

**MINUTES OF MEETING
OF THE BOARD OF PARKS AND RECREATION
HELD AT THE PARK BOARD OFFICE
ON MONDAY, JULY 19, 2010**

| | | |
|-----------------|---|---------------------------|
| PRESENT: | Chair | - Aaron Jasper |
| | Vice Chair | - Sarah Blyth |
| | Commissioners | - Constance Barnes |
| | | - Raj Hundal |
| | | - Stuart Mackinnon |
| | | - Ian Robertson |
| | | - Loretta Woodcock |
| | Acting General Manager | - Peter Kuran |
| | Director of Planning and Operations | - Piet Rutgers |
| | Director of Vancouver East District | - Liane McKenna |
| | Acting Director of Corporate Services | - Meg Elliott |
| | Co-Acting Director of Stanley District | - Philip Josephs |
| | Co-Acting Director of Stanley District | - Thomas Soulliere |
| | Manager of Communications | - Joyce Courtney |
| | Recorder | - Shala Hay |

APPROVAL OF MINUTES

The minutes of the regular meeting of the Board held on Monday, July 05, 2010 were adopted as circulated.

CHAIR'S REPORT

The Chair reported on several community events that occurred over the last few weeks: federal government funding announcement and ground breaking ceremony at Fraserview Park; opening of Cottonwood and Strathcona accessible community gardens; Walk with the Dragon, in Stanley Park, which raised over \$400,000 for S.U.C.C.E.S.S. Foundation; official opening of Kensington Skateboard Park; and opening of the new Creekside Community Recreation Centre.

The Chair announced that a new General Manager was hired for the Park Board. Malcolm Bromley was appointed following a nationwide search. Malcolm has over 30 years of experience in parks and recreation management in Ontario. The Chair acknowledged the work done by Peter Kuran who has been the Acting General Manager since October 2009 and thanked him for his performance over the past months.

COMMITTEE REPORT

The last Planning & Environment Committee meeting convened on July 08, 2010. On the agenda were: Community Centre Renewal Priorities; and Dr. Sun Yat-Sen Garden Update.

The Services & Budgets Committee has not met since the last board meeting. The next meeting will convene on July 20, 2010. On the agenda are: Bloedel Update; June 2010 Operating Statement; and Operating Budget Update.

City Council Report

The Acting General Manager advised the Board that, at its next regular meeting, Council will receive reports on: Trout Lake Community Centre renewal contract; and Collingwood Neighbourhood House Society gym funding 2010.

STAFF REPORTS

The Board adopted the following reports by Unanimous Consent:

Trout Lake Community Centre Award of Contract – Work Package #2

Park Board Signing Authority

Nelson Park – West End Dog Show Vending Request

Grandview Park Upgrade–Construction Contract Award

Board members received copies of a staff report dated July 09, 2010 recommending that the Board approve recommendations A to E.

Staff advised the Board that the two bids received for the construction contract came in significantly higher than anticipated. Consequently, the scope of work was refined to reduce some costs, but without compromising the overall design. The lowest bidder, CAP Ventures Ltd, was recommended for the project. Staff proposed to separately fund and tender construction of the washrooms, as well as the field house. Additional funding to address the budget constraints will be transferred from two other Recreation Infrastructure Canada (RInC) projects that came in under budget. Staff advised that the features of the approved design will be adhered to despite the budget challenges.

Board members discussed the report. A Board member inquired as to when the tender will be issued for construction of the washrooms and whether the washrooms may be completed after the rest of the park. Staff advised that the tender will be issued during the summer and as the washrooms construction is less intensive than the rest of the work, every

effort will be made to ensure they are ready for the park opening; however there is a slight possibility that this may not be the case. Another Board member inquired into whether some parts of the park can be opened up to the public while the project is being completed. Staff advised that they would do their best to open up parts of the park, if it is possible during the later stages of the project.

The following delegations requested to speak to the Board:

- Sarah Ng
- John Flipse
- Roslyn Cassells
- Hazel Hoyle
- Mullen Buss
- Grant Fraser

The following is a summary of comments provided by the foregoing delegations:

- Felt compelled to speak as there has been so much protest about the upgrade of the park
- Thinks the upgrade is long overdue
- Supports the water park
- Thinks the existing field house is not adequate enough for kids
- Hopes something can take the place of the field house, as this is an important part of the park for kids
- Residents on the 1500 block look forward to seeing something happen to make the park useable
- Over the past years residents have been lobbying to have this park upgraded
- There were many opportunities for those who did not agree with the plans to speak up and they chose not to
- Concerned about the design as there was a 20% budget reduction and would like to see the changes that are planned for the drainage and electrical
- The washrooms in the design appeared small and box-like, hopes with a \$500,000 budget the actual rooms would be much better
- Urges the Board to approve the contract as the project must be completed by March 31, 2011
- People will die if Grandview Park is closed this summer
- Gentrification is threatening the existence of many in the area and there is an attempt by the affluent to evict the undesirables and for landowners to increase the value of their properties
- It seems like the response of this Board has been to arrest and eject members of the public, how democratic is this
- The Board meeting at Strathcona had more police officers present than politicians
- The Director of Planning stated that the board had purposely neglected to upkeep the park way before the public consultation occurred
- The park is a refuge for those with nowhere else to go and provide a supply of drinking water and access to washroom facilities
- It is also a place for providing free meals to seniors and children and a hub for organizing social programs
- Grandview is the people's park and there is no place for the current Park Board in the park

- The decision to upgrade the park originated with one family who moved across from the park and did not like what they saw, they then formed a small group to pursue the upgrade
- The signs posted in the neighbourhood stated that there will be ‘planned improvements’ not changes or an upgrade, which was misleading to most people who thought the existing design would remain
- There were no discussions with the public to determine what they wanted just two brief meetings
- Views the project as a complete overhaul and gutting of the park
- About 3000 people came out in protest of the upgrade on May 15 (the names can be provided)
- Not in favour of the upgrade, the park needs new washrooms but not at a value of \$500,000
- Hundreds of people who have nowhere else to go will be displaced during the construction
- Thinks this project is an overkill and the Board is doing far more than needed
- The upgrade reflects the desire of a couple people but not the majority
- Wrote a letter to Commissioners posing a couple questions to determine whether the Board is satisfied with the level of public consultation that occurred
- After viewing the plans it seems like the same mistakes made at Hastings Park are being repeated with Grandview
- Looks like what you have is a design/consultation process that does not take into consideration the social dynamics of the community and hence their reaction
- Suggests that the Board open up the design tenders, as this is usually relatively cheap and would provide a better range of ideas
- Would like to know who is CAP Ventures, could not get an answer from Google
- Would like to know why there is insufficient information on this company on the internet
- Research linked the company to van der Zalm and Associates which is suspicious
- If the Board has any concern about this project it should consider postponing this decision

The Board thanked the delegations for their comments. Board members discussed the report.

Moved by Commissioner Blyth,

- A. THAT, subject to Recommendations B, C and D, the Board enter into a contract with CAP Ventures Ltd. in the amount of \$1,126,500.00, plus HST, for the Grandview Park Upgrade as detailed in this report;**
- B. THAT the contract be on the terms and conditions outlined in this report and on such other terms and conditions as are approved by the Vancouver Park Board, with Bid Committee and Chief Purchasing Officer (CPO) concurrence;**
- C. THAT, upon approval of the contract by Vancouver Park Board, with Bid Committee and CPO concurrence, the General Manager of the Park Board be authorized to execute the contract on behalf of the Board;**

- D. THAT no legal rights shall arise hereby, and none shall arise until execution of the contemplated contract, and the Board reserves the right to rescind this resolution at any time up to the execution and delivery of the contemplated contract by the General Manager of the Park Board.**
- E. THAT the Board approve a funding allocation of \$500,000 in the Jericho/Memorial South RinC budget for the Grandview Fieldhouse project.**

- Carried Unanimously.

Trillium Fields: Supply and Installation of Synthetic Turf- Contract Award

Board members received copies of a staff report dated July 09, 2010 recommending that the Board approve recommendations A to D.

Staff advised the Board that several bids were received for the contract and AstroTurf West Distributors Ltd was recommended to carry out the installation. The company had the lowest bid and has a track record for successfully installing synthetic turf. The installation is scheduled to be completed by mid October 2010.

The following delegation requested to speak to the Board:

- Sharon Urton, Chair, Physical Literacy Vancouver Sport Network

The following is a summary of comments provided by the foregoing delegation:

- Congratulates the Board on this project as it has been awaited for many years
- Would like to know whether frozen or ground rubber would be used for the underlay, as ground rubber creates problems with dust, requests feedback from staff on this
- Would like to know whether any efficiencies could be gained by having the two other fields at Memorial South and Jericho installed by AstroTurf as well, considering the current budget constraints (staff advised that this was looked into and it was determined that, due to the supply, manufacture and mainly installation crew required for these projects, it would be better to have them done separately; separate tenders were issued for the other two fields)
- Would also like to know when the washrooms would be constructed (staff advised that there is separate funding for the washrooms, they are currently in the design phase and also have to be completed by March 31, 2011)

The Board thanked the delegation for its comments. Board members discussed the report.

Moved by Commissioner Woodcock,

- A. THAT, subject to Recommendations B, C and D, the Board enter into a contract with AstroTurf West Distributors Ltd. in the amount of \$621,720, plus HST, for the Supply and Installation of Synthetic Turf at Trillium Fields as detailed in this report;**
- B. THAT the contract be on the terms and conditions outlined in this report and on such other terms and conditions as are approved by the Vancouver Park Board, with Bid Committee and Chief Purchasing Officer (CPO) concurrence;**
- C. THAT, upon approval of the contract by the Vancouver Park Board, with Bid Committee and Chief Purchasing Officer (CPO) concurrence, the General Manager of the Park Board be authorized to execute the contract on behalf of the Board;**
- D. THAT no legal rights shall arise hereby, and none shall arise until execution of the contemplated contract, and the Board reserves the right to rescind this resolution at any time up to the execution and delivery of the contemplated contract by the General Manager of the Park Board.**

- Carried Unanimously.

MOTION

Moved by Commissioner Mackinnon:

WHEREAS at a special board meeting dated November 27, 2006 the Vancouver Park Board passed a motion to review the Parks Control By-Law relating to captive cetaceans in 2015;

AND WHEREAS the residents of Vancouver value the ability to express their views on relevant issues of the day;

AND WHEREAS a plebiscite is a non binding democratic tool to survey the public sentiment;

THEREFORE, BE IT RESOLVED that a plebiscite be held during the 2011 Vancouver civic election asking the public if they are in favour of ending the containment of cetaceans in Vancouver parks, including the phase out of existing cetacean exhibits which are located on land leased by the Park Board.

The following delegations requested to speak to the Board:

- Annelies McConnachie-Howarth, WhaleFriends
- Janos Mate
- Eleanor Hadley
- Jamie Lee Hamilton, IDEAS
- Laura McDiarmid, Former Park Board Commissioner
- Keith Edwards
- Lea Johnson
- Rebeka Breder, Vancouver Humane Society
- Anita Romaniuk
- Raheema Pittalwala
- Hesham Nabih
- Joan Morelli
- Joanne Chang
- Tom English, Vancouver Aquarium
- Liane McKinley
- Robert Light, Free the Whales Vancouver
- Ray Schachter
- Roslyn Cassells
- Annelise Sorg, No Whales in Captivity
- Vancouver Aquarium: John Nightengale
 Judy Kirk
 Margot Spence

The following is a summary of comments provided by the foregoing delegations:

- With the recent death of the baby beluga whale this is once again an issue under public scrutiny
- The public has never been allowed to express their opinion on this issue democratically
- This shows a sad side of society, to keep cetaceans in captivity for our entertainment
- There is no scientific benefit to studying whales in captivity and we do have the ability to study them in their natural habitat
- Living in captivity leads to stress and boredom for these animals
- Although watching these animals in an aquarium may be entertaining for children it is not educational, as education must be based on the truth
- The Park Board should send a global message that the age of captivity has come to an end, and show the younger generation that there are merits to the democratic process
- No one can dispute that cetaceans are highly intelligent beings with self awareness and human like emotions, capable of feeling grief and sadness, and with similar cultural patterns
- Keeping these intelligent creatures confined is contrary to nature, to ethics and to compassion
- The question of phasing out cetaceans in captivity came to the Board before in 2005 but was not approved
- The survey conducted by the Aquarium was merely a public management exercise and they got the answers they wanted

- Did the past Board give away the public's right for a democratic vote by signing the last agreement
- During the last civic elections many voted for new leadership and a new vision in the hope that they would have a better vision
- A non binding plebiscite is just a question and there is nothing to fear
- Supports any motion to get rid of cetaceans in Stanley Park
- It is inhumane and uncivilized to keep whales in cement pools
- Has been trying to free the whales in Stanley Park for about 50 years
- Each new Board has done nothing but allow the Aquarium to get bigger
- Afraid that between now and next year further expansion of the Aquarium might be approved
- The Aquarium has a request to construct a seven floor structure which is still pending at City Hall
- The Board has broken its mandate by allowing the Aquarium to expand in the middle of Stanley Park
- At some point the Park Board has to make a decision on behalf of the citizens of Vancouver
- Believes that elected officials are vested with the ability to overturn bad decisions that were made in the past
- The Aquarium does not fit in with today's society, we are one of the few cities in the world with an aquarium
- The Board should not support businesses that exploit animals
- As a former Commissioner and Chair of the Board, has an acute awareness of the relationship between the Board and the Aquarium and the many issues that the Board has to juggle
- Deeply saddened by the death of the baby beluga, Nala, and wondered why a 'grandmother' was allowed to give birth as there is always a risk of birth defects in these cases, similar to humans
- Perhaps the Aquarium has grown too much over the years and has to rethink its practices; large animals in captivity should be reconsidered
- Understand that the Aquarium provides an opportunity for children and adults to witness these magnificent creatures; however this is a false environment
- A referendum may not lead to the demise of the Aquarium and would provide a gauge of public opinion
- The Aquarium does some good by educating the public and organizing shoreline cleanup
- 4-D videos can be used as an alternative to having large mammals in captivity
- A plebiscite will give a more meaningful survey of public opinion than the survey conducted by the Aquarium
- A lot of people who work at the Aquarium may think they are helping the animals, but the fact is the animals are still imprisoned
- This society wants dolphins and whales to be free and they have a right to reflect this value
- Vancouver has grown and the new generation, as well as the older ones, should have a say
- As a corporation, the Aquarium does a lot to make money, but can do a lot more that does not involve keeping animals in captivity
- Commends the Aquarium for its efforts as it does a great job in showing the world the importance of these animals

- These animals travel hundreds, if not thousands, of kilometres in nature and it is not healthy to keep them in such a confined space
- Can not see how studying these animals out of their natural habitat can show anything other than how they behave in captivity
- Dinosaurs, although they no longer exist, are studied and there are several exhibits for us to become aware of them, even though we have not seen them in real life
- Thinks that the plebiscite is non binding and all these legal concerns are unwarranted
- Urges the Board to vote in favour of this motion
- Has been involved in this issue in the past and watched numerous Boards face this question
- Thinks this issue can not be solved without a plebiscite
- The 2006 motion states that the agreement will be reviewed in 2015 and if the new longer term for elected officials is approved, after 2011 there would not be another election until 2015
- Should people vote not in favour of the plebiscite the Aquarium would be in the clear, but if the public votes in favour it is non binding and the Aquarium can work with the Board to phase out the cetaceans that are in captivity, and the dolphins are already phasing themselves out
- Over the years the Aquarium has been telling the public that there is justification for keeping cetaceans in captivity for educational purposes and these animals act as ambassadors of their species
- The Aquarium does everything by the book to keep cetaceans in captivity, but this is not good enough, as this does not address the moral side
- As an oceanographer who spent many years studying these animals in the ocean, thinks that it is not right to have whales in captivity and it teaches kids that it's ok to do whatever they want
- Observing these animals in the wild is completely different to seeing them in captivity
- Would like to know whether First Nations groups were consulted on keeping whales in captivity, research should be done to find out the importance of whales in their culture, as it is important to take other people's views into account
- Came to speak on behalf of the conservatory and the children's farmyard as there was no reason why the public's right to see farm animals was taken away
- Why are we only extending our concern about humanity to four legged animals
- It is always what the Park Board and City wants but never what the voters want
- It is a disgrace that low income families are not seen to be on par with animals, as the farmyard allowed low income families to see farm animals, since many families can not afford to take their kids to see other animals
- Vision Vancouver was seen as a party that represented the general public and one that people could relate to, this is the reason why many people voted from them
- It now feels like they were treated as a door mat by Vision
- Will not support Vision if this motion is defeated
- Been a Board member of the Aquarium for 26 years and since this time the Aquarium has adhered to whatever directions were handed down by the Board
- To say that these directions have been inconsistent and have changed from year to year is an understatement
- The Board directed the Aquarium to engage in a public consultation, which it did and then invested in construction as approved by the Board

- Now that some people do not agree with the outcome the Aquarium is being shuffled around again
- Should the plebiscite be acknowledged this zigzagging will make systematic planning difficult
- Thinks the Aquarium has gone above and beyond other similar facilities to provide education and appreciation
- When the death of the baby beluga was announced it caught media attention for weeks and this motion has once again won media attention
- If the public is asked outright the majority would say 'No' as no one would publicly say they support captivity and would not take into consideration the merits of keeping these animals
- The cetaceans in the Aquarium can not be released into the wild and the Commissioners should consider what to do with the animals that are currently in captivity
- Since the Aquarium is not funded by taxpayers, can not see why the public should be involved in whether they keep cetaceans or not
- Either way voters are going to win, if a vote is allowed people will vote green and if they are not allowed to vote on this, the people will still vote green
- The whales are not being held captive but in slavery, as they are captive and also have to work to make money
- Have to make a stand tonight and this movement for freedom will have to start now
- Based on what has been heard, the only reason against the plebiscite is fear of litigation and an unsupported fear should not be a reason to not carry out the plebiscite
- The Aquarium did not make any threats of litigation
- Seems that there are no legal threats or impediments to the plebiscite, if these exist the Board should postpone its decision until further investigation is done and then make these findings known
- The duty of the Board should be to protect the interest of the public and animals
- The Board should not allow the Aquarium to expand
- The zoo has been closed, the farmyard is on its way out, and the Aquarium should also be closed
- Banning the import of cetaceans would affect the Aquarium's bottom line which is the only thing they care about
- The first time No Whales asked for a referendum was in 1964 so this is nothing new
- Many people thought that the Aquarium was part of the zoo and were disappointed to learn that the Aquarium stayed when the zoo was closed
- From the start it has always been controversial when the Aquarium requested land in Stanley Park
- The Park Board has always done what the Aquarium wants
- The agreement between the Board and the Aquarium not only govern land occupancy but also how the Aquarium operates and its ability to bring in whales and dolphins
- This decision risks damaging one of Vancouver's well loved public attractions
- The decision to phase out the zoo was made by a 16.5% vote
- The 2006 public consultation came about by a request to the Board from the Aquarium to revitalize its ageing facility

- The Board told the Aquarium it needed to engage in public consultation and hence started the consultation process, all the questions and methods were approved by the Park Board and staff
- A pre-consultation exercise was done and 8 stakeholder groups were consulted to determine whether they were comfortable with the consultation
- Approximately 4000 members of the public were consulted using a variety of methods
- The current agreement generates over a million dollars for the Park Board
- The Aquarium has always conducted itself with transparency to the Board
- It organizes shoreline clean up across Greater Vancouver, its education programs continue to grow and it uses social media to engage people around the world
- The Aquarium has around 23500 family memberships
- Its progress has not always been easy, especially with debates such as these, and the changes that occur based on political opinions
- Thinks it is not proper to engage in another consultation simply because some people do not like the results of the last one and it is not appropriate to keep changing the agreement

The Board thanked the delegations for their comments.

Board members discussed the motion. A Board member advised that the motion is about the right of the people to express their views. If there are legal implications to this, it should be made know whether the City can sign away the democratic right of the people. The Board member further advised that the plebiscite is non binding and will allow the Board to engage in public consultation before going into a new contract. A Board member mentioned that there would be a high cost involved, if the decision was made to conduct public consultation in 2015, rather than through a plebiscite in the 2011 elections. Several Board members stated that although they support the public being able to express their opinions on this issue, there are implications to going ahead with this before the agreement is up for review and the existing agreement should be upheld.

The motion was put forward and it was Defeated (Commissioner Mackinnon and Commissioner Woodcock contrary).

Point of Privilege

Commissioner Mackinnon requested an apology, on behalf of the Board, from the Chair regarding comments that were made to the media during the previous week, which relate to the motion put forward on cetaceans in captivity. The Chair stated that he stands by his comments, as he thinks they were warranted.

Enquiries, Other Matters and New Business

A Board member brought to the Board's attention a request made for a member of the Board to sit on an advisory committee for Persons with Disabilities and requested that the Board look into this request.

The meeting adjourned at 10:45 pm.

Peter Kuran
Acting General Manager

Commissioner Aaron Jasper
Chair