

General Purposes Committee

Anderson Room, City Hall 6911 No. 3 Road Monday, December 4, 2017 4:00 p.m.

Pg. #	ITEM	
		MINUTES
GP-5		Motion to adopt the minutes of the meeting of the General Purposes Committee held on November 20, 2017.
	1.	MAYOR MALCOLM D. BRODIE MAJOR EVENTS COMMITTEE TERMS OF REFERENCE (File Ref. No.)
	2.	ENGINEERING AND PUBLIC WORKS DIVISION FUEL PURCHASES AGREEMENT RE-ASSIGNMENT AND EXTENSION – BC PETROLEUM PRODUCTS BUYING GROUP (File Ref. No. 02-0665-01) (REDMS No. 5648334)
GP-12		See Page GP-12 for full report
		Designated Speaker: Suzanne Bycraft

STAFF RECOMMENDATION

(1) That the City of Richmond's fuel purchases agreement through the BC Petroleum Products Buying Group consortium:

Pg. # ITEM

- (a) be assigned to Parkland Fuel Corporation; and
- (b) be extended to December 14, 2018;
- (2) That the Chief Administrative Officer and General Manager, Engineering & Public Works, be authorized to negotiate and execute all necessary terms with Parkland Fuel Corporation under City of Vancouver Contract No. PS11122 for The Supply and Delivery of Gasoline, Diesel, 810-Diesel and Fuels; and
- (3) That the City of Richmond participate in the regional consortium for the acquisition of gasoline and diesel fuel at the conclusion of the current fuel purchase agreement (commencing December 15, 2018).
- 3. LIBRARY CULTURAL CENTRE CAPITAL RETROFIT PROJECT: FEDERATION OF CANADIAN MUNICIPALITIES CLIMATE INNOVATION PROGRAM

(File Ref. No. 10-6125-05-01) (REDMS No. 5617093 v.12)

GP-16

See Page **GP-16** for full report

Designated Speakers: Levi Higgs and Denise Tambellini

STAFF RECOMMENDATION

- (1) That the application to the Federation of Canadian Municipalities Municipal Climate Innovation Program for up to \$1,000,000 in grant funding to support the deep energy and greenhouse gas emission reduction project planned for the Library Cultural Centre be endorsed;
- (2) That, should the funding application be successful, the Chief Administrative Officer and the General Manager of Engineering and Public Works be authorized to execute the agreement with the FCM on behalf of the City of Richmond;
- (3) That if the funding application is successful, the 2018-2022 Five Year Financial Plan Bylaw be adjusted accordingly; and
- (4) That Richmond Federal Ministers of Parliament be advised of the City's FCM grant funding application.

Pg. # **ITEM**

COMMUNITY SAFETY DIVISION

4. CLOSED CIRCUIT TELEVISION (CCTV) FOR SIGNALIZED INTERSECTIONS IN RICHMOND

(File Ref. No. 09-5000-01) (REDMS No. 5632725 v.7)

GP-26

See Page **GP-26** for full report

Designated Speaker: Superintendent Will Ng

STAFF RECOMMENDATION

- **(1)** That the report titled "Closed Circuit Television (CCTV) for Signalized Intersections in Richmond," dated October 31, 2017 from the OIC, Richmond RCMP, be received for information;
- That the CCTV request at a capital cost of \$2,185,242 (Option 3) be *(2)* submitted to the 2018 Capital budget process for Council consideration;
- That the CCTV for Signalized Intersections Project be approved to *(3)* seek additional funding from the Federal/ Provincial Investing in Canada Program and other appropriate senior government funding programs;
- That if the senior government funding submission is approved, the *(4)* Chief Administrative Officer and the General Manager, Community Safety be authorized to execute the agreement on behalf of the City of Richmond with the Government of Canada and/ or the Province of British Columbia:
- That if the funding application is successful, the grant received be *(5)* used to replenish the City's funding source and the 2018-2022 Five Year Financial Plan Bylaw will be adjusted accordingly; and
- That Richmond MPs and MLAs be advised of the City's senior **(6)** government submission.

5. UBCM COMMUNITY EMERGENCY PREPAREDNESS FUND

(File Ref. No. 09-5126-01) (REDMS No. 5662048)

GP-47

See Page **GP-47** for full report

Designated Speaker: Norman Kotze

STAFF RECOMMENDATION

- (1) That the report titled "UBCM Community Emergency Preparedness Fund", dated November 17, 2017 from the General Manager, Community Safety be received for information;
- (2) That the application to the Union of British Columbia Municipalities Community Emergency Preparedness Fund for up to \$25,000 in grant funding to support Emergency Social Services for Emergency Programs be approved;
- (3) That the application to the Union of British Columbia Municipalities Community Emergency Preparedness Fund for up to \$25,000 in grant funding to support the Emergency Operations Centres & Training for Emergency Programs be approved;
- (4) That should the funding application be successful, the Chief Administrative Officer and the General Manager, Community Safety be authorized to execute the agreement on behalf of the City of Richmond with the UBCM; and
- (5) That if the funding application is successful, the 2018-2022 Five Year Financial Plan Bylaw be adjusted accordingly.

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ADJOURNMEN ⁻	Γ			





General Purposes Committee

Date:

Monday, November 20, 2017

Place:

Anderson Room

Richmond City Hall

Present:

Mayor Malcolm D. Brodie, Chair

Councillor Chak Au
Councillor Derek Dang
Councillor Carol Day
Councillor Ken Johnston
Councillor Alexa Loo
Councillor Bill McNulty
Councillor Linda McPhail
Councillor Harold Steves

Call to Order:

The Chair called the meeting to order at 4:00 p.m.

MINUTES

It was moved and seconded

That the minutes of the meetings of the General Purposes Committee held on November 6, 2017 and November 14, 2017, be adopted as circulated.

CARRIED

COMMUNITY SERVICES DIVISION

1. MINORU PLACE ACTIVITY CENTRE REUSE OPTIONS

(File Ref. No. 06-2345-20-MINO1) (REDMS No. 5514772 v.13; 5521863)

In response to questions from Committee, Jane Fernyhough, Director, Arts, Culture and Heritage Services, noted that (i) staff recommend developing a long term plan for the site, (ii) keeping the building open for any use would have a financial cost, and (iii) should building systems fail in the short-term, they would be fixed as required.

Committee expressed concern over spending funds to upgrade the building for an interim use and in response to questions, staff commented that:

- designing a new building would be concurrent with operating the renovated space;
- no funds are required to leave the building as is but within ten years \$1.1 million would be needed solely for systems upgrades;
- the requested \$2.6 million for renovations to the building for community arts and education use would make the space more workable inside by adding partitions, replacing the woodworking studio with a pottery studio, creating a work area for both the museum and gallery, creating a community gallery where the pool currently sits, and upgrading lighting, ceiling tiles, and flooring;
- the previous Operating Budget Impact for the Minoru Place Activity Centre was approximately \$400-500,000;
- the 44 new parking spaces needed for the proposed Option 1 use of the Minoru Place Activity Centre will be a part of the Minoru Park Vision Plan to identify the best way to accommodate that requirement;
- the maintenance of the tree inventory at the Activity Centre is a part of the parks operations budget;
- there is a separate report coming to Committee regarding community police stations and it may not be a good partner for arts programs due to the need for a high number of parking spaces; and
- staff are currently completing a cultural facilities needs assessment along with the arts strategy update to guide future planning.

In response to queries from Committee, Jamie Esko, Manager, Parks Planning, Design and Construction, noted that the list of 14 stakeholders are those known to staff, including 13 external groups, one written submission, and four staff groups from the area, each with particular needs. Ms. Esko further commented that the list was vetted by senior management and staff considers it to be comprehensive. She also noted that each organization selected representatives to meet with the consultant and answer standard questions, which are summarized in the staff report.

Kim Somerville, Manager, Community Social Development noted that there was a report to planning committee requesting funding for a Richmond Community Services Advisory Committee (RCSAC) space review for non-profit agencies in Richmond but that there currently is no complete assessment for the space needs of all community groups.

Discussion ensued with regards to (i) the Minoru Park Vision Plan, (ii) other potential current uses for the Activity Centre area including returning it to green space, using it as storage space, and renting it out for private use, (iii) the need for more community education and arts spaces to accommodate demand for community programs, (iv) considering groups that would best fit the space 'as-is' without the need for building renovations, and (v) including other groups with space needs for potential use of the space.

In further response to questions from Committee, Ms. Esko noted that the Minoru Park area is designated as an arts and culture district and the proposed use under option 1 is a short-term use with the understanding that there is a need for longer term planning and that the Minoru Park Vision Plan will include an interim vision for this area.

As a result of the discussion, the following **motion** was introduced: It was moved and seconded

- (1) That the recommended option, Option 1: Community Education and Arts Space, be approved as the preferred reuse of the Minoru Place Activity Centre as detailed in the staff report titled "Minoru Place Activity Centre Reuse Options," dated October 31, 2017, from the Interim Director, Parks and Recreation;
- (2) That the recommended option, Option 1: Community Education and Arts Space, be considered as part of the Minoru Park Vision Plan, as detailed in the staff report titled "Minoru Place Activity Centre Reuse Options," dated October 31, 2017, from the Interim Director, Parks and Recreation; and
- (3) That staff consider the financing for the use and restoration of the Minoru Place Activity Centre, the specific uses within community education and arts usage of the building, and accommodating other community groups with space needs.

CARRIED

2. **2018 AGE-FRIENDLY COMMUNITIES GRANT SUBMISSION** (File Ref. No. 07-3400-01) (REDMS No. 5621510 v.3)

It was moved and seconded

- (1) That the application to the Union of British Columbia Municipalities (UBCM) 2018 Age-friendly Communities Grant Program for \$25,000 in the Age-friendly Assessments, Action Plans and Planning Category be endorsed; and
- (2) That, should the funding application be successful, the Chief Administrative Officer and a General Manager be authorized to enter into agreement with the UBCM for the above mentioned project and the 5-Year Financial Plan (2018-2022) be updated accordingly.

CARRIED

COMMUNITY SAFETY DIVISION

3. PROPOSED TAXATION FRAMEWORK FOR CANNABIS PRODUCTS

(File Ref. No. 12-8000-01) (REDMS No. 5657159 v. 2)

Discussion took place in regards to requesting a municipal share of the federal and provincial revenues from the proposed excise duty on cannabis products.

In response to questions from Committee, Cecilia Achiam, General Manager, Community Safety clarified that the proposed federal excise duty rate of 50 cents per gram of cannabis or five per cent of the producer's sale price of the product (whichever is greater) will be shared between the federal government and the provincial-territorial governments and that the maximum total of federal duty rates and provincial-territorial taxes will be set at the greater of \$1.00 per gram or 10 percent of the sale price of a product.

As a result of the discussion, the following **motion** was introduced: It was moved and seconded

That the comments summarized in the staff report titled, "Proposed Taxation Framework for Cannabis Products", dated November 16, 2017, including that the municipal share of revenue be no less than 50 cents per gram, be approved for submission to the federal government.

CARRIED

FINANCE AND CORPORATE SERVICES DIVISION

4. ELECTION RESERVE AND ADVANCE PLANNING FOR THE 2018 ELECTION

(File Ref. No. 12-8125-80-01) (REDMS No. 5490268 v.2)

It was moved and seconded

- (1) That a divisional-voting approach to the 2018 election, which is consistent with the current Civic Election Administration and Procedure Bylaw, and as generally described in the staff report dated November 3, 2017 from the Director, City Clerk's Office, be approved; and
- (2) That the following additional level requests be considered as part of the 2018 budget process:
 - (a) a one-time additional level request in the amount of \$130,000 for the 2018 election; and

- (b) an ongoing additional level request in the amount of \$45,000 to increase the annual Election Reserve transfer for the 2018 election and for future elections;
- (3) That the above recommendations and staff report be forwarded to the Council/School Board Liaison Committee.

The question on the motion was not called as discussion ensued with regards to referring the information to the Richmond School Board through the Council/School Board Liaison Committee and in response to a question from Committee, David Weber, Director, City Clerk's Office, commented that the request for the additional level funding is structured to reflect the amount required for the 2018 election budget and to re-adjust the amount set aside in the election reserve for future elections.

The question on the motion was then called and it was **CARRIED**.

5. AMENDMENTS TO LOCAL ELECTION CAMPAIGN FINANCING LEGISLATION

(File Ref. No. 12-8125-80-01) (REDMS No. 5653439 v.2)

In response to questions from Committee, David Weber, Director, City Clerk's Office, noted that (i) an eligible individual is defined in the proposed *Local Elections Campaign Financing Amendment Act* (Bill 15) as a Canadian citizen or permanent resident and a resident of B.C., (ii) once enacted, Bill 15 would be retroactive to October 31, 2017 and anything donated prior to that date would be regulated under the old rules, and (iii) candidates can still spend funds received prior to October 31, 2017 provided that overall spending is still within expense limits.

Discussion ensued with regards to the new legislation unfairly favouring incumbents and that municipal candidate donations should be eligible for tax deductions, as is the case with Federal and Provincial government candidates.

Mr. Weber further clarified that the \$1200 donation limit is per donor, per year for 2017 and 2018 and that any donation over \$50 by an eligible individual at a fundraising function would be considered a campaign contribution. Mr. Weber also noted that the estimated \$59,792 spending limit is per councillor candidate and also applies to each candidate running with a slate.

As a result of discussion, the following **motion** was introduced: It was moved and seconded

That a letter be written to the Minister of Municipal Affairs and Housing, with copies to Elections BC, Richmond MLAs, UBCM, and the Richmond School Board, commenting on municipal election financing that:

(1) under Bill 15, Local Elections Campaign Financing Amendment Act (2017):

- (a) for fundraising events:
 - (i) there should be a distinction between a donation and the costs incurred for a fundraising event so that a donation is only that portion of a payment which exceeds the costs incurred to host the fundraiser; and
 - (ii) clarification of the treatment of funds raised through fundraisers within an event such as raffles, draws, auctions, etc;
- (b) provide clarification as to how and by whom the determination is made as to who qualifies as an eligible individual for the purpose of making a campaign donation;
- (c) remedy the unfairness in the proposed limitations on fundraising and spending for a slate of candidates versus an independent candidate; and
- (d) provide clarification of the retroactivity for the new rules under Bill 15;
- (2) under the Local Elections Campaign Financing Act, remedy the unfairness in the rules on disposition of surplus funds following an election for an independent candidate versus the rules on disposition for an Elector Organization; and
- (3) tax deductions for donations to municipal campaigns should be provided, similar to campaign donations for Provincial and Federal elections.

The question on the motion was not called as the following **amendment** was introduced:

It was moved and seconded

That the following comment be added to the letter:

That slates with more than two candidates be capped at a spending limit equal to that of the Mayor's spending limit (\$118,235) per campaign period.

DEFEATED

Opposed: Mayor Brodie
Cllrs. Dang
Johnston
Loo
McNulty
McPhail

Discussion further took place regarding the difference between provincial political parties and slates in terms of contribution limits and the limit amount and as a result, the following **amendment** was introduced:

It was moved and seconded

That the following comment be added to the letter:

That the limit on campaign financing contributions be capped at \$1200 per campaign cycle or four year period.

DEFEATED

Opposed: Mayor Brodie Cllrs. Dang Johnston McNulty McPhail

The question on the main motion was then called and it was **CARRIED** with Councillor Day opposed.

ADJOURNMENT

It was moved and seconded *That the meeting adjourn (5:26 p.m.).*

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the General Purposes Committee of the Council of the City of Richmond held on Monday, November 20, 2017.

Mayor Malcolm D. Brodie Chair Amanda Welby Legislative Services Coordinator



Report to Committee

To:

General Purposes Committee

Date:

November 17, 2017

From:

Tom Stewart, AScT.

File:

02-0665-01/2017-Vol

Director, Public Works Operations

Re:

Fuel Purchases Agreement Re-Assignment and Extension - BC Petroleum

Products Buying Group

Staff Recommendation

1. That the City of Richmond's fuel purchases agreement through the BC Petroleum Products Buying Group consortium:

- a) be assigned to Parkland Fuel Corporation; and
- b) be extended to December 14, 2018.
- 2. That the Chief Administrative Officer and General Manager, Engineering & Public Works, be authorized to negotiate and execute all necessary terms with Parkland Fuel Corporation under City of Vancouver Contract No. PS11122 for The Supply and Delivery of Gasoline, Diesel, 810-Diesel and Fuels.
- 3. That the City of Richmond participate in the regional consortium for the acquisition of gasoline and diesel fuel at the conclusion of the current fuel purchase agreement (commencing December 15, 2018).

Tom Stewart, AScT. Director, Public Works Operations

(604-233-3301)

REPORT CONCURRENCE			
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER	
Finance		40	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS:	APPROVED BY CAO	

Staff Report

Origin

The City of Vancouver is the lead agency coordinating the competitive bid process for fuel purchases for the BC Petroleum Products Buying Group (BCPPBG). By participating in the consortium, the City of Richmond receives benefits in economies of scale, economies of process and economies of information.

Per Council resolution R12/1-5, the consortium agreement was initially entered into on December 14, 2011 with Chevron Canada Ltd., as the most responsive and responsible bidder under the tendering process administered by the BCPPBG (under Contract No. PS11122, Chevron was one of two bidders). Note the process involves the City entering into a contractual relationship directly with the supplier (e.g. not with or through the consortium).

Subsequent to entering into the agreement, on February 1, 2017, Chevron Canada Ltd. transferred its refining and fuels marketing business to its wholly-owned subsidiary, Chevron Canada R & M ULC (CCRM). As of October 1, 2017, Chevron sold all of its shares in CCRM to Parkland Fuel Corporation (Parkland). As this represents an assignment of the City's fuel purchases agreement to another supplier, this report seeks approval to assign the City's interests in this agreement to Parkland and extend the contract for an additional period, i.e. to December 14, 2018.

This report supports Council's 2014-2018 Term Goal #7 Strong Financial Stewardship:

Maintain the City's strong financial position through effective budget processes, the efficient and effective use of financial resources, and the prudent leveraging of economic and financial opportunities to increase current and long-term financial sustainability.

7.4. Strategic financial opportunities are optimized.

Analysis

Background

The City of Richmond maintains a fuel station at the City Works Yard for fuelling all City vehicles and equipment with gasoline or diesel fuels. There are also fuel tanks located at several fire hall stations for fuelling fire vehicles and fire apparatus. Fuelling services at the Works Yard are also made available to the Richmond RCMP and Richmond School Board on a cost-recovery basis. Richmond Fire Rescue is also able to fuel at the City Works Yard, when required (e.g. fuel tank decommissioning associated with fire hall construction/renovations).

The City uses approximately 1.15 million litres of fuel annually consisting of gasoline and biodiesel. Richmond Fire Rescue uses approximately 150,000 litres annually. Additionally, approximately 250,000 litres of fuel is purchased to support fuelling services at the Works Yard for the Richmond RCMP and School Board.

BCPPBG Fuel Purchases Contract

To ensure best value, the contract costing model is based on:

- Weekly rack price
- Less discount (e.g. off rack, plus early payment, volume discount)
- Plus bridging fee

The weekly rack price is the price refineries sell gasoline to their various clients, which varies based on fuel commodity market pricing factors. The bridging fee includes items such as freight from the terminal, the terminal cost, delivery, etc.

Under the terms of this contract, the bridging fee will be fixed for one year and is subject to inflationary increases, such as CPI, with a maximum cap established for any increases or decreases in inflation. Savings over commercial rates vary depending on commodity pricing, but are generally between 5%-10%.

The City of Vancouver (lead agency) followed their standard procurement methods in this tender process, and City of Richmond Purchasing staff agrees with the methodology applied.

CCRM has provided a good level of service, with timely deliveries, including after hours and weekends. Deliveries are made directly to the sites indicated, including the Works Yard and fire hall locations. Staff are confident that this level of service can be expected to continue under the new agreement entered into between the City and CCRM (Parkland). All other aspects of the agreement remain in effect, with no material changes other than re-assignment to Parkland.

Financial Impact

Annual costs for fuel vary based on commodity pricing and usage factors. Fuel expenditures in 2016 were \$1,144,240 for City operations and \$150,573 for Richmond Fire Rescue, for a total of \$1,294,813.

The 2017 total fuel budget is \$1,336,000 for City operations and \$178,500 for Richmond Fire Rescue, for a total of \$1,514,500. The budget is adjusted annually based on estimated consumption and fuel costs.

Conclusion

The BCPPBG consortium approach for fuel purchases achieves economies of scale through a large-scale purchasing approach. The City previously entered into agreement with Chevron Canada Ltd. under this contract, which was later transferred to CCRM.

Recently, the interests of CCRM were acquired by Parkland. Therefore, this report seeks Council's approval to assign the agreement to Parkland and concurrently, to extend the contract to December 14, 2018. All terms and conditions remain the same, and service levels are expected to remain consistent with Parkland.

Staff also suggest that the City continue to participate with the City of Vancouver led consortium group for future fuel supply needs, as this approach achieves best value through bulk purchases.

Suzanne Bycraft

Manager, Fleet and Environmental Programs

(604-233-3338)



Report to Committee

To:

General Purposes Committee

Date:

November 10, 2017

From:

John Irvina, P. Ena MPA Director, Engineering

File:

10-6125-05-01/2017-Vol

01

Re:

Library Cultural Centre Capital Retrofit Project: Federation of Canadian

Municipalities Climate Innovation Program

Staff Recommendation

- 1. That the application to the Federation of Canadian Municipalities Municipal Climate Innovation Program for up to \$1,000,000 in grant funding to support the deep energy and greenhouse gas emission reduction project planned for the Library Cultural Centre be endorsed;
- 2. That, should the funding application be successful, the Chief Administrative Officer and the General Manager of Engineering and Public Works be authorized to execute the agreement with the FCM on behalf of the City of Richmond;
- 3. That if the funding application is successful, the 2018-2022 Five Year Financial Plan Bylaw be adjusted accordingly.
- 4. That local Richmond Federal Ministers of Parliament be advised of the City's FCM grant funding application.

John Irving, P. Eng MPA Director Engineering

(604-276-4140)

Att. 2

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS:
APPROVED B'Y CAO	

Origin

Staff are seeking Council endorsement for an application to the Federation of Canadian Municipalities' (FCM) Municipal Climate Innovation Program (MCIP) for grant funding to support an enhanced GHG emission reduction and deep energy retrofit project at the Library and Cultural Centre (LCC).

This deep energy and GHG emissions reduction project and grant funding application supports the following Council 2014-2018 Term Goals:

#4 Leadership in Sustainability:

- 4.1. Continued implementation of the Sustainability Framework.
- 4.2. Innovative projects and initiatives to advance sustainability.

#5 Partnerships and Collaboration:

- 5.1. Advancement of City priorities through strong intergovernmental relationships.
- 5.2. Strengthened strategic partnerships that help advance City priorities

#6 Quality Infrastructure Networks:

6.1. Safe and sustainable infrastructure.

Background

Through the 2017 capital process, Council approved two minor capital projects at the Library and Cultural Centre (LCC). The projects approved involved the replacement of the facility's aging chiller plant and one of three hot water boilers, with a total of \$450,000 in funding allocated. The development of a detailed scope of work and design for these projects has been ongoing since the projects were approved.

Best practices options have been assessed for how the benefits of these investments could be maximized. Through completing options evaluations, it was determined that deep energy and greenhouse gas (GHG) emissions were possible given further investment and infrastructure renewal. The assessment concluded that GHG emissions and conventional energy use at the facility could be reduced by 80% and 35%, respectively, with a broader scope of work. In 2016, Council endorsed an ambitious GHG emissions target for corporate buildings of 65% reduction in building related emissions by 2020 as compared to 2007 levels. This project has been identified as one the key projects the City will need to implement to achieve this target.

The FCM MCIP capital project grants provide up to 80% of eligible project costs and a maximum of \$1,000,000 in funding to support municipalities with the reduction of GHG emissions. Communities can use the funding to support projects that include measures such as the replacement of fossil fuel energy with a renewable source and increasing the energy efficiency of a facility through the reuse of waste heat. The targets for a project in this program include reducing GHG emissions of a facility by 50% from the baseline amount, with up one third of the reduction coming from renewable energy integration.

The majority of planned project costs are eligible for reimbursement through this program, which can be included in contribution requests from the date of the application submission to FCM after an agreement is reached.

Analysis

The Richmond Library and Cultural Centre is an essential community cultural hub for Richmond residents and includes the City's main library branch, the Arts Centre, the Museum, an Art Gallery, a Media Lab, a Performance Hall, exhibition space, meeting rooms, and the City of Richmond Archives. Many community and school programs, public events and major festivals are conducted at the Cultural Centre each year.

The City strives to consistently renew and improve important community facilities with the objective of improving occupant comfort and equipment functionality, as well as reducing energy use and greenhouse (GHG) emissions.

Phase 1 of this expanded project would entail the replacement and upgrade of all major mechanical systems at LCC, with the ability to connect the new systems to a future renewable energy system for further conventional energy use displacement. If implemented, Phase 1 of the project will reduce emissions at LCC by approximately 60% and conventional energy use by 25%.

Phase 2 of this expanded project will implement a renewable energy system at the facility to further displace natural gas use and GHG emissions. Options for Phase 2 to be assessed include, but are not limited to, geo-exchange, solar thermal energy systems, and air to air heat pumps. Completing Phase 2 of this project would reduce GHG emissions by a further 25% and conventional energy use by a further 10%. Overall, the complete project would reduce emissions at LCC by over 200 tonnes of CO₂e annually (equal to taking 60 Richmond vehicles off the road) and conventional energy use would be reduced by over 1.0 gigawatt hour annually (equal to the annual energy consumption of 25 Richmond homes).

Should the FCM MCIP funding request be successful, the City would be required to enter into funding agreements with FCM. The agreements are standard form agreements provided by FCM and include an indemnity and release in favour of FCM. As with any submission for funding to external sources, funding is not guaranteed to be granted to assist with this project.

Financial Impact

The maximum FCM MCIP contribution is \$1,000,000 per application and up to 80% of the eligible project costs. The City is requesting the maximum contribution allowance of \$1,000,000 for this project. For the initial stages of this project Council has approved \$450,000 in funding through the 2017 Capital program. In addition, funding has been requested through the 2018 One Time Additional Level Program to completely fund Phase 1 of the project. Approved capital project funds will be used as matching funds in the event that the City's FCM application is successful and an agreement is reached. Any grant funds received from the MCIP will be used to offset approved project funds, with the 2018-2022 Five Year Financial Plan Bylaw adjusted accordingly.

The City is also exploring other funding partnerships for this project, such as incentives from Fortis BC and BC Hydro.

Conclusion

As part of the submission process, the Federation of Canadian Municipalities (FCM) requires confirmation that Council endorses the application for funding and the potential contractual agreement with FCM. This project aligns with the City's goals and vision, and is well positioned to receive funding through the Municipal Climate Innovation Program (MCIP) given the program criteria and the expected results of the project if program funding remains available.

Staff recommend the endorsement of the application to the FCM MCIP for grant funding to support an enhanced mechanical systems upgrade at LCC to achieve deep GHG emissions and energy reductions. The completion of this project will help the City achieve its ambitious GHG emissions reduction target of 65% reduction in corporate building emissions by 2020 as compared to 2007 levels. Completing these deep energy efficiency retrofits will allow the City of Richmond to renew a key community facility, and will help the City provide further needed services to its growing community without greatly increasing its overall environmental footprint.

Levi Higgs, CEM, PMP. Corporate Energy Manager, (604-244-1239) Denise Tambellini Intergovernmental Relations and Protocol Unit (604-276-4349)

Att. 1: FCM MCIP Eligible Funding Expenditures Summary

2: FCM MCIP Application Criteria

MCIP Eligible and Ineligible Expenditures – Plans, Studies and Capital Projects

Eligible and Ineligible Expenditures

This table outlines what expenditures can be partially reimbursed by FCM.

Please pay particular attention to any expenditure that may be ineligible. Please also note that definitions and eligibility of expenditure categories may vary from that of the Green Municipal Fund.

Note: If your application is approved, expenses that are eligible for partial reimbursement must be:

- If your project has already started, please contact us to discuss eligibility.
- · Invoiced directly to the lead applicant.
- · An integral and an essential component of the initiative required to help achieve the environmental objective of the initiative.
- Actually and reasonably incurred in accordance with applicable industry standards.

FCM reserves the right to audit financial statements or expenses incurred at a future date, as audits of the submitted expenditures will not be conducted as a normal course of business when a disbursement claim is submitted. Please keep financial accounts and records, including but not limited to contracts, invoices, statements, receipts, and vouchers, for at least six years.

Expenditure Category	Eligible Expenditures	Ineligible Expenditures
1) Pre-application	N/A.	 Any expenditure incurred prior to FCM's eligible expenditure date. Expenditure of developing this proposal or application.
2) Administrative and Overhead Expenditures	Administrative expenditures that are directly linked to and have been incurred for the project, such as: • Communication expenditures (e.g. long-distance calls or faxes). • Permits or certifications required for the project. • Outsourced printing or photocopying. • Acquisition of documents used exclusively for the project. • Document translation. • Transportation, shipping, and courier expenditures for delivery of materials essential for the project. • Design and production of communication products to promote project outcomes and benefits to the public. • Advertising, website development, project education materials or expenditures to disseminate project	General overhead expenditures incurred in the regular course of business, such as: Office space, real estate fees, and supplies. Financing charges, and interest payments. Promotional items. Hospitality expenses (food and drink, alcohol, entertainment, etc.).

3) Capital Expenditures	communications products. • Public engagement expenditures, such as surveys, web tools, other materials. • Specialized system hardware. • Software expenditures up to a maximum of \$25,000 will be accepted, unless otherwise approved by FCM. • For Capital Projects only: Expenditures essential for conducting the project. This would include construction expenditures, materials, renovation and modernization expenditures, and installations expenditures.	Purchase or lease of real estate. Capital expenditures related to regular business activities and not a specific requirement of the project.
4) Equipment Rental	 Rental of tools and equipment. Related operating expenditures such as fuel and maintenance expenditures. 	Rental of tools or equipment related to regular business activities.
5) In-Kind	N/A.	Any goods and services received through donation.
6) Meetings,Training Sessions, and Public Gatherings	Expenditures associated with accessing reference materials such as standards, templates and toolkits. Expenditures related to meetings and public gatherings that communicate the project to the public and that collect feedback: Examples: facility rental and audiovisual equipment.	Any hospitality expenses such as: • Food and drink • Alcohol • Door prizes • Entertainment • Music • Decorations • Flowers, centerpieces • Etc.
7) Professional and/or Technical Services	Fees for professional or technical consultants and contractors, incurred in support of eligible activities.	 Expenditures associated with regular business activities not related to the project. Legal fees.

8) Staff Remuneration	Daily rates actually paid by the Eligible Recipient to its Employees in Canada for time actually worked on the implementation of the Project. The daily rate per employee shall include the following costs: a) direct salaries: actual and justifiable sums paid by the Eligible Recipient to Employees in accordance with the Eligible Recipient's pay scales as regular salary excluding overtime pay and bonuses. b) fringe benefit: in accordance with the Eligible Recipient's policies, as follows: i. time-off benefits (prorated to the annual percentage (%) of time actually worked on the implementation of the Project): allowable number of days to be paid by the Eligible Recipient for the following payable absences: statutory holidays, annual vacation, and ii. paid benefits: actual sums paid by the Eligible Recipient for paid benefits (prorated to the annual percentage (%) of time actually worked on the implementation of the Project): the Eligible Recipient's contribution to employment insurance and workers' compensation plans (where applicable), health and medical insurance, group life insurance, or other mandatory government benefits; Note: Labour costs must be documented in a manner that meets audit standards for verification of eligibility of cost and level of effort. Supplies and materials required to	 In-kind contribution of services. Participant salaries. Expenditures related to regular business activities. Overtime pay. Bonuses / performance pay. Fringe benefits such as; o sick days o pension plan o any other fringe benefits not listed as eligible Costs related to ongoing or other business activities and not specifically required for the project. Staff wages while receiving training or attending learning events. Memberships fee or dues. • Expenditures related to regular business
9) Supplies and Materials	undertake the project.	activities.

10) Taxes	The portion of provincial/Harmonized Sales Tax and Goods and Services Tax for which your organization is not eligible for rebate.	The portion of Provincial/Harmonized Sales Tax and Goods and Services Tax for which your organization is eligible for rebate, and any other expenditures eligible for rebates.
11) Travel and Accommodation	For individuals on travel status (individuals travelling more than 16 km from their assigned workplace - using the most direct, safe and practical road.); • Travel and associated expenses for implementing partners, guest speakers and consultants to the extent that the travel and accommodation rates comply with the Treasury Board of Canada guidelines, and to the extent that such travel is necessary to conduct the initiative. www.canada.ca/en/treasury-board-secretariat/services/travel-relocation/travel-government-business.html Where justified, participant travel costs may be claimed with prior written consent from FCM. Under no circumstances will participant honorariums be covered.	 Any travel expense that is not paid in accordance with the Treasury Board of Canada guidelines Any expenditure that is not necessary to conduct the project. Participant honorariums.

Note: Invoices, receipts and timesheets (where applicable), must be sufficiently detailed to enable verification of expenditure eligibility and level of effort.

Municipalities for Climate Innovation Program – Grant Funding Information

1. Climate change capital project grants

Grant funding of up to \$1 million and more for climate change capital projects is available for Canadian cities and communities of all sizes. These grants help municipalities adapt to the impacts of climate change, such as flooding and drought, and reduce greenhouse gas (GHG) emissions. Communities can use the funding to upgrade, build, replace, expand or purchase and install fixed assets or infrastructure, such as buildings and treatment plants.

The following list represents the general types of capital projects that this grant program is designed to support

- Extreme temperatures: Climate adaptation capital projects
- Flooding and drought: Climate adaptation capital projects
- Wind events: Climate adaptation capital projects
- Community initiatives: Climate adaptation capital projects
- Energy: Climate mitigation capital projects
- Solid waste: Climate mitigation capital projects
- Water: Climate mitigation capital projects
- Transportation: Climate mitigation capital projects
- · Community initiatives: Climate mitigation capital projects

2. Energy: Climate mitigation capital project grants

We provide grants for energy-focused capital projects that lead to greenhouse gas (GHG) emission reductions for municipal corporate operations and existing assets such as buildings and treatment plants or through community-based initiatives.

3. Eligible initiatives

Eligible capital projects will address corporate or community GHG emissions at a site, or in a neighbourhood or region. These projects are designed to enable the adoption of a technology or solution that has the potential to reduce GHG emissions.

The following are examples of features that could be included in an eligible capital project:

- Retrofitting district energy systems to a less poluting source of energy
- Upgrading lighting and insulation in municipal facilities such as community centres, arenas, libraries or other municipal buildings
- Changing a fuel source from fossil fuels to a less polluting source of energy
- Creating an energy recovery loop to channel waste energy to heat
- Using digested solids from a wastewater treatment plant to generate gas for electricity or heat
- Capturing, processing and treating methane gas from landfill sites to produce energy

4. Targets

Capital projects focused on a municipality's corporate assets should be designed to reduce GHG emissions by 50 per cent from an existing baseline. In addition:

- For buildings, two-thirds of the reduction in GHGs must come from energy efficiency measures and up to one-third may come from the use of renewable energy
- For landfill gas capture projects, the target is to capture 60 per cent of all emissions at the site

5. Who can apply

- Muncipal governments (except applicants from Quebec¹)
- Municipal partners working in partnership with a municipal government ², which includes:
 - Certain Indigenous communities that have a shared service agreement with a municipal government related to infrastructure, climate change mitigation or climate change adaptation
 - o Regional, provincial or territorial organizations delivering municipal services
 - Not for profit organizations

6. Funding Available

There are two key aspects of the available funding;

- Grants of up to \$1,000,000 maximum per application are available
- Funding will be provided, up to a maximum of 80% of eligible project costs

7. Application Deadine

Applications are accepted year-round. The last date to submit an application is January 31, 2020.

Note: All eligible expenses must be incurred and all reporting, including requests for disbursements, must be submitted to FCM by February 28, 2021.

¹ Quebec municipalities are currently not permitted to receive funding from the FCM's Municipalities for Climate Innovation Program. FCM is working with the province of Quebec's Ministere des Affaires municipals et de l'Occupation du territoire (MAMOT) to find a solution that will provide Quebec municipalities access to MCIP funding as soon as possible.

² Not-for-profit, non-governmental organizations and indigenous **CP** unities in Quebec can still access funding from the two programs if they meet the necessary eligibility criteria



Report to Committee

To:

General Purposes Committee

Date:

October 31, 2017

From:

Will Ng, Superintendent,

File:

09-5000-01/2017-Vol

Officer in Charge, Richmond RCMP Detachment

01

Re:

Closed Circuit Television (CCTV) for Signalized Intersections in Richmond

Staff Recommendation

 That the report titled "Closed Circuit Television (CCTV) for Signalized Intersections in Richmond," dated October 31, 2017 from the OIC, Richmond RCMP, be received for information;

- 2. That the CCTV request at a capital cost of \$2,185,242 (Option 3) be submitted to the 2018 Capital budget process for Council consideration;
- 3. That the CCTV for Signalized Intersections Project be approved to seek additional funding from the Federal/ Provincial Investing in Canada Program and other appropriate senior government funding programs;
- 4. That if the senior government funding submission is approved, the Chief Administrative Officer and the General Manager, Community Safety be authorized to execute the agreement on behalf of the City of Richmond with the Government of Canada and/ or the Province of British Columbia;
- That if the funding application is successful, the grant received be used to replenish the City's funding source and the 2018-2022 Five Year Financial Plan Bylaw will be adjusted accordingly; and

6. That Richmond MPs and MLAs be advised of the City's senior government submission.

Will Ng, Superintendent

Officer in Charge, Richmond RCMP Detachment

(604-278-1212)

Att. 2

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	
Finance Department ☑ Intergovernmental Relations ☑ Transportation ☑		
CONCURRENCE OF GENERAL MANAGER		
APPROVED BY CAO		

Staff Report

Origin

This report is in response to the following referral made by Council at the October 23, 2017 Council meeting:

That Traffic Recording Capabilities at Intersections be submitted in the 2018 budget process for Council consideration.

This report supports Council's 2014-2018 Term Goal #1 A Safe Community:

Maintain emphasis on community safety to ensure Richmond continues to be a safe community.

- 1.2. Program and service enhancements that improve community safety services in the City.
- 1.3. Improved perception of Richmond as a safe community.

Analysis

Background

On October 18, 2017 the Public Works and Transportation Committee discussed the potential to install traffic recording cameras at intersections in Richmond. As a result of this discussion, the Committee requested staff provide information regarding the type of recording equipment that would be considered in order to provide Council with a range of options for a capital budget submission.

Existing Traffic Cameras

Currently there are 175 signalized intersections in Richmond, among which 60 intersections are equipped with non-recording traffic detection cameras. The existing traffic cameras function primarily to detect vehicles, manage traffic flow and respond to real-time traffic incidents. Each camera equipped intersection actually has four cameras to monitor traffic flow in each direction of the intersection. Existing traffic detection cameras have the capability of capturing live video feeds but to date the recording function has not been equipped within existing hardware and software.

Enhancing Public Safety

The main purpose of installing CCTV cameras at traffic intersections is to enhance public safety in the City of Richmond. Ideally, CCTV cameras should be present at all 175 signalized intersections in Richmond.

Threats of violence and terrorism remain an existent threat not only in international locations such as France and the United Kingdom, but also domestically in cities such as Ottawa and Edmonton. Richmond is an international gateway into Canada with major facilities including the

Vancouver International Airport, Metro Vancouver Port facilities, various tourist destinations, regional shopping centers, skytrain stations, religious and public facilities. It is prudent to be proactive in addressing potential threats to the City's community safety needs.

For the past several years, with the advent of low-cost and excellent-quality digital CCTV systems, police have been exploring local CCTV assets in the area of investigating criminal activity, identifying suspects and apprehending criminals. Quality images of perpetrators and/or their vehicles has, when available, significantly diminished police investigational time and reduced policing costs. Cities with cameras have reported success in reducing crime and increasing perceptions of public safety through deterrence and quickly apprehending and removing dangerous individuals from the community.

Benefits of a Recording Capability for Traffic Cameras

The RCMP Richmond Detachment (the Detachment) and the City's Transportation Department (Traffic Management Centre) have initiated discussions to upgrade all existing traffic cameras, to allow for live video feed recording and to have additional video recording cameras at all signalized intersections over time. The following table identifies some of the key benefits that surfaced from those discussions.

Table 1: Benefits of Traffic Cameras with Recording Capability

Category	Benefit
Emergency Preparedness	 Live video feeds can augment the emergency program by helping determine and monitor emergency route availability to an evacuation during an emergency. Free up police officers from physically attending areas to provide situational reports allowing them to assist in more emergent life or death situations.
Safety for First Responders – Fire Rescue	 A greater number of cameras can enhance response times for Fire-Rescue by utilizing the emergency pre-emption of traffic signals. Provide a safer environment for Fire Rescue while entering controlled intersections.
RCMP Operational Safety and Efficiency	 An enhanced camera network will facilitate RCMP ability to identify and locate criminals and investigate threats of violence or terrorism. An enhanced camera network will provide more readily obtainable evidence that will shorten investigative time. This would reduce public exposure to "at large" criminality. Cameras will also complement the Detachment's operational plans to ensure public safety at large scale events such as the Steveston Salmon Festival and Richmond World Festival. Video feeds provide evidence for investigations such as serious collisions at intersections. Traffic cameras with recording capabilities have in many instances reduced crime in specific areas.

Category	Benefit
Traffic Safety	Based on statistics from ICBC:
	-There were 6,671 reported accidents in Richmond with 88 per cent
	occurring at intersections.
	-The top contributing factors in fatal crashes were speed, impaired driving
	and distracted driving.
	Video cameras would allow for analysis of accident causes and act as a
	deterrent for high risk behaviours at intersections.

Traffic Camera System versus the CCTV Camera System

Discussions between the Detachment and Transportation also revealed significant differences between camera system requirements of one department over the other. As stated earlier the City's purpose for the existing traffic cameras is to detect vehicles, manage traffic flow and respond to real-time traffic incidents. The RCMP, on the other hand, requires high resolution cameras to reduce crime and assist in criminal investigations.

The existing traffic camera system has limitations, which make them not suitable for the Detachment's intended purposes. For example:

- Some cameras do not have time and date stamps;
- Cameras do not display in high definition resolution;
- To properly meet traffic camera needs the angle of these cameras face directly towards the traffic lanes. These cameras are designed for only one camera angle and are not mobile as required by the CCTV camera system; and
- Current traffic cameras require fiber optic cable which makes installation expensive.

CCTV Privacy Regulation and Data Collection

The legal regulation of CCTV systems occurs primarily via privacy law. This oversight is provided by offices of the federal and provincial privacy commissioners. It is anticipated that Richmond's CCTV system will be reviewed and approved by the Office of the Information and Privacy Commissioner for British Columbia. Should Council endorse a CCTV system, it would be designed and operated to ensure full compliance with all applicable privacy laws.

The data captured by the CCTV system will be securely stored on a server for a reasonable period of time (e.g. one month). The data will be destroyed after the holding period. Only data requested by the appropriate authorities, such as ICBC, or archived for investigative purposes will be forwarded onto the investigating authority for retention under the terms of relevant legislation (Attachment 1).

Signalized Intersection Recording Options

Option 1 (Status quo) - Not Recommended

Staff do not recommend Option 1. This option will continue with the current traffic camera network with no ability to record live feeds.

Pros:

- There will be no budget impact as Option 1 is currently funded from the Planning and Development operational budget; and
- The City will continue its incremental program to install traffic cameras for transportation management purposes.

Cons:

- No improvement camera system or public safety;
- No ability to review accidents and reduce accident causes through analysis;
- No ability to assist police with deterring or investigating crimes; and
- No ability to provide service to other agencies (e.g. ICBC, law firms, and other government agencies, etc.) or the public for use in legal defense purposes.

Option 2 (Hybrid System) - Not Recommended

Option 2 would require the enhancement of existing traffic detection cameras and the installation of 115 recording cameras¹ at strategically selected intersections. This option model would maintain the operability of the existing traffic cameras and further enhance their existing traffic camera capabilities to include recording. The estimated capital cost for the Hybrid System is \$1,709,710 and \$30,201 annual OBI for ongoing expenses (Attachment 2).

Pros:

- Significantly enhanced CCTV camera system for public safety;
- Ability to review accidents and reduce accident causes through analysis;
- Ability to assist police with deterring or investigating crimes; and
- Ability to recover costs from video feed sales to other agencies (e.g. ICBC, law firms, and other government agencies, etc.) or the public for use in legal defense purposes in compliance with privacy law.

Cons:

- Existing cameras will not meet resolution levels required by RCMP;
- Some existing cameras will not have time and date stamps; and
- Existing cameras with low resolution and without a time date stamp will not produce adequate evidence for the courts and, as such, these cameras will incur reduced revenue levels and will not meet the needs of the RCMP.

¹ The number of recording cameras in this case was derived from the total number of signalized intersections (175) minus the existing traffic cameras (60) which determines the remaining amount of cameras required (115).

Option 3 (Full CCTV System) - Recommended

Option 3 would require the enhancement of the existing traffic detection camera system with additional CCTV recording cameras at all 175 locations. CCTV images, in this scenario, are transmitted by wireless radios with the exception of locations where fiber optic cables exist. This system is relatively cost effective and easy to install. The estimated capital cost for the full CCTV system is \$2,185,242 and a cost neutral OBI for ongoing expenses (Attachment 2).

Pros:

- Fully operational CCTV camera system at all 175 traffic intersections for public safety;
- Ability to review accidents and reduce accident causes through analysis;
- Ability to assist police with deterring or investigating crimes; and
- Ability to recover costs from video feed sales to other agencies (e.g. ICBC, law firms, and other government agencies, etc.) or the public for use in legal defense purposes in compliance with privacy law.

Cons: None.

Potential Cost Offset and Senior Government Funding Opportunities

Other local municipalities that have implemented CCTV cameras have reported that they are able to offset some of the operational costs by applying a fee-for-service model. It is reasonable to project a service charge for the purposes of this report at \$360 per request. An extrapolation of this model when applied to Richmond and adjusted for population and program size would result in an annual cost offset of approximately \$72,000, which has been included in the estimates provided (Attachment 2).

If endorsed, staff will seek funding opportunities from senior governments to leverage Council approved funding for this project. The project aligns with the potential funding criteria for the Investing in Canada Program, currently being negotiated for a bilateral agreement with the federal and provincial governments. A call for proposals is expected early in 2018.

Should the funding request be successful, the City would be required to enter into funding agreements with the Government of Canada and/ or the Province of British Columbia. The agreements are standard form agreements provided by senior levels of government and include an indemnity and release in favour of the Government of Canada and/ or the Province of British Columbia. As with any submission to senior governments, there is no guarantee that this application will be successful.

Financial Impact

That Option 3 at a capital cost of \$2,185,242 and a cost neutral OBI be submitted to the 2018 capital budget process for Council consideration.

Conclusion

The installation of CCTV cameras at all 175 traffic intersections would enhance public safety in the City of Richmond. Proper use of this surveillance technology could deter crime, reduce traffic accidents and provide an additional tool in crime and accident investigations. Staff is recommending Council approve the funding for the CCTV project and the request to pursue additional funding from senior governments to enhance the project.

Edward Warzel

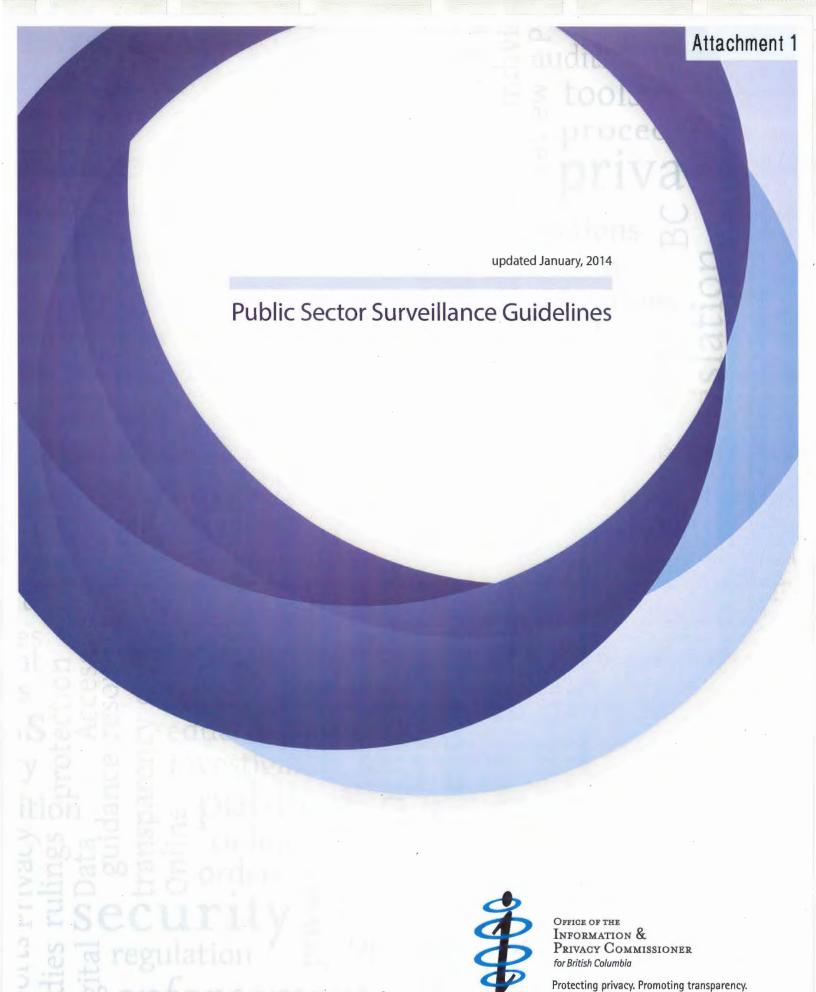
Manager, RCMP Administration

(604-207-4767)

EW: jl

Att. 1: Public Sector Surveillance Guidelines

Att. 2: Cost Estimates of Options 2 and 3





Protecting privacy. Promoting transparency.

PUBLIC SECTOR VIDEO SURVEILLANCE GUIDELINES

PURPOSE

The purpose of this guidance document is to provide information on how the *Freedom* of *Information and Protection of Privacy Act* ("FIPPA") applies to the use of video and audio surveillance systems by public bodies. In the decade since our office first published surveillance guidelines, there has been extensive research and writing on this topic and one thing is clear: the effectiveness of a surveillance system is a product of several elements—it is not a "one size fits all" solution. These guidelines aim to assist public bodies in deciding whether proposed or existing surveillance systems are *lawful* and operating in a *privacy protective manner*. These guidelines also set out what the Information and Privacy Commissioner for British Columbia expects from public bodies who are considering using video and audio surveillance systems.

THE RIGHT OF PRIVACY

British Columbians are increasingly subject to routine and random surveillance of their ordinary, lawful public activities by public and private bodies. As surveillance increases, so do the risks of harm to individuals. Video and audio surveillance systems are particularly privacy intrusive measures because they often subject individuals to continuous monitoring of their everyday activities.

Privacy is a fundamental right. Sections 7 and 8 of the *Canadian Charter of Rights and Freedoms* protect the rights of citizens to be secure in their daily lives and to be free from unjustified intrusion. FIPPA also recognizes and protects an individual's privacy

rights. Public bodies must not take steps to erode the right to privacy merely because they believe there is nothing to fear if an individual has nothing to hide. The loss of the ability to control the use of one's own personal information is harmful in itself.

APPLICATION OF FIPPA AND ROLE OF THE OIPC

FIPPA governs the collection, use, and disclosure of personal information by public bodies. Visual or audio recordings of an individual are a record of that individual's personal information. Where a surveillance system records personal information, the public body collecting that record must comply with the privacy protection provisions in Part 3 of FIPPA.

The Office of the Information and Privacy Commissioner ("OIPC") is responsible for monitoring and enforcing compliance with FIPPA, and may conduct investigations and audits of public bodies' surveillance systems under the authority of s. 42(1)(a) of FIPPA.

LAWFUL COLLECTION AND USE

It is lawful for public bodies to collect personal information only in circumstances permitted by s. 26 of FIPPA. A public body must be prepared to demonstrate to the OIPC, with specific evidence, that one or more provisions of s. 26 of FIPPA authorize its proposed or existing collection of personal information by a surveillance system.

Each component of the surveillance system must be lawful. For example, if a public body is considering implementing a surveillance system that collects video and audio footage, it should be able to demonstrate the purpose and the legal authority for both. This should include evidence that supports how each component fulfils the purpose for the collection.

Section 32 of FIPPA limits the purpose for which a public body can use personal information. Public bodies should be prepared to demonstrate that the ways they are using personal information meet the requirements of s. 32. Information collected through video or audio surveillance should not be used beyond the original purpose for the collection and any other purpose that is demonstrably consistent with this purpose. When public bodies collect personal information for one reason and then later use it for something else, privacy advocates refer to this as "function creep". Function creep is problematic because it can lead to public bodies using personal information in ways that do not meet the requirements of FIPPA. For example, if a public body scans employee identification to control entry to a secure building and later wants to use it to track employee attendance; the public body must first determine whether FIPPA authorizes that new activity.

WHAT IS PERSONAL INFORMATION?

FIPPA defines "personal information" as recorded information about an identifiable individual, other than contact information. Video and audio recordings of an individual's image and voice are considered identifiable information.

WHAT IS COLLECTION?

In terms of surveillance systems, collection of personal information occurs when an individual's image or voice is captured by the system. The personal information may then be played back or displayed on a monitor (used), saved or stored (retained) or shared with other public bodies or organizations (disclosed). Surveillance systems are collecting personal information whenever they are recording, regardless of if, or how, the public body uses, retains or discloses the recordings in the future.

WHAT DOES IT MEAN TO BE AUTHORIZED BY STATUTE?

Section 26(a) of FIPPA allows for the collection of personal information that is expressly authorized by statute. This is the most straightforward legal authority for collection. If there is a law that states that a public body is authorized to collect personal information using video or audio recording, then, so long as the collection is done in accordance with that law and for the specified purpose, it is authorized.

An example of express statutory authority for video surveillance is found in s. 85 of the Gaming Control Act. Under this section, the British Columbia Lottery Corporation "may place a gaming site under video surveillance to ascertain compliance" with the Act.

WHAT DOES IT MEAN TO BE "FOR THE PURPOSES OF LAW ENFORCEMENT"?

Section 26(b) of FIPPA authorizes collection of personal information for the purposes of law enforcement. Schedule 1 of FIPPA defines "law enforcement" as: policing, including criminal intelligence systems; investigations that lead or could lead to a penalty or sanction being imposed; or proceedings that lead, or could lead, to a penalty or sanction being imposed.

"Policing" is not defined in FIPPA, however in common law the definition of policing involves active monitoring or patrolling in order to deter or intervene in unlawful activities. Information collected for policing purposes must be collected by a public body with a common law or statutory enforcement mandate. For example, it is not sufficient for a public body to claim an interest in reducing crime in order to justify

collection for "law enforcement"; the public body must have authority to enforce those laws.

In BC, the OIPC has determined in a number of Orders that an investigation must already be underway at the time the personal information is collected for s. 26(b) to apply. A public body is not authorized to collect personal information about citizens, in the absence of an investigation, on the chance it may be useful in a future investigation. Similarly, in order for a collection to be lawfully authorized as relating to a proceeding, the proceeding must be ongoing at the time of collection.

WHAT DOES IT MEAN TO BE "NECESSARY"?

Section 26(c) of FIPPA authorizes the collection of personal information that is necessary for an operating program or activity of the public body. "Necessary" in the context of surveillance systems is a high threshold for a public body to meet. It is not enough to say that personal information would be nice to have or could be useful in the future. The personal information must also be directly related to a program or activity of the public body.

WHAT ABOUT CONSENT?

Under s. 26(d)(i) of FIPPA, consent can be used as legal authority for collection of personal information in very few specified instances. Express or implied consent is not a legal authority for collection of personal information using video or audio surveillance systems.

EFFECTIVE USE OF SURVEILLANCE

A public body should use a video or audio surveillance system only where conventional means for achieving the same objectives are *substantially* less effective than surveillance *and* the benefits of surveillance *substantially* outweigh any privacy intrusion. Cost-savings alone are not sufficient justification to proceed with a surveillance system under FIPPA.

A public body should use surveillance systems that collect the minimum amount of personal information necessary to achieve the purpose of the collection.

In considering the effectiveness of video or audio surveillance systems, public bodies should keep in mind the following:

(a) Surveillance systems have been found to be more effective in defined areas (such as parking lots) as opposed to open street or undefined spaces.

- (b) Surveillance systems are *more effective as investigative tools than as deterrents*. There is a common belief that the presence of a camera is an effective deterrent of crime and disorder, however, studies have shown that this deterrence is short-lived. In addition, the deployment of a surveillance system often coincides with the installation of improved lighting and increased monitoring of the area, which itself plays a role in deterrence.
- (c) Surveillance systems that are monitored and are used in conjunction with intervention in suspicious incidents have been found to be more effective at reducing criminal or public safety concerns than are unmonitored systems.

Public bodies should only proceed with surveillance if they can first establish whether FIPPA authorizes the surveillance and if they have determined that other less privacy-invasive options will not be effective.

VIDEO OR AUDIO SURVEILLANCE — BEST PRACTICES

1. Factors in considering use of video or audio surveillance systems

Public bodies should take the following steps in considering whether to use video or audio surveillance systems:

- (a) Before implementing a surveillance system, complete a privacy impact assessment ("PIA"). A PIA is an important component in the design of a project to assess how the project affects the privacy of individuals, and should include a description of measures to mitigate any identified privacy risks. Completion of a PIA helps a public body ensure that its project complies with the legislative requirements under FIPPA. A copy of the completed PIA, including the public body's case for implementing a surveillance system as opposed to other measures, should be sent to the OIPC for review and comment. The OIPC should receive the PIA well before any final decision is made to proceed with surveillance.
- (b) If a public body would like to use surveillance for security reasons, it should have evidence, such as verifiable, specific reports of incidents of crime, public safety concerns or other compelling circumstances that support the necessity of surveillance.
- (c) Conduct consultations with stakeholders who may be able to help the public body consider the merits of the proposed surveillance.
- (d) Calibrate the surveillance system so that it only collects personal information that is necessary to achieve the purposes the public body has identified for the surveillance.

2. <u>Layout of surveillance equipment</u>

In designing a surveillance system and installing equipment, a public body should:

- (a) Install surveillance equipment such as video cameras or audio recording devices in defined public areas. The public body should select areas it expects the surveillance will be most effective in meeting the purpose for the surveillance.
- (b) Recording equipment should not be positioned, internally or externally, to monitor areas outside a building, or to monitor other buildings, unless necessary to accomplish the purpose for the surveillance. Cameras should not be directed to look through the windows of adjacent buildings. Equipment should not monitor areas where the public and employees have a reasonable expectation of privacy (such as change rooms and washrooms).
- (c) If the purpose of the surveillance is related to crime, the public body should restrict the use of surveillance to periods when there is demonstrably a higher likelihood of crime being committed and detected in the area under surveillance.
- (d) Section 27(2) of FIPPA requires that public bodies notify individuals when they are collecting personal information. A public body should notify the public, using clearly written signs prominently displayed at the perimeter of surveillance areas so the public has sufficient warning that video or audio surveillance is or may be in operation before entering any area under surveillance. The notification must state: the purpose for the collection, the legal authority for the collection, and the title, business address and business telephone number of an employee of the public body who can answer the individual's questions about the collection.
- (e) Only authorized persons should have access to the system's controls and to its reception equipment (such as video monitors or audio playback speakers). Public bodies should have policies in place to ensure that authorized persons only access personal information from a surveillance system for authorized purposes.
- (f) Recording equipment should be in a controlled access area. Video monitors should not be located in a position that enables public viewing. Only authorized employees should have access.

3. <u>Guidelines regarding surveillance records</u>

Section 30 of FIPPA requires that a public body protect personal information in its custody or under its control by making reasonable security arrangements against such risks as unauthorized collection, access, use, disclosure or disposal. If the surveillance system creates a record, a public body should implement the following security policies and procedures:

3.1 Access

- (a) Only authorized individuals who require the information in order to do their jobs should have access to the surveillance system or the records it creates. All authorized personnel should be fully aware of the purposes of the system and fully trained in rules protecting privacy.
- (b) Access to storage devices should be possible only by authorized personnel. Logs should be kept of all instances of access to, and use of, recorded material.
- (c) An individual who is the subject of surveillance has a right to request access to his or her recorded personal information under s. 5 of FIPPA. Normally, FIPPA requires public bodies to withhold personal information about other individuals. This may mean that a public body must blur or otherwise obfuscate the identity of other individuals on a video or audio recording before disclosing personal information about an individual. Public body policies and procedures should be designed to accommodate this right to seek access.

3.2 Disclosure for law enforcement purposes

(a) If a public body is disclosing records containing personal information for law enforcement purposes, it should complete an information release form first. The form should indicate who took the storage device containing the information, under what authority, when this occurred, and if it will be returned or destroyed after use.

3.3 Secure retention and disposal

- (a) A public body must securely store, or retain, all personal information in its custody or under its control, including audio and video recordings. This includes the following measures:
 - i. All electronic storage devices should be encrypted.

- ii. All electronic storage devices that are not in use should be stored securely in a locked receptacle located in a controlled access area. All storage devices that have been used should be numbered and dated.
- iii. Recorded information should be erased according to a standard retention and disposal schedule. The OIPC considers retention periods of not more than 30 days to be preferable, although circumstances may necessitate different retention periods.
- iv. If the recorded information reveals an incident that contains personal information about an individual, and the public body uses this information to make a decision that directly affects the individual, s. 31 of FIPPA requires that specific recorded information be retained for one year after the decision is made.
- (b) A public body must securely dispose of old storage devices and records.

4. Audit procedures

As part of the requirement to secure personal information, public bodies should ensure employers and contractors are aware of, and implement, the following audit procedures:

- (a) All surveillance equipment operators must be aware that their operations are subject to audit and that they may be called upon to justify their surveillance interest in any given individual.
- (b) A public body should appoint a review officer to audit the use and security of surveillance equipment, including monitors and storage devices. The reviews should be done periodically at irregular intervals. The results of each review should be documented in detail and any concerns should be addressed promptly and effectively.

Creating surveillance system policies

- (a) If a public body makes a decision to use a video or audio surveillance system, it should do so in accordance with a comprehensive policy that ensures compliance with FIPPA. Such a policy is one part of an overall privacy management program. Some of the key privacy issues that public bodies should address through policies include:
 - Authority for collection, use and disclosure of personal information;
 - ii. Requirements for notification.
 - iii. Individual access to personal information.

- iv. Retention and disposal of information.
- v. Responsible use of information and information technology, including administrative, physical and technological security controls and appropriate access controls.
- vi. A process for handling privacy related complaints.
- (b) The public body should designate one (preferably senior) person to be in charge of the system as well as the public body's privacy obligations under FIPPA and its policies. Any power for that person to delegate his or her role should be limited, and should include only other senior staff.
- (c) Employees and contractors should be required to review and apply the policies in performing their duties and functions related to operation of the surveillance system. Employees should be subject to discipline if they breach the policies or the relevant FIPPA provisions. Where contractors are used, failure to comply with the policies, or FIPPA's provisions should be a breach of contract leading to penalties up to and including contract termination. Employees and contractors (and contractor employees) should sign written agreements as to their duties under the policies.
- (d) Public bodies should incorporate policies into personnel training and orientation programs and should require contractors to do the same with their employees. Policies should be regularly reviewed and updated as needed, ideally at least once every two years. Public body and contractor personnel should receive privacy awareness training at least annually. Public bodies should be able to demonstrate how and when they trained their staff.

For more information on public sector privacy management, see the OIPC's guidance document: Accountable Privacy Management in BC's Public Sector.¹

6. On-going evaluation

The effectiveness of a video or audio surveillance system should be regularly evaluated by independent evaluators. Some considerations for evaluation include:

- (a) Taking special note of the initial reasons for undertaking surveillance and determine whether video surveillance has in fact addressed the problems identified.
- (b) Reviewing whether a video or audio surveillance system should be terminated, either because the problem that justified its use in the first place is

http://www.oipc.bc.ca/guidance-documents/1545

- no longer significant, or because the surveillance has proven ineffective in addressing the problem.
- (c) Taking account of the views of different groups in the community (or different communities) affected by the surveillance. Results of evaluations should be made publicly available.

CONCLUSION

Video and audio surveillance systems are inherently privacy invasive. In order for a public body to use surveillance, it must first establish that FIPPA authorizes the use. Even if surveillance is authorized, a public body should determine whether there are other, less privacy invasive options. This document is intended to assist public bodies in assessing whether video or audio surveillance is an appropriate solution to their identified problem and, if it is, to help them design and implement surveillance in accordance with FIPPA and best practices.

If you have any questions about these guidelines, please contact:

Office of the Information and Privacy Commissioner for BC

Tel: (250) 387-5629

In Vancouver: (604) 660-2421; Elsewhere in BC: 1-800-663-7867

Email: info@oipc.bc.ca

For more information regarding the OIPC, please visit www.oipc.bc.ca.

<u>NOTE</u>: These guidelines do not constitute a decision or finding by the OIPC respecting any matter within the jurisdiction of the Information and Privacy Commissioner under the Act. These guidelines do not affect the powers, duties or functions of the Information and Privacy Commissioner respecting any complaint, investigation or other matter under or connected with the Act and the matters addressed in this document.



OFFICE OF THE
INFORMATION &
PRIVACY COMMISSIONER
for British Columbia

Protecting privacy. Promoting transparency.

Office of the Information and Privacy Commissioner for British Columbia

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Attachment 2: Cost Estimates of Options 2 and 3

Option 2 (Hybrid System)			
Capital Costs (One Time):			
Initial purchase cost CCTV system	\$	1,500,750	
Office construction and set up	\$	62,900	
Central servers	\$	56,000	
Software and licensing costs	\$	89,360	
Total Initial Capital Cost	\$	1,709,710	
Annual Operating Costs:			
Annual licensing costs	\$	13,404	
One full time Insurance Disclosure clerk	\$	70,548	
One full time CCTV Systems clerk	\$	70,548	
Cell phone and data plan costs	\$	600	
Overtime costs	\$	10,000	
Total Operating Costs	\$	165,100	
Estimated Revenue	\$	39,429	
Total Tax Base Funded Cost Option 2	\$	125,671	
Option 3 (Full CCTV System)			
Carital Casta (One Time)			
Capital Costs (One Time):	¢	2.012.750	
Initial purchase cost CCTV system	\$	2,013,750 62,900	
Office construction and set up Central servers	\$ \$	56,000	
Software and licensing costs			
Total Initial Capital Cost	•	52 502	
Total Initial Capital Cost	<u>\$</u>	52,592 2.185.242	
	\$ \$	52,592 2,185,242	
Annual Operating Costs:			
Annual Operating Costs: Annual licensing costs			
Annual licensing costs One full time Insurance Disclosure clerk	\$	2,185,242	
Annual licensing costs One full time Insurance Disclosure clerk One full time CCTV Systems clerk	\$ \$ \$ \$	7,889 70,548 70,548	
Annual licensing costs One full time Insurance Disclosure clerk One full time CCTV Systems clerk Cell phone and data plan costs	\$ \$ \$ \$	7,889 70,548 70,548 600	
Annual licensing costs One full time Insurance Disclosure clerk One full time CCTV Systems clerk Cell phone and data plan costs Overtime costs	\$ \$ \$ \$ \$	7,889 70,548 70,548 600 10,000	
Annual licensing costs One full time Insurance Disclosure clerk One full time CCTV Systems clerk Cell phone and data plan costs	\$ \$ \$ \$	7,889 70,548 70,548 600	

\$

99,585

Total Tax Base Funded Cost Option 3



Report to Committee

To:

General Purposes Committee

Date:

November 17, 2017

From:

Cecilia Achiam, MCIP, BCSLA

File:

09-5126-01/2017-Vol

General Manager, Community Safety

01

Re:

UBCM Community Emergency Preparedness Fund

Staff Recommendation

- That the report titled "UBCM Community Emergency Preparedness Fund", dated November 17, 2017 from the General Manager, Community Safety be received for information;
- 2. That the application to the Union of British Columbia Municipalities Community Emergency Preparedness Fund for up to \$25,000 in grant funding to support Emergency Social Services for Emergency Programs be approved;
- 3. That the application to the Union of British Columbia Municipalities Community Emergency Preparedness Fund for up to \$25,000 in grant funding to support the Emergency Operations Centres & Training for Emergency Programs be approved;
- 4. That should the funding application be successful, the Chief Administrative Officer and the General Manager, Community Safety be authorized to execute the agreement on behalf of the City of Richmond with the UBCM; and
- 5. That if the funding application is successful, the 2018-2022 Five Year Financial Plan Bylaw be adjusted accordingly.

Cecilia Achiam, MCIP, BCSLA General Manager, Community Safety (604-276-4122)

Att.

REPORT CONCURRENCE	
REVIEWED BY STAFF REPORT /	INITIALS:
AGENDA REVIEW SUBCOMMITTEE	Q
APPROVED BY CAO	

Staff Report

Origin

Staff are seeking Council endorsement for an application to Union of British Columbia Municipalities (UBCM) Community Emergency Preparedness Fund (CEPF) for grant funding to build local capacity to provide Emergency Social Services (ESS) and Emergency Operation Centre (EOC) and Training.

Applying for funding provided by the Province of British Columbia and administered by UBCM supports Council's 2014-2018 Term Goal #7 Strong Financial Stewardship:

Maintain the City's strong financial position through effective budget processes, the efficient and effective use of financial resources, and the prudent leveraging of economic and financial opportunities to increase current and long-term financial sustainability.

7.4. Strategic financial opportunities are optimized.

Analysis

Under the Emergency Program Act, municipalities, First Nations communities and regional districts are responsible for responding to emergencies in their jurisdiction, including providing emergency social services.

An EOC is a physical location where representatives come together during an emergency to coordinate response, recovery and resources, support emergency response personnel in the field and coordinate all official communications regarding the emergency.

ESS help preserve the well-being of residents of Richmond during or immediately following an emergency. The ESS program helps people affected by large emergencies, but may also assist during smaller emergencies such as house fires or disasters affecting a few members of a community. When people are forced to evacuate their homes, Staff and volunteers of the ESS program will often direct them to reception centres or group lodging facilities.

Emergency Programs continues to build local capacity to provide ESS through, volunteer recruitment and retention, training and the purchase of equipment. It is imperative for the City to train and exercise staff and volunteers for a coordinated response through the EOC.

Studies of recent disasters around the world show that prepared individuals and connected communities respond better, and recover faster, from emergencies when they occur. Grant funds will allow the City of Richmond to expand preparedness and resiliency programs, materials and supplies to serve a diverse community.

External funding would support Emergency Programs with initiating action plans promptly, leading to improved growth in developing a culture of preparedness and resilience. It would also help by creating valuable partnerships to increase the capacities of all of the involved organizations.

The maximum CEPF contribution is \$25,000 per application. The City is requesting the maximum contribution allowance of \$50,000 for the combined applications.

Financial Impact

None.

Conclusion

As part of the submission process, the Union of British Columbia Municipalities (UBCM) requires confirmation that Council endorses the application for funding. This project aligns with the City's goals and vision, and is well positioned to receive funding through the Community Emergency Preparedness Fund (CEPF) given the program criteria and the expected results of the project if program funding remains available.

Staff recommend the endorsement of the application to the CEPF for grant funding to support an enhanced ESS and EOC. The completion of this project will help the City achieve its ambition to be a resilient community.

Norman Kotze

Manager, Emergency Programs

(604-244-1211)

NK:nk