

File No.: 04-1000-20-2017-282

August 8, 2017

s.22(1)

Dear s.22(1)

**Re: Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")**

I am responding to your request of July 24, 2017 for:

The employment contract for general manager of planning Gil Kelley and the moving expenses report, (showing individual expenses, payments and reimbursements), related to Gil Kelley's move to Vancouver, after being hired by City of Vancouver.

All responsive records are attached. Some information in the records has been severed, (blacked out), under s.22(1) of the Act. You can read or download this section here: [http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/96165\\_00](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00)

Under section 52 of the Act you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your request. The Act allows you 30 business days from the date you receive this notice to request a review by writing to: Office of the Information & Privacy Commissioner, [info@oipc.bc.ca](mailto:info@oipc.bc.ca) or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number assigned to your request (#04-1000-20-2017-282); 2) a copy of this letter; 3) a copy of your original request for information sent to the City of Vancouver; and 4) detailed reasons or grounds on which you are seeking the review.

Please do not hesitate to contact the Freedom of Information Office at [foi@vancouver.ca](mailto:foi@vancouver.ca) if you have any questions.

Yours truly,

Cobi Falconer, FOI Case Manager, for

A handwritten signature in black ink, appearing to read 'Cobi Falconer', written over the typed name.

**Barbara J. Van Fraassen, BA**  
**Director, Access to Information**

*Barbara.vanfraassen@vancouver.ca*  
*453 W. 12th Avenue Vancouver BC V5Y 1V4*  
*Phone: 604.873.7999*  
*Fax: 604.873.7419*

Encl.

:cf

June 22, 2016

Gil Kelley

s.22(1)

**Re: Offer of Employment - Gil Kelley**

Dear Gil:

I very much enjoyed our recent discussions and am pleased to confirm an offer of employment for the regular full-time position of General Manager, Planning, Urban Design and Sustainability at the City of Vancouver. Subject to your acceptance of the other elements of this offer, your tentative start date will be September 15<sup>th</sup>, 2016.

Based on your qualifications and experience, I am pleased to confirm a base salary of \$250,000. This annual base salary amount is exclusive of benefits, pension contributions, or any additional payments of money or perquisites of any kind. Continued employment and future salary increases will be aligned with performance, and with the City's salary administration policies.

As this is a designated position of trust, you will be required to have and maintain your employment check clearance in accordance with the City's AE-025-01 Hiring and Employment for Positions of Trust Policy. In the interests of confirming the foregoing details for you, we are providing this offer prior to completion of a comprehensive review of your employment background and credentials. While we certainly do not anticipate any issues in this regard, please note that the offer is subject to the results of that review and may be withdrawn by the City on that basis. We will advise you as soon as the review process is complete.

The City has a comprehensive and very generous benefit plan and vacation package as detailed in the attached *Flexible Benefits Plan - Exempt Employee Handbook*. As a regular full-time employee, participation in the Municipal Pension Plan is mandatory; details about the plan can be found at [mpp.pensionsbc.ca](http://mpp.pensionsbc.ca). During your initial weeks of employment, you will be contacted by our Benefits Coordinator to discuss your benefits and arrange enrolment in the plans. As a member of the Corporate Management Team, you are eligible for a transportation allowance to a value of \$8,700, pro-rated for 2016.

In this role, you are entitled to a combination of annual vacation and participation in an earned time off plan. The City's Earned Days Off (EDO) plan provides for 15 days annually in recognition for extended hours worked up to and exceeding a standard work day without overtime or other additional compensation. In addition, you are entitled to annual vacation time totaling 23 days. Please note that your EDO and vacation entitlements will be prorated for the 2016 calendar year. More information about EDO and vacation, including the parameters for scheduling and payout of earned time, can be found in the Exempt Employee Handbook.

As part of your offer of employment, the City is pleased to offer you relocation assistance. It is the intention of this program to assist you with the move of you and your spouse from San Francisco to Vancouver. Pursuant to the City's policy, we are prepared to offer you a maximum of \$30,000 towards your pre-authorized allowable relocation expenses. The relocation agreement and the Description of Relocation Expenses document are attached as part of Appendix B. It outlines the terms and conditions of the assistance and will be used as a basis for approving all expenses which will be finalized once receipts are submitted.

Please note that this offer and your employment with the City of Vancouver are conditional upon your legal eligibility to work in Canada. Specifically, you must hold a valid work permit (or a permanent resident visa) that does not restrict you from performing the role of General Manager, Planning, Urban Design and Sustainability. The City of Vancouver will assist you to obtain a work permit by submitting an application for a TN Visa (NAFTA Professionals) to Service Canada and by subsequently preparing the necessary work permit application materials for presentation by you at the port of entry. The City of Vancouver will pay the legal costs associated with the preparation and filing of the TN Visa application and the preparation and filing, using the City of Vancouver's legal counsel. You will be required to assist counsel in the preparation of the work permit application, including providing any required information in a timely manner.

While we believe that we will be successful in obtaining a TN Visa in support of your work permit application, we cannot guarantee the outcome of either process. However, we will make reasonable efforts to ensure a successful outcome. Please note that you are responsible for initiating the process for any subsequent work permit renewals that might be required and the City of Vancouver may assist you in this regard.

As part of this offer of employment, the City feels it is important to be clear about other key terms and conditions. The terms and conditions with regard to termination of your employment with the City are attached as Appendix A to this offer letter.

Please sign this letter and return it to me by June 27th, 2016. Please keep a copy for your records. In signing your acceptance of this offer, you acknowledge that it is your decision to accept this position.

I am delighted to have you join our team and look forward to the very interesting work ahead of us. On behalf of the City of Vancouver and our Corporate Management Team, we look forward to working with you in your new role.

Welcome to the City of Vancouver, Gill

Yours truly,



*per.* Sadhu A. Johnston, LEED AP  
City Manager

tel: 604.873.7627  
fax: 604.873.7641  
sadhu.johnston@vancouver.ca

*I understand and accept the offer of  
employment and terms and conditions as  
outlined in this letter and all attachments  
including Appendix A*



Gil Kelley

7/6/16  
Date

Attachments

cc: Employee personnel file

## Appendix A

Throughout our recruiting process, the City of Vancouver seeks to ensure mutual understanding, clarity and fairness with all prospective employees with regard to the terms and conditions of employment. Therefore, it has become the City's practice to include the City's standard termination clauses as they relate to your annual base salary.

You may be terminated for just cause at any time by the City without notice and without payment in lieu of notice. In the event that you are terminated without cause, appropriate notice or pay in lieu of notice will apply based on the following schedule:

- Should such a termination occur within the first three months of employment, notice or pay in lieu of notice will be one month of your annual base salary.
- Upon completion of three months of employment and within the first six years of your start date, notice or pay in lieu of notice will be equal to twelve months of your annual base salary.
- Between six and sixteen years of your start date, notice or pay in lieu of notice will be one additional month per each completed year of service up to a maximum of fifteen months of your annual base salary.
- After sixteen years of continuous service, notice or pay in lieu of notice will be eighteen months of your annual base salary.

It is understood you hereby waive claim for further notice of compensation and you agree that the foregoing notice periods are deemed conclusively to be reasonable notice of termination. Should the City opt for working notice, the same above-mentioned notice periods will apply.

If you choose to resign, you will be required to give the City not less than 20 business days' written notice prior to your termination date.

## Appendix B

As part of our terms of offer, the City of Vancouver is offering assistance to offset relocation costs for your move to Vancouver.

1. **Allowable Expenses:** The following reasonable expenses associated with your relocation will be reimbursed by the City of Vancouver if original receipts are incurred and submitted within sixty days of your start date, unless otherwise agreed to.
  - Moving Household Effects** to a maximum of 12,000 pounds and including such services as packing, unpacking, insurance, storage and transportation of personal and household effects. Three competitive bids are required and the work should be contracted to the most economical bidder.
  - Travel Expenses Related to Moving** you and your family which may include: economy air, car, train or bus travel, ground transportation to and from the airport, hotel accommodation or meal expenses.
  - Reasonable temporary accommodation** for a period of up to 2 weeks for you and your family prior to taking possession of a principle place of residence.
  - House hunting trip** for a maximum of five (5) days for you and your spouse with the following allowable expenses: return economy travel, ground transportation, hotel accommodation and meal expenses
  - Legal Fees** up to a maximum of \$1,500 related to the sale of your principle residence and the purchase of a new principle residence within 12 months of employment.
  - Incidental expenses** up to a maximum of \$500 associated with your relocation
2. **Relocation Assistance:** The compensation for the relocation expenses listed above is offered in the form of assistance.

**Terms of Repayment** - if you resign within 2 years (24 months) of your start date, you shall reimburse the City of Vancouver for the full amount of relocation expenses paid by the City, less 1/24<sup>th</sup> for each full month worked. No repayment of expenses is required after the completion of 2 years of employment. If a repayment is required, the amount must be fully paid prior to your resignation date.

**Separation of Employment** - should separation of employment occur for reasons other than resignation, the matter will be handled as part of the separation discussions.

Relocations Expenses - Peter (Gil) Kelley

Receipt #	Expense Category (select from drop down)	Expense Date	Vendor	Description	Total			Additional Comments
					CDN	GST	PST	
25	#1 - Moving Household Effects	27-Aug-16	s.22(1)		379.03	-	-	
26	#1 - Moving Household Effects	7-Sep-16			308.31	-	-	
B4	#1 - Moving Household Effects	28-Sep-16			45.85	2.05	2.87	
B10	#1 - Moving Household Effects	3-Oct-16			8,417.98	-	-	
B5	#1 - Moving Household Effects	10-Oct-16			68.28	1.80	2.52	
<b>#1 - Moving Household Effects Total</b>					<b>9,219.45</b>			
24	#2 - Travel Expenses Related to Moving	3-Sep-16	s.22(1)		702.19	-	-	
28	#2 - Travel Expenses Related to Moving	14-Sep-16			339.23	-	-	
B6	#2 - Travel Expenses Related to Moving	6-Oct-16			335.85	-	-	
B7	#2 - Travel Expenses Related to Moving	6-Oct-16			459.01	-	-	
B8	#2 - Travel Expenses Related to Moving	10-Oct-16			247.81	-	-	
B9	#2 - Travel Expenses Related to Moving	17-Oct-16			129.57	-	-	
<b>#2 - Travel Expenses Related to Moving Total</b>					<b>3,463.60</b>			
29	#3 - Temporary Accommodation : up to 2 weeks	14-Sep-16	s.22(1)		4,318.68	186.15	-	Require extra days due to mts scheduled with Mayor and CM
B11	#3 - Temporary Accommodation : up to 2 weeks	3-Oct-16			508.08	21.90	-	Movers would not cross the border over weekend resulting in extended stay
<b>#3 - Temporary Accommodation : up to 2 weeks Total</b>					<b>4,826.76</b>			
1	#4 - House Hunting Trip : max of 5 days	3-Sep-16	s.22(1)		19.64	-	-	
2	#4 - House Hunting Trip : max of 5 days	3-Sep-16			7.35	0.22	-	
11	#4 - House Hunting Trip : max of 5 days	3-Sep-16			9.29	0.71	0.63	
15	#4 - House Hunting Trip : max of 5 days	3-Sep-16			67.89	3.15	-	
20	#4 - House Hunting Trip : max of 5 days	3-Sep-16			597.67	-	-	
21	#4 - House Hunting Trip : max of 5 days	3-Sep-16			23.25	-	-	
22	#4 - House Hunting Trip : max of 5 days	3-Sep-16			1,145.65	50.72	-	
23	#4 - House Hunting Trip : max of 5 days	3-Sep-16			1,312.50	62.50	-	
3	#4 - House Hunting Trip : max of 5 days	4-Sep-16			1.90	-	-	
4	#4 - House Hunting Trip : max of 5 days	4-Sep-16			11.90	-	-	
8	#4 - House Hunting Trip : max of 5 days	4-Sep-16			6.30	0.30	-	
13	#4 - House Hunting Trip : max of 5 days	4-Sep-16			23.93	0.95	-	
14	#4 - House Hunting Trip : max of 5 days	4-Sep-16			83.78	5.35	-	
7	#4 - House Hunting Trip : max of 5 days	5-Sep-16			11.50	0.55	-	
9	#4 - House Hunting Trip : max of 5 days	5-Sep-16			8.49	0.40	-	
19	#4 - House Hunting Trip : max of 5 days	5-Sep-16			11.00	-	-	
12	#4 - House Hunting Trip : max of 5 days	6-Sep-16			16.51	1.05	1.00	
5	#4 - House Hunting Trip : max of 5 days	7-Sep-16			1.80	-	-	
10	#4 - House Hunting Trip : max of 5 days	7-Sep-16			31.52	1.31	-	
16	#4 - House Hunting Trip : max of 5 days	7-Sep-16			115.58	6.35	-	
17	#4 - House Hunting Trip : max of 5 days	7-Sep-16			11.59	0.55	-	
18	#4 - House Hunting Trip : max of 5 days	7-Sep-16			73.79	3.30	4.61	
6	#4 - House Hunting Trip : max of 5 days	8-Sep-16			5.45	0.25	-	
<b>#4 - House Hunting Trip : max of 5 days Total</b>					<b>3,598.28</b>			
27	#6 - Incidental Expenses : max \$500	27-Jul-16	s.22(1)		54.02	-	-	
30	#6 - Incidental Expenses : max \$500	7-Sep-16			410.00	-	-	
B3	#6 - Incidental Expenses : max \$500	14-Sep-16			37.20	-	-	
B1	#6 - Incidental Expenses : max \$500	21-Sep-16			35.00	-	-	
B2	#6 - Incidental Expenses : max \$500	28-Sep-16			13.90	-	-	
<b>#6 - Incidental Expenses : max \$500 Total</b>					<b>550.12</b>			
<b>Grand Total</b>					<b>21,658.21</b>			
<b>Less : Reimbursement of 2016/10/06</b>					<b>(10,109.74)</b>			
<b>Balance Owing</b>					<b>11,548.47</b>			



## Relocation Assistance Expense Claim

<b>Payee Name:</b>	Peter Kelley
<b>Title:</b>	General Manager, Planning Urban Design and Sustainability
<b>Employee #</b>	s.22(1)
<b>Relocation Assistance</b>	maximum of \$30,000 as per Employment Letter
<b>Reimbursement:</b>	\$11,548.47

Summary of Expenses:

#1 - Moving Household Effects Total	9,219.45
#2 - Travel Expenses Related to Moving Total	3,463.60
#3 - Temporary Accommodation : up to 2 weeks Total	4,826.76
#4 - House Hunting Trip : max of 5 days Total	3,598.28
#6 - Incidental Expenses : max \$500 Total	550.12
<b>Grand Total</b>	<b>21,658.21</b>
<b>Less : Reimbursement of 2016/10/06</b>	<b>(10,109.74)</b>
<b>Balance Owing</b>	<b>11,548.47</b>

*SAJ*

Payment Type: Wire Transfer  
 Bank: s.15(1)(l)  
 Routing:   
 Account #

Accounting:

Dr/ Cr	Amount	Tax Coding	Business Area	G/L Account	Cost Centre/ Order Number	WBS Element/ Network	TEXT
DR	11,548.47	RH-FFPP	9200	524070	19000		Relocation Expenses - KELLEY

Prepared by: Lynda Graves (8.7664)

Approved by:

  
 Sadhu Johnston, City Manager

Dec 1/2016  
 Date