

File No.: 04-1000-20-2017-379

November 1, 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 October 11, 2017 for:

Records regarding the vancouver.ca form "Report fraud and misconduct by City staff" for the period of September 27, 2016 to October 11, 2017:

1. A copy of all reports about misuse of public funds, conflict of interest, abuse of position, manipulation or falsification of data, harm to people or property, and any other categories not mentioned above; and
2. Incident reports that indicate the process by which the complaints were investigated and the outcome of the investigation (including recommended action) and whether any complaints were referred to outside agencies.

All responsive records are attached. Some information in the records has been severed, (blacked out), under s.22(1) and s.22(2)(f) of the Act. You can read or download this section here: 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 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 (#04-1000-20-2017-379); 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 if you have any questions.

Yours truly,



Barbara J. Van Fraassen, BA
Director, Access to Information & Privacy

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Report	Name	Email	Phone	Category	Alert	Description	Date Time Reported	Staff Comment	Status	File Count
59	s.22(1), s.22(2)(f)						2016-09-27 08:33:39	Sep 27/17: this is not a COV issue - no action required	Completed	0
60							2016-09-28 14:52:41	Sep 30/16: Sent to Kaye Krishna (GM of CS) and Andreea Toma Jan 3/17: response from Andreea - No further action required on this issue.	Completed	0
61							2016-09-30 11:43:09	Oct 3/16: sent to Cathy Palmer/Jaclyn Jacobson in Parking Enforcement Oct 5/16 : reply back from Jaclyn (no further action required) Unfortunately I cannot address the issue regarding the Sparc Placard, as Parking Enforcement does not issue these, we merely enforce them. That said, we have received the following request for enforcement: •August 05, 2016 – found NIV "not in violation" •June 05, 2016 (ticketed, see below) •June 10, 2016 (ticketed, see below) This vehicle has been ticket in the South Lane of 1500 SW Marine Drive on the following dates: •July 18/13: leaving less than 3 metres clearance (the vehicle was impounded for this) •October 23/14: No Stopping Anytime (the vehicle was impounded for this) •October 30/15: No Stopping Anytime (the vehicle was impounded for this) •June 5/16: obstructing garage/driveway (the vehicle was impounded for this) •June 10/16: obstructing garage/driveway (the vehicle was impounded for this)	Completed	0
62							2016-10-07 10:02:01	Oct 11/16: sent to 311 for follow up through the appropriate channel	Completed	0
63							2016-10-17 00:35:56	Oct 17/16: no action required as the red light camera program is run by the Gov of BC and ICBC, this is not a COV issue	Completed	3
64							2016-10-26 15:48:03	Oct 27/16: sent to Director, Licensing, Property Use - Andreea Toma for investigation Jan 3/17: response from Andreea - This has been addressed. No follow up required.	Completed	3
65							2016-10-31 20:30:44	Nov 2/16 - Sent to Catherine Wong (By Law Manager) and Rob Renning (Deputy Fire Chief) for investigation as necessary and request to contact the citizen. Nov 2/16 - Catherine deferred to Fire as the restrictions are not enforced by DBL Nov 3/16: Rob contacted s.22(1) personally and listened to her complaint. She was extremely happy to be contacted and have the ability to share her concerns	Completed	0

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66	s.22(1), s.22(2)(f)							2016-11-13 14:14:29	Nov 22/16: sent to Parking Ops - Cathy Palmer/Jaclyn Jacobson reply from Mark Desanti: We are aware of this situation and have had another report (as well as the employee reporting it) last week. We've done an investigation and will take this report into consideration file closed	Completed	0
67								2016-11-18 08:39:37	Nov 22/16: not whistleblowing or fraud - no action required	Completed	0
68								2016-11-18 12:50:48	Nov 29/16: sent to Andreea Toma Nov 29/16: Sarah Hicks, Manager, Licensing contacted complainant to advise the business does have a current 2016 business license	Completed	0
69								2016-11-25 12:17:45	Nov 29/16 : not whistleblowing or fraud - sent to 311	Completed	0
70								2016-11-25 12:17:45	Nov 29/16: not whistleblowing or fraud - sent to 311	Completed	0
71								2016-11-28 13:16:13	Dec 9/16: Sent to Steve Rai, VPD for review/investigation	Completed	0
72								2016-11-30 23:32:07	Dec 2016/Mar 2017: This issue was reviewed and matter has been closed. Information is available on public website.	Completed	0
73								2016-11-30 23:41:56	Dec 9/16: Sent to Nick Kassam, Procurement for review/investigation Dec 20/16: response from Nick - My team has reviewed the information provided (limited to the article from the Georgia Straight newspaper) and can confirm that it is not related to procurement activity supported through SCM. The article is making reference to the mayor's discretionary fund and budget.	Completed	0

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74	s.22(1), s.22(2)(f)						2016-12-02 06:14:09	Dec 7/16: Sent to Sarah Hicks, License Office Manager for action as required. Dec 13/16 - confirmed from dept that the folder for this license has been closed.	Completed	0
75							2016-12-21 07:12:02	Dec 22/16: This is not a COV issue. s.22(1) s.22(1) s.22(1) No action taken.	Completed	0
76							2016-12-21 08:06:10	goes with report # 75	Completed	3
77							2016-12-21 08:09:15	goes with report # 75	Completed	2
78							2016-12-21 19:16:51	Dec 22/16: Forwarded to Derek Sydenham, Manager, Waterworks Operations for investigation per standard employee conduct processes	Completed	1
79							2016-12-23 16:15:57	Jan 3/17: this is not a COV issue, no action required	Completed	0
80							2016-12-23 16:58:28	Jan 3/17: Sent to Daisy Chin, Manager, Recreation Services with cc to HRC Tammy Reid for review Jan 3/17: Darren Peterson, will be investigating this matter with HRC Tammy Reid under the standard employee conduct process	Completed	0
81							2016-12-23 17:36:13	Jan 3/17: no action required, not a valid complaint	Completed	0

Report	Name	Email	Phone	Category	Alert	Description	Date Time Reported	Staff Comment	Status	File Count	
82	s.22(1), s.22(2)(f)							2017-01-04 10:52:01	Jan 17/17: this is not a COV issue - no action required	Completed	0
83								2017-01-13 14:49:28	<p>Jan 17/17: sent to Ken Brown, Manager Streets Operations for investigation</p> <p>Feb 23/17: Ken sent to Mike Zupan, Manager Sanitation as it is one of their employees operating the snow plow.</p> <p>Mar 23/17: sent follow up to Mike as no response to date</p> <p>Apr 4/17: followed up with Mike again, he forwarded it on but has not gotten a response for follow up</p> <p>May 3/17: response from Mike</p> <p>Here's the information we gathered from our Nightshift Superintendent.</p> <p>Firstly on the night of the incident, we did not use C1211, but used D1211. On the night of Dec 31, the person driving D1211 was on Beat 1 which is in a different area than Kingsway and Fraser, which is on Beat 3. The Driver may have been asked to go to the Kingsway Fraser area for support of another truck, however, at this point, we have canvassed al our drivers and no one recalls an incident as this. Even though our driver does not recall the incident, we do apologize if the pedestrians were impacted as this was not intentional and we most definitely take public safety and operational safety in to account first when performing plowing and salting work.</p> <p>As a follow up we preformed crew talks and have reminded our crew to be careful while plowing slush and snow towards the sidewalks and to keep speed low. IF a vehicle is travelling at a higher rate of speed (above 15Km) there is a chance snow and slush can "rooster tails" which means the material will come off the plow at a higher angle and will be thrown farther towards the curb lane, which is what we suggest may have happened here. We also reiterated that when plowing a visual should be on the sidewalk as well to watch for pedestrians and give warning (blowing horn) that we are approaching (the resident did say that a horn was signaled, however, the pedestrians were still effected).</p>	Completed	0
84								2017-01-17 03:57:49	Jan 17/17: this is not a COV issue - no action required	Completed	0
85								2017-01-17 07:00:25	Jan 17/17: this is not a COV issue - see report # 75	Completed	3
86								2017-01-17 07:22:36	Jan 17/17: this is not a COV issue - see report # 75	Completed	3
87								2017-01-17 07:24:36	Jan 17/17: this is not a COV issue - see report # 75	Completed	3
88								2017-01-17 07:26:24	Jan 17/17: this is not a COV issue - see report # 75	Completed	3

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89	s.22(1), s.22(2)(f)							2017-01-17 07:28:02	Jan 17/17: this is not a COV issue - see report # 75	Completed	3
90								2017-01-18 09:31:00	Jan 19/17: sent to Shauna Wilton, Deputy GM Parks for investigation as necessary Mar 27/17: followed up with Shauna as no response to date Apr 4/17: followed up with Shauna again Apr 8/17: response from Shauna Just to close the loop, Howard Normann did determine who was driving and met with the employee. He has a clean driving record and was apologetic but hadn't realized he had driven in the reported manner. He was reminded of the requirement to adhere to posted road signs.	Completed	1
91								2017-01-20 17:55:57	Jan 23/17: sent to Cathy Palmer, Parking Enforcement for investigation and contacting complainant as necessary Feb 2/17: from Jaclyn Jacobson - As an FYI here are our findings: The vehicle that s.22(1) had wanted ticketed straddled two properties. In order to have the 3 Hour Bylaw enforced, the vehicle must be entirely abutting your property. If a portion is abutting a neighbour's property, then that neighbour must in agreement to have enforcement done. In this case, the vehicle belonged to the next door neighbour and as such is not considered to be in violation. The ticket the s.22(1) had received originally was a similar scenario and should not have been written. In this case, s.22(1) vehicle was 20% in front of her home and 80% in front of the neighbour's home. This ticket was voided when s.22(1) called Customer Service and received a "courtesy cancellation". In light of the above, the Supervisor (Manpreet) has done nothing wrong in this case. It was an error on our part for issuing a ticket s.22(1) when her vehicle was in the same position. We will advise s.22(1) of our findings.	Completed	3
92								2017-01-20 18:50:26	goes with 91	Completed	3
93								2017-03-01 18:48:44	Mar 7/17: this is not a COV issue. no action required.	Completed	0

Rep ort	Name	Email	Phone	Category	Alert	Description	Date Time Reported	Staff Comment	Status	File Count
94	s.22(1), s.22(2)(f)						2017-03-07 16:25:24	<p>Mar 8/17: there is not a s.22(1) listed in SAP. Sent to HRC, Gilda Sellers, to confirm if there is a volunteer by that name and to reply back to complainant. LB</p> <p>Mar 8/17: report back from Gilda: I have spoken with Jerry Hudson the Manager at ESC and s.22(1) is a patron who comes to the Centre regularly. s.22(1)</p> <p>is not a staff member or volunteer and is not known to them at all, so it would seem is not a regular patron, but there are some folks who are transient so she may have been there and has moved on. Regardless, Jerry indicates they are mindful of patrons being taken advantage of by others-especially seniors. He will advise his Security Supervisor of this concern regarding s.22(1) so they can be on the lookout for anything concerning.</p> <p>I have left a voice message for s.22(1) to let him know this, so that he knows we take it seriously, but that s.22(1) is not known to us. When he calls back I will relay the info.</p>	Completed	0
95							2017-03-26 16:14:56	<p>Mar 27/17: sent to John Gray, A/Manager Animal Control for follow up as necessary</p> <p>Mar 27/17: John reports that this was already submitted to animal control and they are following up. Dog Complaint Inspection Card folder # 17203523</p>	Completed	0
96							2017-03-27 11:02:55	<p>Mar 28/17: not a whistleblowing or fraud complaint. Sent to 311 to route through normal process.</p> <p>Mar 29/17: per Richard Traer - Feedback case directed to Parking Enforcement, Business License, and Parking management. Case #9332442</p>	Completed	0
97							2017-03-29 23:47:29	<p>Mar 30/17: sent to HRC Tammy Reid for follow up with the WECC</p> <p>Apr 4/17: from Tammy The exempt Site Supervisor for West End Community Centre (Jayne Loutit) is looking into the matter as the Community Centre Association oversees the darkroom. The letter attached to the complaint is dated 2015; a number of the concerns raised have already been addressed. However, the site is looking to get a ventilation expert onto the site to look into the patrons concerns around ventilation before responding to the complainant.</p>	Completed	1
98							2017-04-06 04:47:45	<p>Apr 6/17: sent to Cathy Palmer and Jaclyn Jacobson - Parking Enforcement - for action</p> <p>Apr 6/17: Baljeet Senghera Supt I sent this response to complainant: Hello s.22(1)</p> <p>Thank you for your correspondence which was submitted through the City's online whistleblower/fraud hotline. I am sorry to hear of your experience in receiving a parking ticket while visiting Vancouver.</p> <p>I can assure you our Officers act fairly and enforce the bylaws equitably. Certainly, targeting one based on their country of origin would never be tolerated.</p> <p>In your case, more than likely the other motorists paid with the City's Pay by Phone app. They would have used their cellular phone to pay for time on the meter. When they use this service there is no change to what is displayed on the meter. Even though the meter still shows as being expired, payment has been made by phone. When an officer sees a parking meter that does not appear to be paid, they run the license plate on their handheld device. If the motorist has paid with Pay by Phone, the system will confirm this and the officer moves on to the next meter that does not display payment.</p> <p>I hope I have been able to answer your questions and address your concerns about the ticket.</p>	Completed	0

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99	s.22(1), s.22(2)(f)						2017-04-09 10:18:10	Apr 10/17: sent to Cathy Palmer for investigation as necessary. Advised her to forward to ICBC if she knew a contact there. Apr 11/17: response from Jaclyn Jacobsen, Parking Enforcement: We have reviewed the information provided and there is no basis for this complaint – because there are parking restrictions on the block, the 3 hour ByLaw is not applicable. Therefore the person is not in violation of any ByLaws. With regards to license plate issue, I have forwarded the complaint to ICBC's whistleblowing hotline. They advised me that they will review to see if there is a need to investigate any further. It appears this complaint to the City is anonymous so I cannot reach out to anyone. If you require me to do anything further, please let me know.	Completed	0
100							2017-04-18 09:17:27	Apr 19/17: sent to security, who sent building mtce to clean up	Completed	0
101							2017-04-25 13:22:23	Apr 26/17: referred the matter to VPD for review as we are not the employer	Completed	0
102							2017-04-27 10:36:31	May 1/17: sent to 311 for action	Completed	0
103							2017-04-27 11:48:56	May 1/17: no action required, not a valid complaint	Completed	0
104							2017-04-29 19:05:29	May 1/17: no action required. Telemarketing/phone scam is not a COV issue	Completed	0
105							2017-05-11 14:29:49	May 15/17: sent to HRC, Tammy Reid, for investigation as necessary May 29/17: Operations investigated this complaint through the standard employee conduct process	Completed	0
106							2017-05-24 10:12:57	May 25/17: nothing to action	Completed	0
107							2017-05-24 10:12:57	same as 106	Completed	0
108							2017-05-30 12:12:23	May 31/17: sent e-mail to Paul to get more information in order to investigate further Jun 4/17: complainant responded to say he will answer questions next week as he is out of town Jun 20/17: complainant responded requesting to speak in person. The matter will be reviewed through the standard HR process for personnel matters	Completed	0
109							2017-06-06 15:56:20	Jun 12/17: no action required	Completed	0

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110	s.22(1), s.22(2)(f)							2017-06-09 21:00:38	Jun 12/17: sent to Mike Collister. Manager Building Inspections (cc. Bev Sanders, HRC) for follow up Jul 10/17: sent follow up for response Jul 24/17: sent another follow up for response Jul 24/17: response from Mike Collister: In talking with the District Building Inspector, it appears that the owner of the restaurant at this location had some maintenance issues with the ecology unit that is intended to reduce odors from the exhaust air of the kitchen equipment. Adrian is continuing to work with the restaurant owner to reduce the impact of cooking smells and noise on the neighbors. Adrian will continue to be the DBI assigned to this case until the matter is resolved. I will be following up with Adrian to ensure that the resolution to the problem is appropriate and that it is communicated to the complainant.	Completed	0
111								2017-07-06 09:25:57	Jul 10/17: sent to Cathy Palmer (Parking Ops) and Jaclyn Jacobsen (Parking Ops) for investigation as necessary Jul 10/17: per Mark DeSanti (Parking Ops): This is not a report of staff wrong doing. I will contact the citizen and thank them for reporting this.	Completed	0
112								2017-07-06 13:18:19	Jul 10/17: referred to VPD	Completed	0
113								2017-07-12 10:38:10	Jul 13/17: not a fraud or whistleblowing complaint. sent to 311	Completed	0
114								2017-07-13 11:50:43	Jul 27/17: referred to Parks for information	Completed	0
115								2017-07-13 13:19:09		Completed	0
116								2017-07-16 10:43:35	Jul 17/17: sent to Parking Ops/Enf Jul 21/17: response from parking: Chattel is actually a Sanitation issue – not Parking Enforcement. Further, rather than report through this channel, he should be reporting through 3-1-1 (the City receives complaints for this issue regularly). That said, I can ask one of our staff to follow-up with both the Church and Mr. s.22(1) Let me know if you require any additional information. July 31: further follow up was done by Parking: A Supervisor has left a message for Coastal Church informing them that this is not permitted. They were also advised that a temporary parking can be obtained to reserve parking. s.22(1) was also contacted and informed of our actions. He was pleased with the response.	Completed	0
117								2017-07-16 11:01:41	duplicate of 116	Completed	0
118								2017-07-20 10:16:01	test only	Completed	0
119								2017-07-23 08:04:39	July 24/17 sent to 311	Completed	1
120								2017-08-17 16:17:09	Aug 18/17: not a whistleblowing/fraud issue. Sent to 311	Completed	0
121								2017-08-19 19:15:45	Aug 21/17: Cheryl Nelms sent to Margaret Wittgens, see response: Yes – it sounds like this is related to the Our City Ride event so technically the individual would not be hired by the City but rather by the event organizer. Special Events will contact the complainant.	Completed	0

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122	s.22(1), s.22(2)(f)							2017-08-20 09:25:10	Aug 21/17: not a fraud or whistleblowing complaining - sent to 311	Completed	0
123								2017-08-24 20:37:53	Test by Wen Fei	Completed	1
124								2017-08-25 07:53:46	Test by IT	Completed	1
125								2017-08-29 10:06:52	Aug 30/17: sent to Kathryn Holm (Chief License Inspector) cc to Kate B and Janine for investigation as necessary Oct 17/17: Kate confirmed the matter is not whistleblowing and will be investigated under our standard employee conduct procedures.	Completed	1
126								2017-09-14 08:04:49	Sep 15/17: complainant has previous submissions under reports 75-77 and 85-89. This is not a COV issue. The house in question is in City of Burnaby. See comments in report 75.	Completed	5
127								2017-09-14 08:14:43	Sep 15/17: see comments in report 126	Completed	5
128								2017-09-14 08:18:45	Sep 15/17: see comments in report 126	Completed	5
129								2017-09-14 08:21:49	Sep 15/17: see comments in report 126	Completed	5
130								2017-09-14 08:24:52	Sep 15/17: see comments in report 126	Completed	5
131								2017-09-14 08:27:39	Sep 15/17: see comments in report 126	Completed	5
132								2017-09-14 08:30:06	Sep 15/17: see comments in report 126	Completed	5
133								2017-09-14 08:33:01	Sep 15/17: see comments in report 126	Completed	1
134								2017-09-14 13:51:35	Sep 15/17: no action needed, citizen has made a police report	Completed	0
135								2017-09-16 11:59:07	Sep 18/17: sent to 311, response below: •This is a legal/civil matter between the two neighbours, the City cannot and will not get involved nor can we offer advice. •The citizen will need to seek legal counsel/go to court. •I have logged case 101010181252 for tracking purposes only should the citizen call us to inquire.	Completed	2
136								2017-10-01 12:10:48	Oct 2/17: sent to Deb Gale for investigation as it relates to City staff	In progress	0

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137	s.22(1), s.22(2)(f)						2017-10-03 12:42:29	Oct 4/17: sent to Bonnie Penny, Associate Director, Revenue Services Oct 5/17: Bonnie's reply: This ticket has been handled in an identical manner as all other tickets and in accordance with the by-law. It is not an abuse of position but simply staff following the by-law. We don't make exceptions for extenuating circumstances. Please let me know if you require further information. Oct 5/17: asked Bonnie to contact the complainant to explain the process.	Completed	0
138							2017-10-03 15:10:13	Oct 4/17: sent to Deb Gale (with report 136) - will update in report 136	Completed	0
139							2017-10-03 15:30:26	Oct 4/17: tested and phone number shows up - see report 140	Completed	0
140							2017-10-04 07:31:18	Oct 5/17: tested the phone number being saved in the form as stated in report # 139 - worked for this test and in report # 137	Completed	0
141							2017-10-06 15:19:54	Oct 17/17: this is for information only as it belongs to Easy Park not the City of Vancouver. We did forward the letter to Jennifer Gee in HR at Easy Park for her reference.	Completed	1
142							2017-10-06 18:01:39	Oct 17/17: sent an e-mail to Paul Fazekas to determine if this is a City owned building. He confirmed it is not City owned it is private Oct 18/17: sent this note back to s.22(1) The Croatian Cultural Centre is a privately owned building and is not owned by the City of Vancouver. I urge you to connect with the Centre directly regarding your concern.	Completed	1

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143	s.22(1), s.22(2)(f)						2017-10-09 14:17:28	Oct 10/17: sent to Deb Gale The complaint does not fall under the Whistleblower policy, but will be investigated as a potential employee conduct matter.	Completed	0