



REPORT TO COUNCIL

STANDING COMMITTEE OF COUNCIL ON CITY SERVICES AND BUDGETS

JANUARY 22, 2009

A Regular Meeting of the Standing Committee of Council on City Services and Budgets was held on Thursday, January 22, 2009, at 9:30 a.m., in the Council Chamber, Third Floor, City Hall.

PRESENT: Councillor Raymond Louie, Chair
Mayor Gregor Robertson
Councillor Suzanne Anton
Councillor David Cadman
Councillor George Chow
Councillor Heather Deal
Councillor Kerry Jang
Councillor Geoff Meggs, Vice-Chair
Councillor Andrea Reimer
Councillor Tim Stevenson
Councillor Ellen Woodsworth

CITY MANAGER'S OFFICE: Penny Ballem, City Manager

CITY CLERK'S OFFICE: Denise Salmon, Meeting Coordinator

ADOPTION OF MINUTES

The Minutes of the Standing Committee on City Services and Budgets meetings of October 30 and December 18, 2008, were adopted.

1. 2009 Assessment Roll Report

Council received a presentation from Jason Grant, Area Assessor, and Grant McDonald, Deputy Assessor, BC Assessment, on the 2009 Assessment Roll.

2. Nuisance and Dangerous Building at 2759 East Broadway

This item was withdrawn at the request of staff.

3. Annual Report for the Year 2008 - Advisory Committee on Diversity Issues December 4, 2008

Council received a presentation from the Past Chair of the Advisory Committee on Diversity Issues on their Annual Report for the Year 2008.

**4. Southeast False Creek Development: Financing Update
January 19, 2009**

At its meeting on January 20, 2009, Vancouver City Council agreed to refer the Administrative Report dated January 19, 2009, entitled "Southeast False Creek Development: Financing Update" to the Standing Committee on City Services and Budgets meeting on January 22, 2009, in order to hear from speakers.

The General Manager, Business Planning and Services, responded to questions.

The Committee heard from four speakers who provided comments on the need for financing options and support for a higher social housing component.

MOVED by Mayor Robertson

THAT the Committee recommend to Council

- A. THAT, in order to put in place financial facilities for the exclusive purpose of ensuring access to the necessary funding for completing the development in Southeast False Creek Area 2A (the site for the "Olympic Village"), Council authorize the following:
- the Director of Finance be authorized to enter into discussions:
 - with possible lenders to put in place a flexible, revolving bank facility with a term of up to four years; and
 - with the City's Fiscal Agent to produce a plan for issuing the necessary debenture(s) at the best rate, price and other terms on which such debenture(s) could be issued by the City;
 - after consultation with and approval of the Mayor, the Chair of the City Services and Budgets Committee, and the City Manager regarding the proposed terms and conditions for the above noted financial facilities:
 - the Director of Legal Services be instructed to bring the necessary bylaws confirming these arrangements to Council; and
 - subject to Council approval of the aforementioned bylaws, the Director of Finance be authorized to execute and deliver all necessary legal documents to put in place these financial facilities; and
 - the Director of Finance to report back to Council not later than March 3, 2009 on the arrangements for the above noted financial facilities.
- B. THAT, subject to C below, the City be authorized to fund the February 2009 construction draw (as a "protective advance" under the existing construction loan documents) for Millennium's development in Southeast False Creek Area 2A in order to mitigate any risk of construction delays and provide comfort to the contactors on the site; source of funding to be the approximately \$29

million deposit provided by Millennium as security for its commitments under the Lease and Development Agreement, all such monies to be paid back to the City by Millennium with interest.

- C. THAT Council authorize the City Manager, on behalf of the City, to execute and deliver all necessary legal documents to implement B above;

THAT all such legal documents be on terms and conditions satisfactory to the City Manager and the Director of Legal Services; and

THAT no legal rights or obligations will be created or arise by Council's adoption of B above unless and until such legal documents are executed and delivered by the City Manager.

CARRIED UNANIMOUSLY

**5. 2010 Olympic and Paralympic Winter Games: Vancouver Charter Amendment Proposals
December 17, 2008**

At its meeting on January 20, 2009, Vancouver City Council agreed to refer the Administrative Report dated December 17, 2008, entitled "2010 Olympic and Paralympic Winter Games: Vancouver Charter Amendment Proposals" to the Standing Committee on City Services and Budgets meeting on January 22, 2009, in order to hear from speakers.

The Director of Olympic and Paralympic Operations responded to questions.

The Committee heard from eight speakers who expressed concerns in regard to the potential of the proposed amendment to impact citizens' Charter rights.

*During discussion of this item it was
MOVED by Councillor Cadman*

THAT, under Section 2.3 (c) of the Procedure By-law, Council extend the length of the Standing Committee on City Services and Budgets meeting by one hour or less.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

The Committee agreed to separate the vote on the Motion.

MOVED by Councillor Meggs
THAT the Committee recommend to Council

- A. THAT Council approve the proposed Vancouver Charter amendments generally in accordance with Appendix A, of the Administrative Report dated December 17, 2008, entitled "2010 Olympic and Paralympic Winter Games: Vancouver Charter Amendment Proposals" as set out below:

1. **Imposition of conditions in Permits and Licenses**
Allow for the imposition of conditions on permits and licenses.
2. **Temporary classification of streets - section 317(f)**
Provide that the classification of streets may be for a temporary purpose.
3. **Classification of streets - section 317(f)**
Provide that streets which provide access routes to special events or between different venues for special events may constitute a class of street.
4. **Regulation of advertising on streets - section 319(d)**
Enhance the City's powers to regulate the exhibition of advertising material on vehicles and streets.
5. **Relaxation of regulation of advertising on streets - section 319(d)**
Amend Council's power to regulate advertising or signs on streets, to authorize relaxations by Council similar to the relaxations Council may authorize under section 571AA, and to allow Council to authorize the City Engineer to make such relaxations.
6. **Resolution of conflict between "regulation" and "prohibition" - section 319(e)**
The section provides for regulating the distribution of advertising-matter on any street, and for prohibiting persons from distributing if likely to be thrown or left on a street. Delete the prohibition because "regulation" includes prohibition.
7. **Temporary street closures - section 319(f)**
Include the power to temporarily close streets for various uses under section 319.
8. **Regulation of street performing and entertaining - section 319**
Provide in a new subsection for regulate the use of any street for street performing and entertaining.
9. **Requirements in connection with regulation of use of streets - section 319**
Add the following concepts in connection with section 319:

- (a) regulations under section 319 may be different for different streets or different parts of streets, and for different parts of the city;
- (b) regulations under subsections (c), (d), (e), and (f), and under the new subsection for street performing and entertaining, may provide for the issuance of a limited number of permits as determined from time to time by Council;
- (c) regulations under subsections (c), (d), (e), and (f), and under the new subsection for street performing and entertaining, may provide for limitations as to location (for example, the southeast corner of Burrard and Robson) as determined by Council, and for a change in location to any place in the city as required from time to time by Council during the term of a permit;
- (d) regulations under subsections (c), (d), (e), and (f), and under the new subsection for street performing and entertaining, may provide for time limited permits as determined from time to time by Council; and
- (e) regulations under subsections (c), (d), (e), and (f), and under the new subsection for street performing and entertaining, may provide for the imposition of conditions as determined from time to time by Council.

10. Relaxation of Noise Control By-law - section 323(b)

Allow city officials designated by Council, in addition to the Mayor, to relax the requirements of the Noise Control By-law in exceptional cases.

11. Removal of graffiti from property - section 323(m)

Provide that the city, at its cost, may remove graffiti from real property without notice.

12. Increase in maximum fine and maximum daily fine - section 333

Stipulate that the maximum fine for an offence is \$10,000, and the maximum daily fine is \$10,000.

13. Relaxation of sign regulations - section 491(c)

Amend the Park Board's power to regulate advertising or signs, to authorize relaxations by the Park Board similar to the relaxations Council may authorize under section 571AA, and to allow Council to authorize the General Manager of the Park Board to make such relaxations.

14. **Relaxation of zoning and building requirements for special events - section 565A(e)**

Add special events to the list of permitted relaxations for zoning and building requirements.

15. **Authorization for relaxation of zoning and building requirements - section 565A(e)**

Empower Council to authorize city officials or a board to relax zoning and building requirements.

16. **Removal of illegal signs from property - section 571A(4)**

Provide that, despite section 324A(1) and (2), the city may remove illegal signs from real property with limited notice, and may charge the owner for the cost of such removal.

B. THAT Council direct staff to include in the recommendations for by-law changes provisions on administrative steps that will be taken to ensure that these provisions are enforced in a manner that respects citizens' Charter rights, including

- Appropriate briefing and direction to enforcement officers; and
- Notice periods, opportunities for appeal and other elements of due process.

carried

The Committee agreed to separate the vote on the Amendment.

AMENDMENT MOVED by Councillor Woodsworth

THAT the following be added to the motion:

- THAT Council direct staff to include a direction to the Province that we ensure these amendments are covered by the Canadian Charter of Rights and Freedoms to protect the freedom of speech of its citizens.
- THAT we direct the Province to limit this to the duration of the Olympics.

LOST

(Councillors Anton, Chow, Deal, Jang, Louie, Meggs, Reimer and Stevenson opposed to i)
(Councillors Anton, Cadman, Chow, Deal, Jang, Louie, Meggs, Reimer, Stevenson opposed to ii)

The amendment having lost, the motion was put and CARRIED with Councillor Woodsworth opposed to A: Items 5, 6, 8, 11, 12, 13, 15 and 16.

6. Olympic Accountability

At its meeting on January 20, 2009, Vancouver City Council agreed to refer a Motion on Olympic Accountability to the Standing Committee on City Services and Budgets meeting on January 22, 2009, in order to hear from speakers.

The City Manager and Director of Olympic and Paralympic Operations responded to questions.

The Committee heard from five speakers who, while in general support of the motion, expressed concern with the need for stronger wording to ensure requests are met and also noted the need to make the stakeholders group all inclusive.

MOVED by Councillor Meggs
THAT the Committee recommend to Council

WHEREAS the people of Vancouver voted in favour of the Olympics, in an open and democratic referendum, on the understanding that they would be transparent, inclusive and socially sustainable;

AND WHEREAS Vancouver made a commitment to the IOC to hold Games that are inclusive and accessible, as well as to communicate openly and consult with stakeholders;

AND WHEREAS commitment D under section Civil Liberties and Public Safety in the 2010 Inner City Inclusivity Commitment Statement states that VANOC would "commit to a timely public consultation that is accessible to inner-city neighbourhoods, before any security legislation or regulations are finalized, subject to lawful and legitimate confidentiality requirements;"

AND WHEREAS this consultation has not yet occurred, despite the fact that development of Games security policy is well under way;

THEREFORE BE IT RESOLVED THAT the City of Vancouver urge VANOC and its Olympic partners to immediately establish a public consultation to fulfill the commitment under Section D, regarding Civil Liberties and Public Safety, in the 2010 Inclusive Inner City Commitment Statement;

AND BE IT FINALLY RESOLVED THAT the City of Vancouver direct the City Manager, in consultation with our VANOC partners, to convene a discussion with stakeholders affected by the Inner City Inclusivity Commitment Statement to review the commitments made there.

CARRIED UNANIMOUSLY

The Committee adjourned at 12:45 p.m.

* * * * *



REGULAR COUNCIL MEETING MINUTES
STANDING COMMITTEE OF COUNCIL ON
CITY SERVICES AND BUDGETS

JANUARY 22, 2009

A Regular Meeting of the Council of the City of Vancouver was held on Thursday, January 22, 2009, at 12:46 p.m. the Council Chamber, Third Floor, City Hall, following the Standing Committee on City Services and Budgets meeting, to consider the recommendations and actions of the Committee.

PRESENT: Mayor Gregor Robertson
Councillor Suzanne Anton
Councillor David Cadman
Councillor George Chow
Councillor Heather Deal
Councillor Kerry Jang
Councillor Raymond Louie
Councillor Geoff Meggs
Councillor Andrea Reimer
Councillor Tim Stevenson
Councillor Ellen Woodsworth

CITY MANAGER'S OFFICE: Penny Ballem, City Manager

CITY CLERK'S OFFICE: Denise Salmon, Meeting Coordinator

"IN CAMERA" MEETING

MOVED by Councillor Deal
SECONDED by Councillor Cadman

THAT Council will go into a meeting later this day, which is closed to the public, pursuant to Section 165.2(1) of the *Vancouver Charter*, to discuss matters related to paragraph(s):

- (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

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Louie

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Report of Standing Committee on City Services and Budgets January 22, 2009

Council considered the report containing the recommendations and actions taken by the Standing Committee on City Services and Budgets. Its items of business included:

1. 2009 Assessment Roll Report
2. Nuisance and Dangerous Building at 2759 East Broadway
3. Annual Report for the Year 2008 - Advisory Committee on Diversity Issues
4. Southeast False Creek Development: Financing Update
5. 2010 Olympic and Paralympic Winter Games: Vancouver Charter Amendment Proposals
6. Olympic Accountability

Items 1-6

MOVED by Councillor Cadman

THAT the recommendations and actions taken by the Standing Committee on City Services and Budgets at its meeting of January 22, 2009, as contained in items 1-6, be approved.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Jang

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Deal

THAT the report of the Committee of the Whole be adopted.

CARRIED UNANIMOUSLY

The Council adjourned at 12:46 p.m.

* * * * *