

MINUTES OF MEETING  
OF THE BOARD OF PARKS AND RECREATION  
HELD IN THE PARK BOARD OFFICE  
ON MONDAY, JUNE 26, 1995

PRESENT:	Chair	- David Chesman (part-time)
	Vice-Chair	- Duncan Wilson
	Commissioners	- Malcolm Ashford
		- Allan DeGenova
		- Alan Fetherstonhaugh
		- Tim Louis
		- Donna Morgan
	General Manager	- Vic Kondrosky
	Director of Environment & Operations	- Liane McKenna
	Manager - Public Affairs	- Terri Clark
	Recording Secretary	- Barbara Stampfl

APPROVAL OF MINUTES

The Chair referred to page 16 of the minutes of the regular meeting of the Board held on Monday, June 19, 1995 with regard to Corporate Sponsorship Guidelines and an amendment to guideline 5(1) replacing "illuminated" with the word "fixed". He commented that there was a fair degree of discussion on this which was not recorded and he wished to clarify his understanding that the word "fixed" refers to free standing fixed signs in addition to free standing billboards.

The minutes of the regular meeting of the Board held on Monday, June 19, 1995 were approved, as amended.

COMMUNICATIONS

Seasonal Adjustment of Aquarium Admission Rates

Board members received copies of a letter from Dr. John Nightingale, Vancouver Aquarium, requesting approval for a temporary readjustment of Aquarium admission rates from July 1st to September 30, 1995.

Ms. Annelise Sorg, Coalition of No Whales in Captivity, expressed her surprise that the Aquarium are requesting a rate increase when they have just spent a lot of money on advertising such as television ads and a large inflatable balloon, which is a caricature of an Orca, at the front entrance to the Aquarium. She questioned if the Board had approved of this balloon and of Starbucks selling coffee on the premises. She suggested that if the rate is to be increased it be an additional \$1.00 which could be turned over to the Park Board for parkland use. She also suggested that the Aquarium should consider including a clause in

their lease that says no importation of whales will be done as she was concerned about the breeder male being sent to the United States and a condition that the first surviving calf will be returned to the Vancouver Aquarium.

The General Manager explained that the Aquarium are sponsoring a Jazz Festival and Starbucks, as sponsors of the Aquarium, are selling coffee to raise money so the Aquarium can be a sponsor of the Jazz Festival. He was not aware of the balloon.

Commissioner Louis questioned staff if the Aquarium are obliged to notify the Park Board of such things as selling White Spot Hamburgers and Starbucks coffee. The General Manager felt that they should let the Board know. The Aquarium have explained about their sponsorship of the Jazz Festival and there is no suspicion that they are doing other things that would be of concern to the Board.

Commissioner Louis enquired if the Board has the resources to ensure that they are advised in advance of these occurrences. The General Manager stated that they did not want to police the Aquarium's activities and there should be some flexibility with something of short duration but if they are doing something of large magnitude they are obliged to inform the Board in advance.

Commissioner Louis questioned if the Aquarium's lease prohibits advertising White Spot hamburgers. The General Manager stated that the lease is silent on that.

Commissioner DeGenova asked that the lease with the Aquarium be reviewed again and brought to committee. The Chair stated that the Aquarium are a tenant and are required to come to the Board to ask permission to raise rates. He did not feel that this had to go to committee.

Ms. Eleanor Hadley stated that the Aquarium are always asking for more money. They should use their assets to pay off debts and she wondered how it keeps growing in assets and size. She stated that this is the time to release both whales and not separate them. She feels that the Board does not treat the public properly as they always have to come to the Board to protect the park.

Dr. John Nightingale, Director, and Ms. Marie Dickens, Finance Director, Vancouver Aquarium, apologized for their test food service last fall and the reason they suggested this go to a committee was so that the Park Board can determine which things it wants to know about and those it doesn't. He pointed out that any excess funds from the Starbucks coffee sales support the volunteer youth program. He explained that this was occurring before he arrived at the Aquarium and he assumed that it was acceptable.

The Chair enquired about the state of the Task Force

and the appointment of a Chair for this committee. Dr. Nightingale stated that the proposed Chair wishes to see terms of reference first which are now in draft form and will be available shortly for the Park Board's review.

Dr. Nightingale then explained that their request for a rate increase is due to a stressful economic year because of unbudgetable things such as the birth of the killer whale and the birth of the beluga whale and having to build the infiltration pool for the killer whales. He stated that the Aquarium is well below market in their admission rates in comparison with other self supporting facilities and are concerned about ending up the year with a balanced budget. This request is a temporary rate increase during the high tourist season.

Commissioner Morgan felt that this item came to the Board under an extreme time line which did not allow time for the public to be involved in any discussion. She also questioned the timing of this request along with the fate of the whales. She pointed out that the Park Board is the only way for public input until the Task Force is formed.

Dr. Nightingale explained that they had budgeted for extraordinary expenses regarding the birth of the baby whale and the birth would have increased revenue, however, the baby did not live long but the expenses still occurred. The whale decision was made by the Aquarium board and there was no mandate or reason for broader public consultation.

Ms. Marie Dickens explained the budget process which required two months of preparation as they have a small staff and it is a momentous task to rebudget in the middle of the year. It was coincidental that this was done at the same time as the announcement regarding the whales.

Commissioner Louis asked if the Board were to grant approval for the increase would the Aquarium agree to not allowing a calf of Finna to be returned to the Aquarium. Dr. Nightingale explained that Finna is not being sold, no rights are being negotiated and there are no plans for whales to come back to the Aquarium. He added that it is not in the best interest of the whales to move them about.

The Chair questioned how serious it would be if the Board's decision were delayed until the July 10th meeting. Dr. Nightingale stated that this weekend is a long holiday weekend and there is the potential to lose \$100,000 in revenue by not having this increase in place.

The Chair questioned staff about the possibility of a notice of motion and was informed by the General Manager that there are no grounds for Notice of Motion in this case.

Commissioner Louis pointed out that at a previous meeting when a motion was put regarding pay tennis, a Notice

of Motion was called and no objection was raised and the ruling of the Chair was accepted.

The Chair stated the Board must be consistent in these matters, however, if the ruling of the Chair is sustained then the Aquarium would have to wait until after the next meeting of July 10th, unless a special meeting is called.

Commissioner Wilson, as liaison Commissioner to the Aquarium, was concerned about setting up a special meeting.

Moved by Commissioner Ashford,

THAT the Board approve the rate increase as requested by the Vancouver Aquarium for the period from July 1 to September 30, 1995.

Commissioner Morgan called Notice on this motion.

The Chair accepted the Notice of Motion. Commissioner Ashford challenged the Chair.

Moved by Commissioner Morgan,

THAT the Chair be sustained. Commissioner Morgan stated that the Board has been presented with a request that has not had adequate notice for public discussion. She urged the Board to be consistent in their rulings.

Commissioner Fetherstonhaugh felt that the public are fed up with immaterial items being brought to the Board.

Commissioner Ashford stated that he would not support sustaining the Chair. He was not at the meeting regarding the Pay Tennis issue, but he felt that the General Manager's ruling is correct. These are two different scenarios and he commended the Chair's attempt to be fair but two wrongs don't make a right. The Aquarium's request is not unreasonable and budgets are merely guidelines and it is not unusual for any company to do a mid year review and to make changes.

A VOTE WAS TAKEN ON THE MOTION TO SUSTAIN THE CHAIR AND IT WAS CARRIED. (Commissioners Ashford, Fetherstonhaugh and Wilson opposed).

Commissioner Wilson stated that he has already committed to different community events every night of this week and did not want to give up any of them.

Moved by Commissioner Wilson,

THAT the Board call a special meeting on

Thursday, June 29, at 9:00 a.m. to consider the request from the Vancouver Aquarium for a temporary rate increase.

Moved by Commissioner Morgan,

THAT the motion be amended to read Thursday, June 29th at 6:00 p.m.

Commissioner Morgan stated that in order to allow greater public access the meeting needs to be held in the evening and will still allow Board members to attend their other evening events they have committed to.

Commissioner Wilson stated that he did not want to deny public access and therefore would amend his motion as follows:

Moved by Commissioner Wilson,

THAT a special meeting of the Board be held at 7:00 a.m. on Thursday, June 29.

Commissioner Fetherstonhaugh advised the Board that there is a Roundhouse Advisory Committee meeting on Thursday evening at 7:00 p.m. and on Wednesday there is a meeting of the Neighbourhood Matching Committee in the Board Room and therefore he would support any time in the morning and he also suggested that the meeting not extend beyond one hour.

At this point the Chair left the meeting as he had another commitment. The Vice Chair, Commissioner Wilson, assumed the chair.

Commissioner Wilson stated that he had another commitment on Thursday at 6:30 p.m. and as the Aquarium's request is an important issue he wished to be in attendance to discuss it. However, he would accept 5:30 p.m. as a friendly amendment. Commissioner Morgan accepted this as a friendly amendment.

It was suggested by Commissioner Fetherstonhaugh that the meeting be concluded by within one hour. The Chair accepted this as a friendly amendment.

Commissioner Morgan objected to this being a friendly amendment and asked that a formal motion be put.

Moved by Commissioner Fetherstonhaugh,

THAT the motion be amended to read that the Board hold a special meeting on Thursday, June 29th at 5:30 p.m., to be no longer than one hour.

Moved by Commissioner Morgan,

THAT the Board table this discussion for one item in order to hear the delegations that are present for other items on the agenda.

- DEFEATED.

(Commissioners Ashford, DeGenova, Fetherstonhaugh, and Wilson opposed).

Commissioner Ashford felt it was appropriate to put a time limit on the length of the meeting as only one item is going to be discussed.

Commissioner Morgan stated her opposition to a time limit for public input and was not willing to debate this any longer out of respect for the next delegation.

Commissioner Louis stated that he supported a start time of 5:30 p.m. to allow the Commissioners to attend other meetings but it would be impossible to conclude a meeting if the item being discussed is not completed.

A VOTE WAS TAKEN ON THE AMENDMENT AND IT WAS DEFEATED. (Tie Vote - Commissioners DeGenova, Louis and Morgan opposed).

The main motion was put, as follows:

THAT the Board hold a special meeting on Thursday, June 29th at 5:30 p.m. to consider the request from the Vancouver Aquarium for a temporary rate increase.

- DEFEATED (Tie Vote)

(Commissioners DeGenova, Louis and Morgan opposed)

Moved by Commissioner Fetherstonhaugh,

THAT the Board hold a special meeting at 9:00 a.m. on Thursday morning.

The Chair requested that this be brought forward under New Business.

#### Burrardview Park - Babies Cottage Security

Board members received copies of a staff report dated June 15, 1995 recommending that the Board approve the installation of a 2.45 metre chainlink fence with barbed wire surrounding Babies Cottage in a location that would be suitable to act as a future construction security fence; and that the Board approve the use of random security patrols for an interim period after the installation of the chainlink fence.

Moved by Commissioner DeGenova,

A) THAT the Board approve the installation of a 2.45 metre chainlink fence with barbed wire surrounding Babies Cottage in a location that would be suitable to act as a future construction security fence. This fence to be installed by the Board and the cost to be recovered from the group renovating and restoring the building.

B) THAT the Board approve the use of random security patrols for an interim period after the installation of the chainlink fence.

Ms. Barb Fousek thanked the Board for dealing with their park concerns and stated that the Burrardview Neighbourhood Association supports the recommendations. The chainlink fence and patrols will give the impression that the Park Board is serious about preserving the building. To be fair they feel that the cost of the fence should be shared between the City, the Province and the future occupants. They feel that some teens will find the fence a challenge and the Association will continue with their neighbourhood walks to patrol the area. The hedge is still an issue and as there are 22 other mature trees on site there is not a shortage of trees. Ms. Fousek asked that the trees along Penticton be trimmed as they are blocking the light. They support the lighting as suggested by the Police and are asking that the area by the Daycare along Penticton and along the lane be fenced as well.

Commissioner Wilson questioned cost sharing and was advised by the Director of Environment & Operations that funding was not presently available and that fencing to secure a construction site would be a requirement for the future developer of Babies Cottage in any event. This would be an early cost to the Board but would be recovered from the developer.

Commissioner DeGenova hoped that the Board would reconsider removing the hedge and he asked staff to look at pruning the street trees on Penticton to improve the lighting in the vicinity of the Day Care Centre. The Director of Environment & Operations stated that this would be part of the maintenance program.

Moved by Commissioner DeGenova,

A) THAT the Board approve the installation of a 2.45 metre chainlink fence with barbed wire surrounding Babies Cottage in a location that would be suitable to act as a future construction security fence. This fence to be installed by the Board and the cost to be recovered from the group renovating and restoring the building.

B) THAT the Board approve the use of random security patrols for an interim period after the installation of the chainlink fence.

- CARRIED UNANIMOUSLY.  
Moved by Commissioner Morgan,

THAT the Board request staff to alter the cedar hedge adjacent to the tennis courts at Burrardview Park to provide security according to CPTED (Crime Prevention Through Environmental Design) principals.

The Director of Environment & Operations stated that the hedge is not in good condition and the suggestion from the police that it be trimmed to 3' is not recommended with this type of plant. Commissioner Morgan agreed to change her motion to read as follows:

THAT the Board request staff to remove the cedar hedge adjacent to the tennis courts at Burrardview Park to provide security according to CPTED (Crime Prevention Through Environmental Design) principals.

- CARRIED  
(Commissioner Fetherstonhaugh opposed,  
Commissioner Ashford absent at time of voting)

#### PLANNING/ENVIRONMENTAL INITIATIVES/OPERATIONS

##### Dr. Sun Yat-Sen Park - Chinese Cultural Centre Expansion

Board members received copies of a staff report dated June 14, 1995 recommending that the board approve the design concept shown on Plan L1 May 22, 1995, for the redevelopment of a portion of Sun Yat-Sen Park, to be funded by the Chinese Cultural Centre; that the Board accept the encroachment of 29 square meters by the Chinese Cultural Centre Annex upon the north-east property line of Sun Yat-Sen Park as shown on Plan L1 May 22, 1995; that the Chinese Cultural Centre adopt all liability for the building and occupancy of the structures within the encroachment area and keep these structures in good repair.

Moved by Commissioner DeGenova,

A) THAT the Board approve the design concept shown on Plan L1 May 22, 1995, for the redevelopment of a portion of Dr. Sun Yat-Sen Park, to be funded by the Chinese Cultural Centre.

B) THAT the Board accept the encroachment of 29 square meters by the Chinese Cultural Centre Annex upon the north-east property line of Dr. Sun Yat-Sen Park as shown on Plan L1 May 22,



1995.

C) THAT the Chinese Cultural Centre adopt all liability for the building and occupancy of the structures within the encroachment area and keep these structures in good repair.

- CARRIED UNANIMOUSLY.

Oakridge/Langara Rezoning Policies Board members received copies of a staff report dated June 14, 1995 recommending that the Board receive the attached Council Report and accompanying presentation by Planning Division staff for information.

The Board members decided it was not necessary for the Planning Division staff to make their presentation as this item had been discussed extensively at the Planning Committee meeting.

Moved by Commissioner DeGenova,

THAT the Board receive the attached Council Report for information.

- CARRIED UNANIMOUSLY.

(Commissioner Morgan absent at time of voting)

#### Kerrisdale Pool Cover Replacement

Board members received copies of a staff report dated June 22, 1995 recommending that the Board award Contract T95-14 for the installation of a new frame-supported fabric cover for Kerrisdale Pool to RMT Contracting and Equipment Co. Ltd. for the tendered price of \$226,000.

Commissioner Wilson advised that he received a call from the President of the Kerrisdale Community Centre Society to say that they are in support of this recommendation.

Moved by Commissioner DeGenova,

A) THAT the Board award Contract T95-14 for the installation of a new frame-supported fabric cover for Kerrisdale Pool to RMT Contracting and Equipment Co. Ltd. for the tendered price of \$226,000.

B) THAT no legal rights shall arise hereby, and none shall arise until execution of the contemplated contract. the Board may rescind this resolution at any time up to the execution of the contemplated contract.

- CARRIED

(Commissioner Louis opposed)  
Commissioner Morgan absent at time of voting).

#### RECREATION SERVICES

##### Regular Full-Time and Regular Part-Time Positions

Board members received copies of a staff report dated June 15, 1995 recommending that the Board approve the establishment of the Regular Full-Time and Regular Part-Time positions described in Appendix 1.

Moved by Commissioner Fetherstonhaugh,

THAT the Board approve the establishment of the Regular Full-Time and Regular Part-Time positions described in Appendix 1.

- CARRIED UNANIMOUSLY.

#### NEW BUSINESS

Moved by Commissioner Fetherstonhaugh,

THAT the Board hold a special meeting on Thursday morning at 9:00 a.m. to discuss the Aquarium request for a temporary rate increase and that delegations be limited to discuss only the issue of the admission rate increase.

Commissioner Fetherstonhaugh felt that this should be dealt with expeditiously so the Aquarium can get on with running their business and the Board members can carry on with their committee meetings.

Commissioner Louis felt that the rules permit the Chair to call a meeting so long as there is 48 hours notice.

The Chair stated that he would feel more comfortable to select a time that the Board is in general agreement with. He then suggested that the meeting be held on Friday at 5:30 p.m.

The Board was not in agreement with this and Commissioner Ashford stated that holding the meeting at 5:30 on Friday would leave the Aquarium on hold until the last hour and they would not have adequate notice to make changes for the weekend.

Commissioner Morgan felt that the Aquarium should have brought this request to the Board sooner and the timing has nothing to do with the Board and therefore she would not be pressured to make a decision on it without adequate public notice and input.

Moved by Commissioner Fetherstonhaugh,

THAT the motion be amended by changing it to Thursday at 5:35 p.m.

- CARRIED.  
(Commissioners Louis and Morgan opposed).

The motion now reads as follows:

THAT the Board hold a special meeting on Thursday, June 29, at 5:35 p.m. to discuss the Aquarium request for a temporary rate increase and that delegations be limited to discuss only the issue of the admission rate increase.

#### ENQUIRIES

Commissioner Wilson requested a staff report on the feasibility of opening Second Beach Pool at 6:00 a.m. from Monday to Friday from July 1st to the end of September as a result of requests from the public.

REMINDERS Commissioner Wilson advised that the Killarney Community Association Annual General Meeting will be held on June 27th.

Commissioner DeGenova reminded the Board of the Planning Committee meetings coming up.

#### INFORMATION ITEMS

##### 1. Approval of Warrants

Warrant #26 in the amount of \$414,739.35, Warrant #27 in the amount of \$26,432.74, Warrant #28 in the amount of \$402,621.88, Warrant #29 in the amount of \$710,186.99.

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V. Kondrosky  
General Manager

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Commissioner Duncan Wilson  
Vice-Chair

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