

MINUTES
SPECIAL COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2020-JUL-13 AT 11:00 A.M.

Present: Mayor L. Krog, Chair
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley

Absent: Councillor S. D. Armstrong

Staff: J. Rudolph, Chief Administrative Officer
R. Harding, General Manager, Parks, Recreation and Culture
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
J. Van Horne, Director, Human Resources
K. Fry, Fire Chief
L. Mercer, Director, Finance
L. Wark, Director, Recreation and Culture
L. Clarkson, Manager, Recreation Services
D. Johnson, Manager, Arenas
S. Weatherby, Manager, Occupational Health and Safety
J. Rose, Manager, Transportation
B. Thomas, Assistant Manager, Transportation
M. Koch, Active Transportation Specialist
S. Gurrie, Director, Legislative Services
K. Gerard, Recording Secretary

1. CALL THE SPECIAL COUNCIL MEETING TO ORDER:

The Special Council Meeting was called to order at 11:00 a.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda item 4(a) – Serauxmen Stadium – Add PowerPoint Presentation.
- (b) Agenda Item 8(b)(1) – COVID-19 Recovery Plan – Add COVID-19 Recovery Plan – Planning Framework Presentation.
- (c) Add Agenda Item 8(b)(3) – Re-Opening Plan for Arenas.

3. APPROVAL OF THE AGENDA:

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

4. PRESENTATIONS:

(a) Serauxman Stadium

Richard Harding, General Manager, Parks, Recreation and Culture, provided Council with a photo presentation regarding the new outdoor lights at Serauxmen Stadium.

5. REPORTS:

(a) Governance Processes Discussion

Introduced by Sheila Gurrie, Director, Legislative Services.

1. Question Period

Council discussion took place regarding the topic of Question Period. Highlights included:

- Adding “Council Procedure Bylaw 2018 No. 7272” to a future Governance and Priorities Committee meeting for discussion and possible amendments
- Question period and its original intent versus how it is used today
- Expanding the ways members of the public can submit and ask questions to Council
- Eliminating question period and how that would be perceived by the public in regards to good governance and transparency
- Rhetorical questions, members of the public who frequently attend meetings and the importance of providing a public forum for questions
- Restricting question period to two minutes per person or per question
- Utilizing different technology and social media to engage the community and have questions asked and read at meetings

2. Correspondence

Council discussion took place regarding the topic of correspondence. Highlights included:

- The process for including correspondence on a Regular Council meeting agenda
- Addressing requests from community groups or members of the public to have correspondence included on an agenda

It was moved and seconded that “Council Procedure Bylaw 2018 No. 7272”, be brought forward to a future Governance and Priorities Committee meeting for further discussion. The motion carried unanimously.

6. PROCEDURAL MOTION:

It was moved and seconded that the meeting be closed to the public at 12:09 p.m., in order to deal with agenda items under the *Community Charter* Section 90(1):

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- (c) labour relations or other employee relations;
- (d) the security of property of the municipality;
- (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;
- (f) law enforcement, if the Council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- (g) litigation or potential litigation affecting the municipality;
- (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the Council or a delegate of Council;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the *Freedom of Information and Protection of Privacy Act*;
- (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;
- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under Section 98 [annual municipal report];

- (m) a matter that, under another enactment, is such that the public may be excluded from the meeting;
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2);
- (o) the consideration of whether the authority under Section 91 [other persons attending closed meetings] should be exercised in relation to a Council meeting.

Community Charter Section 90(2):

- (a) a request under the *Freedom of Information and Protection of Privacy Act*, if the Council is designated as head of the local public body for the purposes of that Act in relation to the matter;
- (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;
- (c) a matter that is being investigated under the *Ombudsperson Act* of which the municipality has been notified under Section 14 [ombudsperson to notify authority] of that Act;
- (d) a matter that, under another enactment, is such that the public must be excluded from the meeting; and,
- (e) a review of a proposed final performance audit report for the purpose of providing comments to the auditor general on the proposed report under Section 23 (2) of the *Auditor General for Local Government Act*.

The motion carried unanimously.

The In-Camera portion of the meeting ended at 1:26 p.m.

The Special Council Meeting recessed at 1:26 p.m.

The Special Council Meeting reconvened at 1:47 p.m.

7. RISE AND REPORT:

Mayor Krog announced that BC Housing and the City of Nanaimo (the City) have signed a Memorandum of Understanding to build new housing in the community. The partnership will increase affordable housing throughout the City in six locations. Housing options will include approximately 125 homes for families and 190 for people experiencing or at risk of homelessness. For more details, please visit the City's website at www.nanaimo.ca.

5. REPORTS continued:

(a) Council Resolutions Update

Introduced by Sheila Gurrie, Director, Legislative Services.
Council discussion took place. Highlights included:

- Single use checkout bag regulation
- Downtown Event Grant funding
- Councillor Maartman's Motion regarding bottled water
- Correspondence re: expanding investment opportunities from the Office of the Mayor of the City of Burnaby

Bill Sims, General Manager, Engineering and Public Works, advised that Councillor Maartman's Motion regarding bottled water, would be coming forward to a future Council meeting.

Sheila Gurrie, Director, Legislative Services, advised that the resolution regarding Correspondence re: expanding investment opportunities from the Office of the Mayor of the City of Burnaby was still in progress.

(b) Re-Opening Plans and Strategies for the City of Nanaimo

1. COVID-19 Recovery Plan

Introduced by Jake Rudolph, Chief Administrative Officer.

John Van Horne, Director, Human Resources, provided Council with an update regarding the plan to re-open the City of Nanaimo. Highlights included:

- COVID-19 Recovery Plan Steps include:
 - Step 1 – March to May: closure of facilities and park amenities, cancellation of in-person recreation programming and provision of online services
 - Step 2 – Late May to September: re-opening park amenities, limited outdoor recreation programs and pop-up tax office
 - Step 3 – September and beyond: a further expansion of public access to programs and services
 - Step 4 will depend on the release of a vaccine and will involve resumption of normal operations throughout the City of Nanaimo
- Recovery framework involved many components including facility plans, business continuity plans, Ministerial Orders and extensive communication plans

It was moved and seconded that Council:

1. Approve the COVID-19 Recovery Plan to support the resumption of services, programs and activities where possible and that are in alignment with recommendations, advice, and guidelines that are issued by WorkSafeBC, Island Health, the BC Centre for Disease Control, and the BC Ministry of Health;
2. Acknowledge and support that any reopening of services, programs and activities will be informed by safety plans, safe work procedures, signage, and internal and external communication to promote public safety and responsible operations; and,
3. Continue to support and remain responsive to changing conditions associated with COVID-19 such that future closures occur where required.

The motion carried unanimously.

2. COVID-19 Recovery Plan – Council Meetings

Introduced by Sheila Gurrie, Director, Legislative Services.

1. Ministerial Order M192 – Open Meetings During State of Emergency

Sheila Gurrie, Director, Legislative Services, provided Council with an update regarding Ministerial Order M192 and the components that Staff considered to ensure that Council meetings can continue.

It was moved and seconded that effective July 20, 2020; the following rules will apply for public participation in all open Council and Committee meetings;

- Delegation requests by members of the public for related or unrelated Council or Committee matters, as outlined in Council's Procedure Bylaw, will be permitted;
- All Council and Council related Committee meetings will be livestreamed, recorded and made available on the City's website; and,
- Members of the public who are not registered delegations will not be permitted to attend meetings in person (other than Public Hearings), as physical distancing requirements cannot be assured.

The motion carried unanimously.

3. Re-Opening Plan for Arenas

Introduced by Richard Harding, General Manager, Parks, Recreation and Culture.

Presentation:

1. Lynn Wark, Director, Recreation and Culture, spoke regarding the re-opening plan for arenas. Highlights included:

- Re-opening plans for the arenas involved detailed risk assessments, site safety work plans and planned retrofits
- One ice sheet will be open as of 2020-JUL-27, another will open 2020-AUG-03 and a third sheet of ice will open as of 2020-SEP-01
- This phased approach will allow for flexibility in scaling back or moving forward dependent on COVID-19 restrictions
- Recreation facilities must follow the social distancing rules and the maximum people per facility will be fifty (50)
- User groups may be required to supply an ambassador to ensure social distancing and fifty (50) people in a facility at a time
- Parks and Recreation will follow a three strikes model where user groups, not following the COVID-19 regulations, will be given a verbal warning, then a written warning and then cancellation of ice time

It was moved and seconded that Council approve the Arenas Re-opening Plan that aligns with the City's "COVID-19 Recovery Plan" and complies with the components of the "Planning Framework for Municipal Operations". The motion carried unanimously.

(c) Roadway Reallocation Options

Introduced by Bill Sims, General Manager, Engineering and Public Works.

Madeline Koch, Active Transportation Specialist, spoke regarding the options for reallocation of roadway space in favour of active transportation and the options that were presented to Council at the Special Council Meeting, 2020-JUN-22.

It was moved and seconded that Council direct staff to proceed with all options funded by reallocating budgets within the current approved financial plan. The motion carried.

Opposed: Councillor Thorpe

8. AGENDA PLANNING:

(a) Agenda Planning

Sheila Gurrie, Director, Legislative Services, spoke regarding the upcoming agenda topics for the Special Council Meeting to be held on 2020-JUL-27.

9. ADJOURNMENT:

It was moved and seconded at 3:16 p.m. that the Meeting adjourn. The motion carried unanimously.

CERTIFIED CORRECT:

CHAIR

CORPORATE OFFICER