



REGULAR BOARD MEETING MINUTES

FEBRUARY 5, 2024

A Regular meeting of the Vancouver Board of Parks and Recreation was held on Monday, February 5, 2024, at 6:37 pm, in the Boardroom at the Park Board Office.

PRESENT:

Commissioner Brennan Bastyovanszky, Chair
Commissioner Laura Christensen
Commissioner Tom Digby
Commissioner Angela Haer
Commissioner Marie-Claire Howard
Commissioner Scott Jensen, Vice-Chair
Commissioner Jas Virdi

GENERAL MANAGER'S OFFICE:

Steve Jackson, General Manager
Denise Swanston, Acting Manager, Board Relations & Meeting Clerk
Jessica Kulchyski, Board Support and Meeting Assistant
Victoria Tyers, Board Support and Meeting Assistant & Meeting Clerk

ACKNOWLEDGEMENT

The Chair acknowledged that the meeting is taking place on the traditional, ancestral and unceded territory of the Musqueam, Squamish and Tsleil-Waututh First Nations. The meeting is being held on the land respectfully and with the knowledge that there must be continued acknowledgement of the history of injustice toward Indigenous peoples. The Vancouver Board of Parks and Recreation is committed to supporting truth and reconciliation, and to use this opportunity to amplify local First Nations voices and culture through our work in community.

Commissioner Jensen also acknowledged the upcoming Chinese New Year Celebration, and wished all who celebrate a happy Year of the Dragon.

IN CAMERA MEETING

MOVED by Commissioner Jensen

SECONDED by Commissioner Christensen

THAT the Board will go into meetings prior to the next Regular Board Meeting, which are closed to the public, pursuant to Section 165.2(1) of the *Vancouver Charter*, to discuss matters related to paragraphs:

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the city;

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 [disclosure harmful to business interests of a third party] of the Freedom of Information and Protection of Privacy Act;

(k) negotiations and related discussions respecting the proposed provision of an activity, work or facility that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the city if they were held in public.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

1. Regular Board Meeting – January 22, 2024

MOVED by Commissioner Jensen

SECONDED by Commissioner Digby

THAT the Minutes of the Regular Board meeting of January 22, 2024, be approved.

CARRIED UNANIMOUSLY

CHAIR'S REPORT

The Chair highlighted the participation of Commissioners at Park Board events since the previous Board meeting on January 22, 2024:

- Commissioner Virdi attended the Sunset Seniors Centre Public information Session. The senior's facility will be a new building addition to the south of the Sunset Community Centre
- Commissioners Haer and Virdi attended India's Republic Day Reception 2024, which commemorates the adoption of the constitution of India on January 26, 1950
- Commissioner Jensen attended the Vancouver Canucks game against the Columbus Blue Jackets. This game also celebrated the Lunar New Year and Year of the Dragon
- Commissioner Virdi attended the 2024 State of the City address with Mayor Sim
- Chair Bastyovanszky had the honor of swearing in the Board Members at the West End Community Centre AGM
- Chair Bastyovanszky visited Oppenheimer Park with community leaders Amanda from First United and Nisga'a member and Western Aboriginal Harm Reduction Society founder Chris Livingstone, along with former Park Board Chair, Sarah Blyth.

COMMUNICATIONS

No communication related to the meeting agenda was received.

STAFF REPORTS & PRESENTATIONS

1. General Manager's Report

The General Manager presented the General Manager's Report, highlighting:

- sθəqəlxenəm ts'exwts'áxwi7 (Rainbow Park) – IAKS 2023 Award – The International Associations for Sports and Leisure Facilities gave Vancouver's sθəqəlxenəm ts'exwts'áxwi7 an award for Community Outdoor Grounds and Public Areas.
- Year in Review – Staff presented highlights of notable events and accomplishments of the Board of Parks and Recreation in 2023. This included:
 - Annual Polar Bear Swim at English Bay Beach, which welcomed over 8,000 participants.
 - Indoor aquatics increased training opportunities to develop new lifeguards. A new Adapted Aquatic Leader was hired to focus on the provision of adapted swimming lessons and now have adapted lessons at 5 indoor pools.
 - Upgrades at the Sunset Ammonia Refrigeration Plant in Summer 2023, provided the Sunset Arena rink and community with a safer and more energy efficient option.
 - West End Waterfront plan engagement process, which brought together community members to have an opportunity to share the future of these public spaces together.
 - Promontory Park in East Fraser Lands was opened to the public. The park will serve the rapidly growing neighbourhood and form a vital green space connection from Champlain Heights to the riverfront.
 - A new Champlain Heights playground was opened, featuring a play tower, hill slide, in-ground trampoline, water play feature, and plenty of trees and shade.
 - Marpole ground breaking Ceremony at Oak Park, where City and Park Board representatives joined partners from the Marpole-Oakridge Community Association and members of the public to launch construction on the project.
 - The Water Priority Action Plan was approved on December 2023 to further guide operational decisions about the use of drinking water in parks and recreation facilities from 2023 to 2028.
 - Completion of the second and third phases of engagement to develop the Sport Field Strategy, which is a comprehensive 10-year strategy to guide the maintenance, management, and development of Vancouver's sport fields.
 - \$140M in 2023-2026 Capital Plan funding was approved for the construction of a new Vancouver Aquatic Centre.
 - The Park Board worked closely with Vancouver Fire and Rescue Services to mitigate the risk of wildfire in Stanley Park.
 - The newly formed Sports Field Improvement Group has started the process of improving the safety and playability of the network of citywide sports fields. In 2023, the team completed 18 ball field improvement projects, plus a major full field renovation.

- 27 park sites and 3 golf course were naturalized across the city with pollinator meadows to attract bees, butterflies, and birds.
- Snow and ice control schedule ensured that major park access roads, primary walking areas, and park pathways in the downtown area were maintained during weather events all winter long.
- Supported by the City of Vancouver, Park Rangers have been actively working with vulnerable populations in Vancouver's parks to ensure that while parks can be used by people without housing overnight, they are available for the whole community during the day.
- The pilot to allow alcohol consumption at select beaches in Vancouver ran from June 1 to September 4, and staff are currently reviewing the findings.
- The majority of the temporary Stanley Park bike lane has been removed, following direction from the Board to return Stanley Park Drive to pre-pandemic traffic flow and conditions.
- The Decolonization, Arts, & Culture team celebrated the work of artists and cultural groups working in communities across Vancouver. Park Board funding and staff support have advanced trust and relationship building with Musqueam, Squamish, and Tseil-Waututh and Urban Indigenous families and organizations.
- Arts, Culture & Engagement work in 2023 included expansion of the Park Activation Program, cultural work towards the Local Food Systems Action Plan and Reconciliation education for artists, partners, and Park Board staff.
- A number of Park Board staff have been leading and facilitating cross departmental initiatives and actions to strengthen the relationship between Park Board, City, local First Nations and Urban Indigenous community, community organizations, and others. This includes the Weekly Decolonization Circle, the MST Flag Raising, and the near-complete Colonial Audit.
- The second phase of the City-wide Commemoration Framework engagement has been completed, and Park Board staff have supported Indigenous-led naming opportunities for the Oakridge Development Park, Library, Community Centre, Siwash Rock renaming, and more.
- The Land and Food Systems branch has been supporting local connections with land and food systems in parks to nourish diverse, resilient, and thriving communities and lands.
- Park Board staff were proud to participate in the Vancouver Pride Parade again in Summer 2023. The Park Board works year-round to support and engage with the 2SLGBTQIA+ community.
- The report on the Think Big revenue strategy was presented to the Board in July 2023, outlining revenue-generating ideas such as increased user fees, improving food and beverage options, sponsorship and advertising opportunities, and establishing a public foundation.
- The Park Board continued to support a number of community events and festivals, including the African Descent Festival, Carnaval del Sol, and the Circles Festival.

- The Park Board once again partnered with the Vancouver Symphony Orchestra to host Symphony at Sunset, an open-air concert that took place at Sunset Beach Park.
- Vancouver's golf operations hosted a range of events, from the Vancouver Open to accessibility tournaments and low-barrier camps for kids.
- The Stanley Park Railway made a triumphant return in 2023, just in time for Bright Nights in Stanley Park.
- VanDusen's signature Festival of Lights holiday event attracted a record number of guests, with more than 190,000 visitors over the holidays.
- Bloedel Conservatory also saw record attendance in 2023, welcoming nearly 225,000 regular admissions and representing a 24% increase from 2022.
- Council Agenda Items
 - Council to receive a presentation on February 7, 2024, titled "Vancouver Parks & Recreation Services: Proposed Governance Transition - Planning Update".
- Board briefing [memos and emails](#) issued from January 22, 2024 to February 5, 2024.

MEMBER'S MOTION

1. Independent Legal Advice for Judicial Review of Mayor's Motion

Commissioner Digby introduced the motion and responded the questions.

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; and
 - 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.
- 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.

At this point in the proceedings, Commissioner Jensen raised a point of order regarding questions being posed through the Chair to the General Manager. The Chair ruled in favour of the point of order reminded commissioners that at this time, questions should be directed to the mover of the motion.

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At this point in the proceedings, Commissioner Jensen assumed the role of Chair in order for Commissioner Bastyovanszky to introduce an amendment.

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Amendment to the Main Motion

MOVED by Commissioner Bastyovanszky
SECONDED by Commissioner Digby

THAT the following be added as A. 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.

CARRIED

In favour: Commissioners Bastyovanszky, Christensen, Digby, and Jensen
Opposed: Commissioners Haer, Howard, and Viridi

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At this point in the proceedings, Commissioner Bastyovanszky resumed the role of Chair.

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Question on the Main Motion, as Amended

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

Commissioner Howard raised a point of order in response to comments made about the Mayor's appointed Transition Team's processes. The Chair ruled in favour of the point of order agreeing that the information was not available to them.

Subsequently, the Board proceeded to vote on the motion as amended, which was CARRIED with Commissioners Bastovanszky, Christensen, Digby, and Jensen in favour, and Commissioners Haer, Howard, and Viridi, opposed.

OTHER BUSINESS

MOVED by Commissioner Jensen
SECONDED by Commissioner Christensen

THAT Commissioner Jensen be granted a Leave of Absence from meetings between March 15, and March 30, 2024.

CARRIED

*In favour: Commissioners Bastyovanszky, Christensen, Digby, Haer, Jensen, and Virdi
Abstained: Commissioner Howard*

ENQUIRIES

A Board member requested information from Park Board staff a motion carried on January 24, 2022 titled "[Co-Management of Vancouver Parklands with the Musqueam, Squamish and Tseil-Waututh Nations](#)", which directed staff to explore opportunities with MST for co-management of parklands within their respective meetings and to seek a joint meeting among the three Nations and Park Board staff to identify locations of parklands. Can staff recommendations be shared, or is this work still in progress.

ADJOURNMENT

There being no further business, the meeting was adjourned.

The Board adjourned at 7:51 pm.

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Steve Jackson
General Manager

Commissioner Brennan Bastyovanszky
Chair