



**Independent Legal Advice for Judicial Review of
Mayor's Motion**

Excerpted from Minutes February 5, 2024

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MOVED by Commissioner Digby
SECONDED by Commissioner Jensen

THEREFORE BE IT RESOLVED THAT

- A. The Board is authorized to retain independent legal counsel on the following matters to provide advice on:
 - i. The merits and probability of success of quashing via judicial review the [Vancouver City Council's motion of December 13, 2023](#), seeking to abolish this Board;
 - ii. The merits and probability of success of quashing implementation of said motion via judicial review;
 - iii. The merits and probability of success of quashing via judicial review the historic, ongoing, and notorious encroachment by Vancouver City Council over the past 10 years of this Board's authorized jurisdiction; and
 - iv. Provide a legal opinion on the mid-term abolition of the elected Park Board and whether that violates the Canadian Charter of Rights and Freedoms, and any other such matters as may be advised by counsel.
- B. Such legal counsel is directed to report directly to this Board through the Chair and to involve Board staff only to the extent necessary for communication purposes.
- C. That this Board allocate the sum of \$20,000 for preliminary review and any relevant urgent actions recommended to the Board by such legal counsel.
- D. That the Chair shall make, on advice of the Board, all decisions on 1) which legal counsel to retain, and 2) which avenues to pursue towards the preservation of the elected Park Board, based on the advice of counsel.
- E. That all privileged legal advice, information or correspondence from external legal counsel, shall not be shared with anyone beyond the elected Park Board, such as the Mayor, Councillors or City staff. Any decision to share any privileged information from external legal counsel beyond the elected Park Board on this matter must be decided by majority vote of the elected Park Board.

CARRIED

In favour: Commissioners Bastovanszky, Christensen, Digby, and Jensen

Opposed: Commissioners Haer, Howard, and Viridi