

MINUTES OF MEETING
OF THE BOARD OF PARKS AND RECREATION
HELD IN THE PARK BOARD OFFICE
ON MONDAY, NOVEMBER 24, 1997

PRESENT:	Chair	- Duncan Wilson
Vice Chair	- Alan Fetherstonhaugh	
	Commissioners	- David Chesman
		- Allan DeGenova
		- Laura McDiarmid
		- Patrick Warren
		- Gabriel Yong
	Acting General Manager	- Allan Argent
	Director of Administrative & Revenue Services	- Philip Josephs
	Director of Corporate Services	- Anita Ho
	Director of Operations	- Liane McKenna
	Director of Planning	- Jim Lowden
	Acting Director of Recreation	- John Grant
	Manager - Public Affairs	- Terri Clark
	Recording Secretary	- Julie Chiu

APPROVAL OF MINUTES

Commissioner Warren referred to page three of the minutes and indicated that there was a typographical error in the first sentence. It should read: "Commissioner Yong advised the Board the he **attended** the event....". Commissioner Yong suggested that in the second sentence instead of "what the criteria were" he would like it replaced with "what criteria the Board would consider to have".

The minutes of the meeting of the Board held on Monday, November 3, 1997 were adopted as amended.

CHAIR'S REPORT

Director of Corporate Services

Commissioner Wilson welcomed Ms. Anita Ho, the new Director of Corporate Services who replaces recently retired Director of Finance, Doug Holden. Ms. Ho comes from the City of Prince George where she was the Interim Chief Executive Officer for the Prince George Regional Hospital.

Tunnel Watch

Jim Lowden, Director of Planning advised the Board that the B. C. Financing Authority continue to wrestle with the evaluation criteria to move from five candidates down to three for the proposed RFP. The regular meeting scheduled for Wednesday, is now postponed to the second week of December so that additional information required will be available. The consultant, N. D. Lea is about to retain a landscape architect with the specific direction to look at detailed options for the project under various scenarios where the tunnel mouth might be.

Aquarium Memorandum of Understanding - Minor Amendment

Board members received copies of a report dated November 13, 1997 recommending that the Board approve a minor amendment to clause (III) e. in the draft Memorandum of Understanding with the Aquarium.

Commissioner Chesman stated that at the Park Board's September 30, 1996 meeting the language of a Memorandum of Understanding between the Park Board and the Aquarium was approved. Commissioner Chesman explained the proposed minor amendment to the Aquarium Memorandum of Understanding. The Memorandum of Understanding is the blueprint for the new Park Board/Aquarium relationship as developed through the Park Board's extensive 1996 public consultation process. As expressed in the Memorandum, the new relationship will find contractual expression in an Addendum to the current Aquarium lease or a renewed Aquarium lease. As a matter of process, therefore, the Memorandum, once signed, will set the stage for lease negotiations between the Park Board and the Aquarium. The Park Board's position is that no such negotiations will take place this term absent a fully executed Memorandum.

The reason for the proposed amendment to the Memorandum is that the Aquarium understandably considers that the following portion of the original/current clause (iii) e:

"...and to continue its research and **commitment to whale release** and rehabilitation."

may be incorrectly read to require the Aquarium to negotiate a lease provision requiring the release of whales in its possession.

Such an interpretation would run contrary to the Board's clear intent: **that the Aquarium's stated commitment to the research of whale release issues be secured by the incorporating it, through negotiation, into an Addendum to the current Aquarium lease or a renewed lease.**

The proposed amended language:

"and to continue its **commitment to research on whale release issues** and whale rehabilitation"

is proposed to more clearly express the true intent of the Memorandum.

The proposed language, then, is designed to prevent a potential misinterpretation of the relevant clause but is in no way intended to dilute or diminish the clause' s true intent as expressed above. No other change to the Board' s September 30, 1996 Memorandum language will be considered.

Commissioner Chesman advised the Board that he received a call from Former Park Commissioner Tim Louis who was scheduled to address the Board on this matter. He will not be addressing the Board tonight as he understood the purpose of the motion through Commissioner Chesman' s letter .

Moved by Commissioner Chesman,

THAT the Board approve a minor amendment to clause (iii) e. in the draft Memorandum of Understanding with the Aquarium.

-Carried Unanimously.

COMMUNITY SERVICES AND BUDGETS COMMITTEE

Dogs on Parks Pilot Project

Board members received copies of a staff report dated November 13, 1997 recommending that the Board approve recommendations A to C regarding the Dogs on parks Pilot Project.

Commissioner McDiarmid advised the Board that at the meeting of the Domestic Animal Task Force Committee Meeting, there were concerns about the non-involvement of that committee and the decision Park Board is making in reference to the off-leash pilot project. The Domestic Animal Task Force Committee indicated that they wish to be involved in any decision making and working with the neighbourhood on education etc. in regard to the pilot project. Commissioner McDiarmid stated that with the assistance of staff she tried to address the Domestic Animal Task Force Committee' s concerns. The meeting was not favourable, however, the Park Board staff have done a good job in coming up with a pilot project to address the concerns of the citizens of Vancouver regarding off-leash dogs.

Moved by Commissioner McDiarmid,

THAT the Board request City Council to amend the City' s Animal Control Bylaw pertaining to the leash law for dogs to generally exempt those areas in a public park as directed and posted by the Park Board General Manager and that the Parks Control Bylaw be amended in section 9 to express the same level of exemption.

OR THAT City Council withhold enforcement of the leash law in those public parks as directed and posted by the General Manager.

THAT the Board approve a pilot project at parks where early morning and late evening off leash times for dogs can be tested following consultation with the

City' s Domestic Animal Committee who will assist in the details and implementation of the plan.

THAT staff after consulting with the Domestic Animal Committee report back by April 1998 assessing the pilot project and giving recommendations for its future.

THAT Balaclava, Hillcrest, Nelson and Killarney Parks be the pilot project locations.

Glen Swain appeared before the Board and stated as indicated by Commissioner McDiarmid, there was not much support at the Domestic Animal Task Force Committee meeting this afternoon. Ms. Swain commended the Park Board for coming up with a report. Ms. Swain questioned whether this was to provide some off-leash time for dog owners at times that best suit the largest number. Terri Clark, Public Affairs Manager, advised the Board that staff tried to accommodate all users and the times were decided based upon public input.

Carl Januszczak appeared before the Board and enquired what the criteria would be to judge whether it was a successful trial or not. Allan Argent, Acting General Manager advised the Board that staff is trying to find out the acceptability on behalf of dog owners to recognise certain hours when dogs could be off-leash. We need to see if that is something people will accept, also we will have to observe those areas to see if people tend not to let dogs run off-leash during other hours. Also, off-leash times could be staggered in the different parks. Mr. Januszczak enquired whether the beach access would fit into the trial process. Terri Clark, Public Affairs Manager, advised the Board that beach access will be considered at a later date when the pilot project on the parks have been established.

Board members discussed the matter and Commissioner DeGenova was concerned whether there would be enough enforcement officers to enforce this pilot project plus the rest of the city. Commissioner DeGenova also expressed concern on the size of the parks.

Commissioner Warren referred to the motion which suggest a consultation with the Domestic Animals Committee. The Park Board staff have worked hard on this project since the beginning and to have further consultation with the Domestic Animals Committee which apparently does not treat the Park Board with respect is a waste of time. Commissioner Warren stated that he wish to amend motion C to strike the words "after consulting with the Domestic Animal Committee."

Moved by Commissioner Warren,

THAT the words "...after consulting with the Domestic Animal Committee," be struck from motion C. Motion C will read as follows: THAT staff report back by April 1998 assessing the pilot project and giving recommendations for its future.

-Carried.

(Commissioners Fetherstonhaugh and McDiarmid contrary)

Commissioner Fetherstonhaugh stated that he does not support the motions. Vancouver is a dense urban city and people are breaking the laws all the time. The parks are for people and not for dogs.

Commissioner McDiarmid stated that in Vancouver, where the crime rate is escalating, people are looking at different ways to adjust and keeping a dog is more for security nowadays.

Commissioner Wilson asked staff to investigate whether the Park Board was authorized to enforce the Parks Control Bylaw.

Commissioner Wilson stated that he would like to reword motion B. Commissioner Wilson stated that he wanted it to be clear that there is a bigger picture for the pilot project which is to expand the project citywide.

Moved by Commissioner Wilson.

THAT the Board approve a pilot project at parks where early morning and late evening off leash times for dogs can be tested with a view to implementing a city wide program by the summer of 1998; and that a volunteer based information and education program is to be designed and implemented in conjunction with proponent groups

-Carried.

(Commissioner Fetherstonhaugh contrary)

Moved by Commissioner Chesman,

THAT any pilot project is subject to cancellation by the Board prior to April 1998 should circumstances warrant.

-Carried Unanimously.

Moved by Commissioner Warren,

THAT staff report back by April 1998 assessing the pilot project giving recommendations for its future and prepare a list of excluded areas for the Board's review, such as children's playgrounds, school zones (during school hours), sandy beaches and environmentally sensitive areas, and these areas will be appropriately signed.

-Carried.

(Commissioner Fetherstonhaugh contrary)

The main motion as amended was put and was voted on individually:

THAT in order to facilitate the pilot project, the Board request City

Council to amend the City' s Animal Control Bylaw pertaining to the leash law for dogs to generally exempt those areas in a public park as directed and posted by the Park Board General Manager and that the Parks Control Bylaw be amended in section 9 to express the same level of exemption; OR

THAT City Council withhold enforcement of the leash law in those public parks as directed and posted by the General Manager.

-Carried.

(Commissioner Fetherstonhaugh contrary)

THAT the Board approve a pilot project at parks where early morning and late evening off leash times for dogs can be tested with a view to implementing a citywide program in place by summer of 1998.

-Carried.

(Commissioner Fetherstonhaugh contrary)

THAT a volunteer-based information and education program is to be designed and implemented in conjunction with proponent groups.

-Carried.

(Commissioner Fetherstonhaugh contrary)

THAT staff report back by April 1998 assessing the pilot project giving recommendations for its future and prepare a list of excluded areas for the Board' s review, such as children' s playgrounds, school zones (during school hours), sandy beaches and environmentally sensitive areas, and these areas will be appropriately signed.

-Carried.

(Commissioner Fetherstonhaugh contrary)

Commissioner Wilson left the room on a potential conflict of interest.

THAT Balaclava, Hillcrest, Nelson and Killarney Parks be designated for the pilot project.

-Carried.

(Commissioner Fetherstonhaugh contrary)

Commissioner Wilson returned to the room at this time.

THAT any pilot project is subject to cancellation by the Board prior to

April 1998 should circumstances warrant.

-Carried.

(Commissioner Fetherstonhaugh contrary)

Commissioner Chesman stated that the manner in which the Park Board representatives were treated at the City' s Domestic Animals Task Force meetings was unacceptable to the Board. The Park Board will be carrying the greater burden of any policy adopted in this regard. When things go wrong, fingers will be pointed at the Park Board and no one else. For the Task Force to attempt to usurp the Park Board' s jurisdiction or insist upon their prior concurrence to anything the Park Board may or may not do, is unacceptable.

Moved by Commissioner Chesman,

THAT the Park Board hereby expresses to the Mayor and Council its serious reservations and concerns regarding the City' s Domestic Animal Task Force' s :

i) failure to appreciate the Board' s significant efforts concerning dogs off leash, and

ii) adversarial approach to all attempts of the Park Board for a constructive, co-operative dialogue regarding dogs off leash; and the discourtesy toward Park Board representatives as consistently evidenced by the leadership of the Task Force;

AND

THAT the Park Board' s continued involvement in and with the city' s Domestic Animal Task Force be immediately placed in abeyance pending a dialogue between the Chair and the Mayor concerning the Board' s concerns as expressed above;

AND

THAT copies of this motion be provided separately and directly to the Mayor and each Councillor.

-Carried Unanimously.

Queen Elizabeth Park Sports Courts

Commissioner Chesman left the room on a potential conflict of interest.

Board members received copies of a staff report dated November 13, 1997 recommending that the Board award the supply of boards for the

Queen Elizabeth Park Sports Courts to Roller Dome for \$67,500 excluding

GST, FOB Vancouver.

Moved by Commissioner Yong,

THAT the Board award the supply of boards for the Queen Elizabeth Park Sports Courts to Roller Drome for \$67,500 excluding GST, FOB Vancouver.

-Carried Unanimously.

Award of Asbestos Removal Contract

Board members received copies of a staff report dated November 20, 1997 recommending that the contract for Asbestos Removal at B.C. Pavilion be awarded to Phoenix Enterprises Ltd.

Moved by Commissioner Yong,

THAT the contract for Asbestos Removal at B.C. Pavilion be awarded to Phoenix Enterprises Ltd.

THAT no legal rights shall arise hereby and none shall arise hereafter until execution of the contemplated document.

-Carried Unanimously.

Arbutus Neighbourhood - Greenway and Streetscape

Commissioners DeGenova and McDiarmid left the room on a potential conflict of interest.

Board members received copies of a staff report dated November 20, 1997 recommending that the Board approve hiring Durante Kreuk Ltd. to develop working drawings and provide construction supervision for implementation of the Arbutus Greenway project.

Moved by Commissioner Fetherstonhaugh,

THAT the Board approve hiring Durante Kreuk Ltd. To develop working drawings and provide construction supervision for implementation of the Arbutus Greenway project.

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 the execution of the contemplated contract.

-Carried Unanimously.

Commissioners DeGenova and McDiarmid returned to the meeting at this

point.

Denman Garden Inn Restaurant - Lease Assignment

Board members received copies of a staff report dated November 21, 1997 recommending that the Board consent to the assignment of the Denman Garden Inn Restaurant from Mr. Edward Chin to Anne Kong, Judy Wong and James Chan subject to the assignees entering into a form of assignment acceptable to the Director of Legal Services.

Moved by Commissioner Yong,

THAT the Board consent to the assignment of the Denman Garden Inn Restaurant from Mr. Edward Chin to Anne Kong, Judy Wong and James Chan subject to the assignees entering into a form of assignment acceptable to the Director of Legal Services.

THAT no legal rights shall arise hereby and none shall arise thereafter until the execution of the contemplated documents.

- Carried Unanimously.

Moved by Commissioner Wilson,

THAT staff be directed to bring forward two independent market evaluations of the Denman Garden Inn premises prior to the Board granting any extension beyond December 31, 2000.

- Carried Unanimously.

Commissioner Chesman returned to the meeting at this point.

1998 Fees and Charges

Board members received copies of a staff report dated November 5, 1997 recommending that the Board approve the Fees and charges Schedule for implementation on January 1, 1998.

Moved by Commissioner Yong,

THAT the attached Fees and Charges Schedule be approved by the Board for the implementation on January 1, 1998.

- Carried Unanimously.

1998 Regular Board Meeting Dates

Board members received a list of the 1998 Regular Board Meeting Dates for

approval.

Moved by Commissioner Yong,

THAT the schedule for the 1998 Regular Board Meeting Dates be approved.

- Carried Unanimously.

Creation of a Corporate Services Division

Board members received copies of a staff report dated November 10, 1997 recommending that the Board create a Corporate Services Division to replace the current Finance Division and that the Corporate Services Division include the functions as listed in the report.

Moved by Commissioner Yong,

THAT the Board create a Corporate Services Division to replace the current Finance Division.

THAT the Corporate Services Division include the following functions:

- Accounting**
- Purchasing**
- Budgets**
- Information Technology**
- Human Resources**
- Strategic Financial Planning**
- Payroll**
- Administration**

THAT the Director of Finance position be re-classified and replaced with a new position called the Director of Corporate Services.

- Carried Unanimously.

NEW BUSINESS

Commissioner Fetherstonhaugh advised the Board that December 1st was International World Aids Day and suggested that the grove of trees at the foot of Bidwell be lit for this event. These trees are usually lit for the holiday season. However, the refurbishing of the lights for these trees were done

through a major donation by the Lights for Life group, a non profit organization dedicated to raising greater awareness about Aids.

Moved by Commissioner Fetherstonhaugh,

THAT the lights on the trees at the foot of Bidwell be turned on for the International World Aids Day on December 1, 1997.

- Carried Unanimously.

NOTICE OF MOTION

Moved by Commissioner Chesman,

THAT, as a matter of ongoing Board policy and direction, staff provide monthly written reports to the Board concerning substantive enquiries of the Board, other than normal course day to day enquiries, made by or on behalf of political representatives of other levels or agencies of government including, but not limited to: the Federal Government, the Provincial Government, Vancouver City Council, and Vancouver Civic Boards and Commissions.

AND

THAT the above policy and direction have retroactive application to January 1, 1997 and that a staff report concerning such enquiries since January 1, 1997 be provided to the Board by December 1, 1997;

AND

THAT staff are hereby encouraged, in addition to all of the above, to bring to the attention of the Board, any and all normal course/day to day enquiries of the Board by other levels or agencies of government, which staff reasonably consider require the attention of the Board.

-Carried Unanimously.

INFORMATION ITEM

Approval of Warrants

Warrant #46 in the amount of \$345,039.11, Warrant #47 in the amount of \$483,937.33, Warrant #48 in the amount of \$438,714.11.