the City being liable for enforcing its bylaws – suggested a policy that prioritizes snow removal routes.

J. Rushton entered the Boardroom at 12:43 p.m.

The Governance and Priorities Committee Meeting recessed at 12:44 p.m.  
The Governance and Priorities Committee Meeting reconvened at 1:13 p.m.

Mayor Krog entered the Boardroom at 1:14 p.m.

(2) Presentation from Coastal Communities Social Procurement Initiative

Introduced by Laura Mercer, Director, Finance.

Presentations:

1. Kristi Fairholm-Mader, Scale Collaborative, provided a presentation as follows:

- Mission and purpose of the Coastal Communities Social Procurement Initiative
- Social procurement has developed due to rise in homelessness, poverty and social isolation
- Public sector collectively spends \$200 Billion (nationally) through procurement with 80% taking place at the local and regional level
- Procurement becomes a tool for building healthy communities

- What is social procurement: Value of goods/services for purchaser, supplier and the social value created by the purchase
- Community Capital is built on: Human Capital, Economic Capital, Social Capital, Cultural Capital and Physical Capital

2. Jane Rushton, Manager, Purchasing & Stores, provided a presentation regarding:

- Working with a consultant to identify what parts of the social network the City wants to target
- Steps for the City of Nanaimo:
  - Revise Procurement Policy
  - Create a list of suppliers who incorporate social values
  - Select small pilot projects to test and learn from

Committee discussion took place regarding:

- Staff requesting direction on Council's priorities for reviewing social procurement options
- Scope of the consultants involvement and need for focused direction
- Developing a specific policy versus more general guidelines

R. Harding entered the Boardroom at 1:29 p.m.

- Enforcing the policy

A. Fipke and S. Drinnan entered the Boardroom at 1:36 p.m.

- Concerns regarding legal challenges and trade agreements

D. Lindsay vacated the Boardroom at 1:40 p.m.

J. Rose entered the Boardroom at 1:42 p.m.

- Clarification that the Procurement Policy is due for rewrite and Staff want to include social procurement in the policy

B. Thomas entered the Boardroom at 1:45 p.m.

P. Rosen and P. Stewart entered the Boardroom at 1:48 p.m.

1. Kristi Fairholm-Mader, Scale Collaborative, continued her presentation as follows:

- Four key social value outcomes of social procurement: employment, training and skills development, social value supply chain and community development
- Legal requirements and trade agreements do not allow restricting competition
- Social procurement pathways – social purchasing and community benefit agreements

- Options for implementing municipal social procurement
- D. Lindsay returned to the Boardroom at 1:57 p.m.

Committee discussion took place regarding:

- Creating added value and asking larger contractors to fit the new criteria
- Coastal Communities Social Procurement Initiative Membership fee is based on population size
- Necessity of pilot programs
- Wording contracts to require local employees and other social services
- Coastal Communities Social Procurement Initiative membership of 20 communities sharing information and consultation
- Movement to create employment and protect the environment

b. COMMUNITY WELLNESS/LIVABILITY:

(1) Advisory Committee on Accessibility and Inclusiveness

Introduced by Sheila Gurrie, Director, Legislative Services.

Presentation:

1. Natalie Sponaugle, Legislative Services Clerk, provided a presentation as follows:
  - Mandate of the Advisory Committee on Accessibility and Inclusiveness (ACAI) – to promote social and political equity within existing and proposed City plans
  - Provided public feedback on a City survey regarding the draft terms of reference:
    - 135 survey responses received
    - 82% of respondents were very much in support of the committee being created
    - 17 written responses indicated that indigenous representation should be included
  - Two draft terms of reference (ToR) were provided for consideration
  - Proposed membership is intended to ensure a broad, balanced group of individuals related to issues of accessibility and inclusiveness

Committee discussion took place regarding:

- Overlap of duties with the Nanaimo Youth Advisory Committee
- Inclusion of one specific indigenous group could limit other groups from being involved
- Staff time and scheduling/frequency of meetings
- Other cities used as comparison models: Maple Ridge, Kamloops, Victoria and Prince George

- Using an umbrella approach for membership in order to include as many possible types of accessibility and inclusiveness
- Dividing the meetings by accessibility for first hour and inclusiveness for the second hour
- Asking the larger community to step forward rather than specifying groups for membership
- Political implications of selecting different groups
- ACAI budget being included in the 2020 - 2024 Budget
- Requesting the larger community to apply with a list of required experience included on application forms
- Inviting the suggested organizations to apply when moving towards a member-at-large style membership
- Two month meeting schedule

K. Gerard entered the Boardroom at 2:44 p.m.

It was moved and seconded that the Governance and Priorities Committee recommend that Council establish an Advisory Committee on Accessibility and Inclusiveness and adopt the associated Terms of Reference as presented in “Attachment A” of the report titled “Advisory Committee on Accessibility and Inclusiveness”, dated 2019-DEC-09, including amendments for an at large membership model. The motion carried.

Opposed: Councillor Turley

A. Coronica, D. Blackwood and W. Fulla entered the Boardroom at 2:47 p.m.

(2) Presentation re: City of Nanaimo’s MoESS Update

Introduced by Poul Rosen, Director, Engineering.

Shawna Drinnan, Engineering Services Technologist, and Annalisa Fipke, Capital Project Management Specialist, provided a presentation regarding the following:

- Manual of Engineering Standards and Specifications (MoESS) is schedule ‘A’ of the “Subdivision Control Bylaw 1989 No. 3260”
- This is the 13<sup>th</sup> revision to the MoESS
- Provided a timeline for scheduled events relating to updating MoESS – aim to implement an updated MoESS by 2020-MAY-01
- Sections planned to be reviewed: Urban Forestry Management, “Cross Connection Control Bylaw 2017 No. 7249”, GIS Strategic Plan, materials and aggregates, complete streets guidelines, sanitary sewer system and low pressure sewers

J. Van Horne entered the Boardroom at 2:55 p.m.

- Staff plan to update standards through a complete streets lens
- Safe Active Mode Facilities: which facilities make bicycle riders feel safer
- Proposed transition to 3.2 – 3.6m lane widths for vehicle roadways

Committee discussion took place regarding:

- Road widths, safety standards, and the reason for transitioning to 3.2-3.6m lanes.

G. Norman and K. Fry entered the Boardroom at 2:58 p.m.

- Asphalt thickness is driven by asset management
- Areas targeted for updating in the MoESS – noted deficiencies have been targeted during the last three revisions

Annalisa Fipke, Capital Project Management Specialist, continued her presentation regarding:

- Updating standards to include:
  - Road classifications to incorporate their network functions
  - Complete and separated multi-modal cross-sections

Committee discussion took place regarding water drainage and raised crosswalk intersections.

c. AGENDA PLANNING:

1. Governance and Priorities Committee Agenda Planning

Introduced by Jake Rudolph, Chief Administrative Officer.

Jake Rudolph, Chief Administrative Officer, suggested that the Governance and Priorities Committee (GPC) meeting scheduled for January 6, 2020, be cancelled.

Committee discussion took place regarding:

- Advocacy topic being added to a future GPC meeting
- Clarification of expected outcomes for each topic
- Advocacy topic having a focus around homelessness
- Health and Housing Task Force's purpose to create an advocacy strategy

It was moved and seconded that the topic of Effective Advocacy Strategy, with a particular emphasis on Health and Housing, be added to a future Governance and Priorities Committee meeting. The motion carried unanimously.

Committee discussion continued regarding:

- Presenting GPC topics to the Chief Administrative Officer prior to meetings
- Social Procurement topic being added to a future GPC meeting
- GPC meeting to review and possibly adjust the Terms of Reference for the GPC on January 13<sup>th</sup> or 20<sup>th</sup>



- Consultant working with Councillors as a group regarding Social Procurement

5. QUESTION PERIOD:

- Bill Manners re: Staff including elephant feet at all crosswalks along the E&N Trail and time management of meetings.

6. ADJOURNMENT:

It was moved and seconded at 3:36 p.m. that the meeting terminate. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER