

MINUTES OF MEETING
OF THE BOARD OF PARKS AND RECREATION
HELD IN THE PARK BOARD OFFICE
ON MONDAY, SEPTEMBER 11, 1995

PRESENT:	Chair	- David Chesman
	Vice-Chair	- Duncan Wilson
	Commissioners	- Malcolm Ashford
		- Alan Fetherstonhaugh
		- Tim Louis
		- Donna Morgan
		- Vic Kondrosky
	General Manager	
	Director of Administrative & Revenue Services	- Philip Josephs
	Director of Finance	- Doug Holden
	Director of Operations	- Liane McKenna
	Director of Recreation	- Allan Argent
	Manager - Public Affairs	- Terri Clark
	Recording Secretary	- Julie Chiu

Commissioner Chesman advised the Board that Commissioner DeGenova was unavailable due to personal reasons.

APPROVAL OF MINUTES

The minutes of the meeting of the Board held on Monday, July 24, 1995 were adopted as circulated.

PLANNING/ENVIRONMENTAL INITIATIVES/OPERATIONS

Dr. Sun Yat-Sen Classical Garden Roof Restoration

Board members received copies of a staff report dated August 31, 1995 recommending that the Board endorse the application by the Dr. Sun Yat-Sen Garden Society for a B.C. 21 grant for the restoration of the Classical Garden's roof and; that they be a partner in this project by committing to 1/3 of the funding required. This funding be achieved by identifying the roof restoration project as a high priority in the 1997-99 Capital Plan with interim financing through the existing Capital Plan funding.

Jaymie Ho, Vice-President, Dr. Sun Yat-Sen Garden and also a member of the restoration committee along with Robert Lee, a member of the Capital Campaign Committee, appeared before the Board to speak on the

urgency of roof repairs at the Dr. Sun Yat-Sen Gardens. The delegation advised the Board that the cost of the repairs were high and they would like to take advantage of the BC 21 grant which may not longer be in existence next year.

Board members discussed the matter and Commissioner Fetherstonhaugh stated that it was a high priority to keep the garden in good shape. Commissioner Morgan stated that future requests relating to the Capital Plan should be accompanied by a summary of projects already set as high priority items.

Moved by Commissioner Fetherstonhaugh,

THAT the Board:

1. endorse the application by the Dr. Sun Yat-Sen Garden Society for a B.C. 21 grant for the restoration of the Classical Garden's roof at a projected total cost of \$700,000.

2. be a partner in this project by committing to 1/3 of the funding required.

3. achieve this funding by identifying the roof restoration project as a high priority in the 1997-99 Capital Plan with interim financing through the existing Capital Plan funding.

- C a r r i e d
Unanimously.

RECREATION SERVICES

Women's Monument

Board members received copies of a staff report dated August 30, 1995 recommending that the Board give final approval to the monument selected by the Women's Monument Committee for installation in Thornton Park and that the Board approve for inclusion in the 1997-99 Capital Plan the improvements to Thornton Park as described in the report.

Moved by Commissioner Wilson,

THAT the Board give final approval to the monument selected by the Women's Monument Committee for installation in Thornton Park, with all arrangements subject to the

satisfaction of the General Manager.

THAT the Board approve for inclusion in the 1997-1999 Capital Plan the improvements to Thornton Park as described in this report.

- C a r r i e d
Unanimously.

Kitsilano Showboat Lease Renewal

Board members received copies of a staff report dated August 24, 1995 recommending that the lease between the Park Board and the Kitsilano Showboat Society be renewed for a further 5 year term commencing January 1, 1996.

Moved by Commissioner Wilson,

THAT the lease between the Park Board and the Kitsilano Showboat Society be renewed for a further 5 year term commencing January 1, 1996. - C a r r i e d

Unanimously.

INCOME OPERATIONS/MARKETING/PUBLIC AFFAIRS

Neighbourhood Matching Fund

Board members received copies of a staff report dated August 28, 1995 recommending that the Board approve the recommendation of the Neighbourhood Matching Fund Advisory Committee to fund the projects listed in the report through the Neighbourhood Matching Fund.

Moved by Commissioner Fetherstonhaugh,

THAT the Board approve the recommendation of the Neighbourhood Matching Fund Advisory Committee to fund the following projects through the Neighbourhood Matching Fund.

1. Young Women Creating Change \$2040.00
2. Mt. Pleasant Park Performance Project \$5000.00

- Carried Unanimously.

Corporate Sponsorship Program - Contract Extension

Board members received copies of a staff report dated August 31, 1995 recommending that the Board

approve a one year extension to the contract with Spectrum Marketing Corporation so that the expiration date will now be June 30, 1998.

Commissioner Fetherstonhaugh advised the Board that the public consultation process to draw up the guidelines took over a year and in keeping with the Board's strategic plan "Vision for the Future" which state that Corporate Sponsorship and advertising will be sought consistent with other Board aims, objectives and policies. Spectrum should be given one more year to their contract to allow them to do a proper job.

Commissioner Morgan stated that she was opposed to this program as she believes that any corporate money should be going to non-profit groups and not government. Also, the guidelines should have been prepared before going to tender and June 1998 is half way through the term of the next Board.

Moved by Commissioner Fetherstonhaugh,

1. THAT the Board approve a one year extension to the contract with Spectrum Marketing Corporation so that the expiration date will now be June 30, 1998.

2. THAT no legal rights shall be created by the passage of this resolution and none shall arise hereafter except by the signing of the contemplated document.

- Carried.

(Commissioners Morgan and Louis contrary)

MOTIONS

Moved by Commissioner Morgan,

1. THAT the Park Board request the Vancouver Aquarium to immediately cease the sale of any prepared food or beverage until the joint task force finishes its deliberations;

FURTHER, THAT failing the cessation of such activity, the Board serve three months notice as per the agreement with the Aquarium Association to terminate

the agreement;

FURTHER, THAT Park Board staff prepare a detailed financial report of the Aquarium, with particular detail to the agreements with Starbucks, and ICL Foods Limited to report back to the Board by its meeting of September 25, 1995.

2. THAT the Park Board hold a public meeting in the month of September on the issue of public accountability of the Vancouver Public Aquarium Association.

Annelise Sorg representing No Whales in Captivity Period, appeared before the Board to support Commissioner Morgan's motions. Ms. Sorg stated that she had a number of concerns with regard to the operations of the Aquarium. Ms. Sorg stated that Starbucks stayed for three months instead of just the duration of the DuMaurier Jazz Festival as indicated by the Aquarium. She also questioned why a cigarette company was allowed to sponsor a festival in a research and educational institution. Ms. Sorg also questioned the Board as to what action was being taken regarding the Aquarium's various breaches of their lease.

Tom English, President-Elect, Vancouver Aquarium, advised the Board that they had approached Fraser & Beatty and Russell & DuMouling for a legal opinion on whether the Aquarium breached their lease as has been alleged. Mr. English provided a copy of the legal opinion for the Board members.

Marie Dickens, Director of Finance and Administration, Vancouver Aquarium, appeared before the Board to address the financial part of the motion. Ms. Dickens provided a copy of their audited financial statements to Board members and explained that Starbucks donated all their gross receipts to the Aquarium and the presence of ICL Foods at the Aquarium was only on a trial basis to test the market. Commissioner Morgan enquired whether there was a written agreement with either Starbucks or ICL Foods. Ms. Dickens advised the Board that there was a memorandum exchanged with ICL Foods, however, Starbucks was a verbal agreement. Commissioner Morgan requested Ms. Dickens to provide a copy of the memorandum with ICL Foods to the Board.

David Hoar, President, Vancouver Aquarium, appeared before the Board to address the issue of

public accountability of the Aquarium. Mr. Hoar advised the Board that the Aquarium was a public association governed by a public board including two Park Commissioners who participate in the discussions and decision making process. Mr. Hoar advised the Board that the governors were elected from the membership and represents all segments of the community. The Aquarium is proud of the role it plays in the education of the students in Vancouver and from all over British Columbia as they learn a large part of the environment during their visit.

Dr. John Nightingale, Executive Director, Aquarium, appeared before the Board regarding the operations of the Aquarium. Dr. Nightingale stated that he is never clear when he should be contacting the Park Board on issues as it always depend on the politics at the Board table. Dr. Nightingale stated that he also finds it difficult to communicate with the Park Board because of a lack of confidentiality. Dr. Nightingale stated that he hopes the setting up of a task force could assist in working out some of these issues and re-setting the working framework between the Park Board, Aquarium and staff.

Board members discussed the matter and Commissioner Morgan stated that she was concerned with the Aquarium operating a food service which is in conflict with the Park Board's food concession situated outside the Aquarium. Dr. Nightingale had been advised that the Park Board would like to be informed on the delivery of food service at the Aquarium. Commissioner Morgan stated that the Aquarium should be told firmly that they must inform the Board before going ahead with any project. Commissioner Morgan stated she would like to know the exact condition of the lease to determine whether there was a breach or not.

Commissioner Wilson stated that he would vote against the motion as it was more important to establish some basic guidelines with the Aquarium and not finding and interpreting comments in their lease. Commissioner Wilson stated that although he does not have a problem with Starbucks selling coffee at the Aquarium, however, a food service at the Aquarium without the Board's approval would not be acceptable. Commissioner Wilson stated that the Aquarium is not supported by taxpayers and organisations like Starbucks help the Aquarium to provide programs such as the Aquavan which focuses on the Aquarium outside Stanley Park.

Commissioner Louis stated that one of the issue is whether or not the Aquarium should be doing

something or not but that they must notify the Park Board in advance. Commissioner Louis stated that it appears that the Aquarium deliberately misrepresented themselves when they did not inform the Board that Starbucks would be continuing beyond the DuMaurier Jazz Festival. Commissioner Louis stated that he was very disappointed and would officially indicate that he would not sit on the task force.

Commissioner Fetherstonhaugh stated that there is no loss of revenue at the food concession outside the Aquarium. This matter could have been dealt with at the staff level.

Commissioner Ashford stated that he would vote against the motion and hope the Aquarium got the message that they must advise the Board before going ahead with any project. If they are in doubt, they should ask staff. Commissioner Ashford stated that in the meantime hopefully some guidelines could be established that would solve this type of problems in the future.

Commissioner Chesman explained that one of the task force's mandate would be to define with a clear understanding on what the Aquarium must inform the Park Board of and secondly to define clearly with appropriate safeguards matters that would be provided from Aquarium to Park Board as a courtesy. Commissioner Chesman stated that it was for the purpose to find a safeguard means of getting the courtesy information as well as the legally required information to us that he felt the presence of Commissioner Louis on the task force in that regard would have been very positive and invited Commissioner Louis to reconsider his decision of this evening. Commissioner Chesman stated that he was not happy with the Aquarium, the recurring breaches of the lease are distracting to the Board. These distractions detracts the Board from what they are supposed to be doing which is to ensure parks and recreation for the city. He does not want this to continue, however, the motion is not properly conceived and he does not think it could accomplish anything. What needs to be done is the establishment of the task force. Commissioner Chesman stated that he would be prepared to support a motion which request the Aquarium to advise the Board in advance of operational changes involving the sale and preparation of food and beverage or the erection of any inflatables. The Board does not run the Aquarium and he does not want the Board to be further diverted from what they were elected to do by continuing Aquarium issues.

Moved by Commissioner Morgan,

THAT the Park Board request the Vancouver Aquarium to immediately cease the sale of any prepared food or beverage until the joint task force finishes its deliberations.

-DEFEATED.

(Commissioners Ashford, Chesman, Fetherstonhaugh and Wilson contrary)

Commissioner Morgan stated that she would like staff to obtain a copy of the memorandum between the Aquarium and ICL foods and would withdraw the second clause in her first motion which is as follows:

FURTHER, THAT failing the cessation of such activity, the Board serve three months notice as per the agreement with the Aquarium Association to terminate the agreement.

Moved by Commissioner Morgan,

FURTHER, THAT Park Board staff prepare a detailed financial report of the Aquarium, with particular detail to the agreements with Starbucks, and ICL Foods Limited to report back to the Board by its meeting of September 25, 1995.

-DEFEATED.

(Commissioners Ashford, Chesman, Fetherstonhaugh and Wilson contrary)

Moved by Commissioner Morgan,

THAT the Park Board hold a public meeting in the month of September on the issue of public accountability of the Vancouver Public Aquarium Association.

-DEFEATED.

(Commissioners Ashford, Chesman, Fetherstonhaugh and Wilson contrary)

Moved by Commissioner Chesman,

THAT the Park Board request the Aquarium to advise us in the future, arrangements for food and beverage sales or preparation at the Aquarium, erection of inflatables at the Aquarium, in advance of or at time of such arrangements.

-DEFEATED.

(Commissioners Ashford, Fetherstonhaugh and Wilson contrary)
NEW BUSINESS

Second Beach Pool

Moved by Commissioner Wilson,

THAT beginning in 1996, the Park Board extend the season of operation for the Second Beach Pool into September subject to weather similar to the operation of Kitsilano Pool.

Commissioner Morgan called notice on the motion.

NOTICE OF MOTION

Moved by Commissioner Louis,

THAT the Park Board rescind the earlier motion authorising the organisation acting on behalf of Jaguar Canada use of certain portions of Stanley Park. ENQUIRIES

Commissioner Wilson enquired whether U-Park could be approached to install credit card machine in the Brockton Point area.

Commissioner Wilson stated that he received a request from a member of the public regarding the painting of Barclay Manor.

Commissioner Morgan enquired what the timeline for the Next Steps in the Aquatics Task Force. Commissioner Wilson stated that a public information meeting could be held on October 30, 1995.

INFORMATION ITEMS

1. Approval of Warrants
Warrant #34 in the amount of \$546,484.64, Warrant #35 in the amount of \$1,478,394.06, Warrant #36 in the amount of \$339,292.59, Warrant #37 in the amount of \$467,682.72, Warrant #38 in the amount of \$431,738.97, Warrant #39 in the amount of \$598,105.01, Warrant #40 in the amount of \$322,668.78.
2. Financial Statements - Operating and Capital Accounts
Staff information report dated August 16, 1995 mailed to Board members.

V. Kondrosky
General Manager

Commissioner David Chesman
Chair

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