

**MINUTES OF MEETING
OF THE BOARD OF PARKS AND RECREATION
HELD AT THE PARK BOARD OFFICE
ON MONDAY, MARCH 22, 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 Vancouver East District	- Liane McKenna
	Director of Planning and Operations	- Piet Rutgers
	Co-Acting Director of Stanley District	- Philip Josephs
	Co-Acting Director of Stanley District	- Thomas Soulliere
	Acting Director of Queen Elizabeth District	- Diane Murphy
	Manager of Communications	- Joyce Courtney
	Recorder	- Shala Hay

APPROVAL OF MINUTES

The minutes of the regular meeting of the Board held on Monday, March 01, 2010 were adopted as circulated.

CHAIR'S REPORT

The Chair reported on recent events which include: the Opening and Closing Ceremonies of the 2010 Paralympic Winter Games; Community Happenings Festivals at Kitsilano and Killarney Community Centres; International Women's Day event honouring women from Vancouver communities; Riley Torch Relay community event; Girl Power Conference; and visit by HRH Prince Edward. The Chair acknowledged that the International Day for the Elimination of Racial Discrimination and World Day for Water will be observed during the third week of March.

COMMITTEE REPORTS

The Planning and Environment Committee has not met since the last Board meeting, the next meeting will convene on April 08, 2010.

On the agenda of the last Services and Budgets Committee meeting were: 2009 Year End Position; First Tee Golf Program; and Jericho Field Proposal. The next meeting will convene on April 20, 2010.

City Council Report

The Acting General Manager informed the Board of the following Park Board related items on the agendas of the next Council and Committee meetings: Notice of Motion “General Manager of the Park Board”; and True Sport Declaration.

STAFF REPORTS

English Bay Bistro – Award of Contract

Board members received copies of a staff report dated March 12, 2010 recommending that the Board approve recommendations A to G.

Staff informed the Board that 30 inquiries on the Request For Proposal were received and three formal proposals were submitted. Based on the evaluation criteria, the proposal from Cactus Restaurants Inc. (Cactus Club) was considered the most suitable for this project. The restaurant has a proven track record for delivering first class casual dining and has agreed to provide a take-out service at this location which will offer affordable menu options. Under the agreement Cactus Club will finance the entire construction cost of the restaurant. The development plan also includes enhancement of the public areas on the site parameters.

The following delegations requested to speak to the Board:

- Eleanor Hadley
- Isabel Minty
- John Whistler, West End Residents Association
- Richard Jaffray, President, Cactus Restaurants Ltd

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

- Opposes the selling of liquor on a public beach
- This recommendation is horrendous as it breaks the liquor law which prohibits drinking on the beach
- If this recommendation is approved the Board will be breaking its mandate to protect English Bay and Stanley Park
- The recommendation is complex and confusing and the Park Board will get little from it
- Seems like staff is acting as a shield for the Cactus Club
- Understands that the decision to build came before the Board’s election but regardless of the pressure to make money the Commissioner’s role is to preserve parks and public spaces
- The rent is too low, it should be closer to \$300,000
- Section D of the recommendation is open-ended, unacceptable and unclear
- The term is too long, by 2030 there should be a complete re-examination of the agreement
- The part that says the rent is ‘comparable’ is not true as no comparison can be made, as there are no other restaurants in a similar location
- The West End Residents Association (WERA) is not in favour of this initiative
- There are concerns about accessibility
- Parks and other public spaces are for public enjoyment not for money making
- Hope that the public will have access to the take out patio area

- This is an area that has been utilized by the homeless and gentrification should not be used to deal with homelessness
- There should be a focus on affordable pricing and having a sustainable structure
- Happy that a local company has been selected
- Good Neighbourhood Management should be applied
- There should be no impact to the bike route and walkways and no valet service
- Concern about the loading bay proposal and prefers the recommendation from Engineering
- Cactus Club is a local company that has been in operation for the past 22 years
- The company has a reputation for excellence and a long standing reputation for its involvement in the community
- It has been voted one of Canada's 50 Best Managed Companies for three consecutive years
- The company focuses on employing environmentally friendly practices
- Excited about this opportunity to bring world class service to the West End community

The Board thanked the delegations for their comments.

Moved by Commissioner Hundal,

A. THAT the Board grant to Cactus Restaurants Ltd (“Cactus”):

- (a) a licence, on terms acceptable to the Board, permitting the licensee to use the designated site at English Bay to construct a restaurant at the sole cost of the licensee (which restaurant will be owned by the Board other than trade fixtures and furniture which will be owned by the licensee), subject to the approved Development Permit design package and subject to the issuance of all required permits.**
- (b) an offer to lease the restaurant subject to the completion of construction of the restaurant to the satisfaction of the Board in accordance with the terms of the licence. The term of the lease would be 5 years and Cactus would be granted 5 further 5 year options to renew for a total of 30 years.**

B. THAT the annual base rent for the first term and the first 5 year option term (first 10 years) be set at \$240,000 per year plus 4% of all revenue over \$4 million.

C. THAT the lease provide that the rent will be subject to review by the Board if and at the time that the tenant exercises the second 5 year option and again if and at the time that the tenant exercises the fourth 5 year option.

D THAT the Board reimburse Cactus for site improvements outside of the leased area, by way of an annual payment of \$50,000 plus financing costs per year for five years (\$250,000), to be deducted from their rent payable to the Board .

- E. THAT all legal documentation is to be in a form which is satisfactory to the Director of Legal Services for the City of Vancouver and the General Manager.**
- F. That the General Manager be authorized to execute and deliver such documentation on behalf of the Board.**
- G. THAT no legal rights shall arise and no consents, permissions, or licences are granted hereby and none shall arise or be granted hereafter unless and until all contemplated legal documentation has been executed and delivered by all parties.**

Board members discussed the motion. One Board member inquired into the restaurant construction cost. Staff advised the Board that the estimated cost is between \$4.5 and \$5 million and will be financed entirely by Cactus Club. On completion, the building will be handed over to the Board and then leased to Cactus Club. Board members raised concerns about the affordability of the menu. Richard Jaffray informed the board that the take-out menu will be competitively priced so that it is on par with the price points of the nearby concession stands.

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

Financial Statements for the Year Ended December 31, 2009

Board members received copies of a staff report dated March 09, 2010 recommending that the Board receive this report for information.

Staff informed the Board that as at December 31, 2009 the Board was underspent by \$0.9 million; however, after adjustments for the Global Budget arrangement with the City, the final result was an overspending of \$189,000 or 0.3% of the net operating budget. The Donations program raised a total of \$787,597 through park amenities, monuments and conservation, as well as recreation programming and special projects. After expenditure deductions, a net contribution of \$390,986 was attained by way of donations. The Stanley Park Restoration Project reserve has a carried forward balance of \$913,230 for legacy and sustainment work.

Moved by Commissioner Barnes,

THAT the Board receive this report for information

-Carried Unanimously.

Consultant Award for 2010 Ghost Train and Bright Nights in Stanley Park Events

Board members received copies of a staff report dated March 05, 2010 recommending that the Board approve recommendations A and B.

Staff advised the Board that Mortal Coil is a non-profit Vancouver performance company that has been providing a creative and professional service to the events for the past 10 years.

Ghost Train attendance has been down over the past few years; therefore, this year there will be an increased emphasis on marketing. Bright Nights continues to be a popular event and last year there was a record attendance of 107,000 people.

Moved by Commissioner Woodcock,

- A. THAT the Board award the consultant's contract for Artistic Director of the 2010 Stanley Park Hallowe'en Ghost Train and Bright Nights in Stanley Park to Mortal Coil Performance Society for a total consulting fee of \$32,000 plus GST/HST and disbursements of a maximum of \$126,000 plus GST/HST, as set out in this report.**
- B. THAT no legal rights shall arise hereby, and none shall arise until execution of the contemplated contract. The Board may rescind this resolution at any time up to the execution of the contemplated contract.**

Board members discussed the motion. A Board member recommended that the Marketing Committee which is currently being formed, look into the Ghost Train event to see how sales can be enhanced.

The motion was put forward and it was Carried Unanimously.

VanDusen Botanical Garden – New Visitor Centre Award of Construction Contract

Board members received copies of a staff report dated March 12, 2010 recommending that the Board approve recommendations A to D.

Staff advised the Board that an Expression Of Interest was issued last fall, responses were received from eight firms, and after interviewing three of them a recommendation is being put forward in favor of Ledcor Construction Ltd.

Moved by Commissioner Blyth,

- A. THAT, subject to the conditions set out in these Recommendations, the General Manager of Parks and Recreation be authorized to enter into a contract with Ledcor Construction Limited for \$14,800,000, plus GST, with funding to be provided from the Capital Budget, the VanDusen Botanical Garden Association and funds from the Government of Canada Infrastructure Stimulus Fund.**

- B. THAT the General Manager of Parks and Recreation be authorized to execute and deliver on behalf of the Park Board all legal documents required to implement Recommendation A.**
- C. THAT all such legal documents be on terms and conditions satisfactory to the General Manager of Parks and Recreation in consultation with the Director of Legal Services.**
- D. THAT no legal rights or obligations will be created or arise by the Board's adoption of Recommendations unless and until such legal documents are executed.**

-Carried Unanimously.

Contract Award P2010-07 SP Sanitary Lift Stations

Board members received copies of a staff report dated March 01, 2010 recommending that the Board approve recommendations A to D.

Staff advised the Board that four lift stations currently need to be replaced, half of the cost (\$500,000) will be funded by the Board, and the other half will be funded by the federal government.

Moved by Commissioner Woodcock,

- A. THAT, subject to Recommendations B, C and D, the Board enter into a contract with Dayton & Knight Ltd. in the amount of \$204,815.00, plus applicable GST/HST, for Design Engineering - Stanley Park Sanitary Lift Stations 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 General Manager of the Park Board in consultation with the Director of Legal Services;**
- C. THAT, upon approval of the contract by the General Manager of the Park Board in consultation with the Director of Legal Services, 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.

MOTIONS

Moved by Commissioner Woodcock:

WHEREAS:

- 1. True Sport is a national movement for sport and community. Its core mission is to be a catalyst to help sport live up to its full potential as a public asset for Canada and Canadian society – making a significant contribution to the development of youth, the well-being of individuals, and quality of life in our communities;**
- 2. There is now evidence that sport’s benefits go far beyond the positive health effects of physical activity that have long been understood including:**
 - A healthier, more active population**
 - Improved school enrolment, attendance and achievement**
 - More employable youth with transferable life skills**
 - Less youth crime and gang involvement**
 - Lower rates of teen pregnancy and health risk behaviour**
 - More inclusive communities**
 - Higher levels of social capital and social trust**
 - Faster community integration of newcomers**
 - Improved inclusion, health and wellbeing of people with disabilities**
 - Strengthened Aboriginal communities and youth**
 - Improved workplace skills and productivity**
 - Enhanced sport tourism and neighbourhood renewal efforts**
 - Attraction of mobile knowledge workers and companies that hire them**
 - Improved environmental awareness and social mobilization;**
- 3. No other aspect of community life has demonstrated sport’s capacity to connect so many young people to positive adult role models and mentors, opportunities for positive development, and help in acquiring critical life skills;**
- 4. To gain these valuable benefits the sport we do must be good sport, built on the values of excellence, fair play, fun and inclusion;**
- 5. The Big City Mayors’ Caucus has declared itself a True Sport Community;**
- 6. The Vancouver Park Board has been an active supporter of the Active Communities and the Vancouver Sport Network;**

THEREFORE BE IT RESOLVED THAT the Vancouver Park Board actively support the City of Vancouver's declaration as a True Sport Community, joining over 1500 other True Sport communities, organizations, clubs, leagues, and teams across Canada.

BE IT FURTHER RESOLVED THAT the City of Vancouver encourage other Federation of Canadian Municipalities members to work towards the following True Sport principles:

- a. Ensuring equitable access to sport facilities and programs, especially for new Canadians, low income people and those with disabilities**
- b. Setting clear standards for ethical behaviour and inclusion for all municipally funded sport facilities and programs**
- c. Asking how sport can help advance key social and economic goals and developing strategies and linkages to make it happen**
- d. Facilitating dialogue between sport and other community organizations and working together to achieve community objectives**
- e. Developing an integrated community sport plan aimed at providing accessible, quality sport experiences to all community members.**

The following delegations requested to speak to the Board:

- Sharon Urton, Executive, Vancouver Sport Network
- Leslie Buchanan, Canadian Centre for Ethics in Sports
- Paul Gauthier, Gold and Bronze Paralympian

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

- Vancouver Sport Network (VSN) is an advisory body that grew out of the Park Board's initiative, based on the Canadian Sport For Life model.
- Asks the Park Board to support this motion and ensure that VSN procedures and protocols are acknowledged by all
- The vision is to encourage all Vancouver residents to be active for life, regardless of age gender or ethnicity
- The motion speaks to issues on True Sport which is an arm of the Canadian Ethics in Sport
- True Sport members stand together against cheating, bullying and aggressive behaviour, and True Sport members bring spirit of the movement with them wherever they go
- Community Sport is an invaluable public event and we need to ensure that everyone has the opportunity to participate
- Sport can influence us and teach us how to develop friendships and interests and how to achieve goals
- Sports open up many doors and this experience needs to be shared with young people so they can be inspired

Board members discussed the motion. A Board member suggested an amendment to the preamble 'Whereas' number six, and the addition of a subsequent resolution to the motion.

Moved by Commissioner Woodcock,

WHEREAS:

- 6. The Vancouver Park Board has been an active supporter of the Active Communities, the Vancouver Sports 4 Life program and the Vancouver Sport Network and Active Communities is aimed at promoting healthy lifestyle choices including increasing physical activity 20% by 2010 and the Vancouver Sport Network is the official advisory body linking sport stakeholders through the Vancouver Park Board with the City and other key service delivery agencies to steward the implementation of the Vancouver Sport Strategy and advise on sport related policy as well as facility and programming priorities.**

BE IT FURTHER RESOLVED THAT the Vancouver Park Board declare itself a True Sport organization.

A Board member requested that the amendment be severed.

The Preamble amendment was put forward and it was CARRIED UNANIMOUSLY.

The Resolution amendment was deemed out of order and therefore was not put to a vote.

The motion as amended was put forward and it was CARRIED UNANIMOUSLY.

The amended motion as approved by the Board is as follows:

WHEREAS:

- 1. True Sport is a national movement for sport and community. Its core mission is to be a catalyst to help sport live up to its full potential as a public asset for Canada and Canadian society – making a significant contribution to the development of youth, the well-being of individuals, and quality of life in our communities;**
- 2. There is now evidence that sport's benefits go far beyond the positive health effects of physical activity that have long been understood including:**
 - A healthier, more active population**
 - Improved school enrolment, attendance and achievement**

- **More employable youth with transferable life skills**
 - **Less youth crime and gang involvement**
 - **Lower rates of teen pregnancy and health risk behaviour**
 - **More inclusive communities**
 - **Higher levels of social capital and social trust**
 - **Faster community integration of newcomers**
 - **Improved inclusion, health and wellbeing of people with disabilities**
 - **Strengthened Aboriginal communities and youth**
 - **Improved workplace skills and productivity**
 - **Enhanced sport tourism and neighbourhood renewal efforts**
 - **Attraction of mobile knowledge workers and companies that hire them**
 - **Improved environmental awareness and social mobilization;**
3. **No other aspect of community life has demonstrated sport's capacity to connect so many young people to positive adult role models and mentors, opportunities for positive development, and help in acquiring critical life skills;**
 4. **To gain these valuable benefits the sport we do must be good sport, built on the values of excellence, fair play, fun and inclusion;**
 5. **The Big City Mayors' Caucus has declared itself a True Sport Community;**
 6. **The Vancouver Park Board has been an active supporter of the Active Communities, the Vancouver Sports 4 Life program and the Vancouver Sport Network and Active Communities is aimed at promoting healthy lifestyle choices including increasing physical activity 20% by 2010 and the Vancouver Sport Network is the official advisory body linking sport stakeholders through the Vancouver Park Board with the City and other key service delivery agencies to steward the implementation of the Vancouver Sport Strategy and advise on sport related policy as well as facility and programming priorities.**

THEREFORE BE IT RESOLVED THAT the Vancouver Park Board actively support the City of Vancouver's declaration as a True Sport Community, joining over 1500 other True Sport communities, organizations, clubs, leagues, and teams across Canada.

BE IT FURTHER RESOLVED THAT the City of Vancouver encourage other Federation of Canadian Municipalities members to work towards the following True Sport principles:

- f. **Ensuring equitable access to sport facilities and programs, especially for new Canadians, low income people and those with disabilities**

- g. Setting clear standards for ethical behaviour and inclusion for all municipally funded sport facilities and programs**
- h. Asking how sport can help advance key social and economic goals and developing strategies and linkages to make it happen**
- i. Facilitating dialogue between sport and other community organizations and working together to achieve community objectives**
- j. Developing an integrated community sport plan aimed at providing accessible, quality sport experiences to all community members.**

Moved by Commissioner Blyth,

WHEREAS young people need a place in our parks;

WHEREAS the Canadian Medical health survey conducted between 2007 - 2009 concluded the deterioration in fitness from age 6-19;

WHEREAS engaging youth in the design and public process is educational and beneficial to the future of our city;

WHEREAS there are not enough spaces for young people to be active in our city;

WHEREAS something simple like an art wall, skateboardable bench, bmx feature or an advanced climbing wall will increase the health and prosperity of our youth;

BE IT RESOLVED THAT all consultations regarding park renewals initiate contact with youth in the planning process, with the objective that all future park designs, where possible, will have at least one feature to accommodate young people's active lifestyles.

The following delegations requested to speak to the Board:

- Chris Young, Vancouver Skateboard Coalition
- Alan Bates

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

- Kids usually only attend consultation meetings if they include an activity that they are involved in; therefore, incorporating these initiatives in the design concepts would serve to attract youths in the consultation processes
- Applauds the Park Board for bringing this motion forward
- The motion is important as it includes initiatives to make Vancouver more inclusive for youths
- Most youths want more space to be engaged and need to be included in the community
- Consultation will foster a sense of involvement and pride

Board members thanked the delegations for their comments. A Board member advised that the motion was put forward to get young people more involved in the design phase of new facilities and thereby more involved in their communities. A Board member expressed concern as to whether the motion promotes giving a greater voice to one age bracket of the population over all the others and binds staff to do something that is already being done.

The motion was put forward and it was Carried (Commissioner Mackinnon and Commissioner Robertson contrary).

Moved by Commissioner Hundal,

WHEREAS the three HEAT shelters and four winter response homeless shelters in Vancouver are due to close on April 30, 2010;

WHEREAS all seven homeless shelters are operating at full capacity;

WHEREAS if the shelters close on April 30, over 600 people will be forced to sleep outside in the City, and quite likely seek shelter in public parks;

BE IT RESOLVED THAT Park Board staff report on the implications for parks of the closures of shelters; and

THAT the Park Board encourage the Province to continue to develop and fund emergency and interim housing options for Vancouver's street homeless.

The following delegation requested to speak to the Board:

- Alan Bates

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

- Shelters provide a refuge for those in society with mental illness, addiction and other problems who are in need of special care
- They provide a welcomed alternative to dispatching patients from hospitals unto the streets
- They have also led to a decrease in the number of people admitted to St. Paul's Hospital for mental illness and addiction
- The introduction of soccer teams for members of the downtown shelters has allowed these members to develop friendships, a sense of belonging and to even find jobs
- It has also reduced the number of hospital admittance
- Closure of these shelters would deny these people access to the care they receive from staff at the shelters
- The closures would more likely result in as many as 1000 people who will be forced to sleep outside in the City, far greater than the 600 stated in the motion

The Board thanked the delegation for its comments. Board members discussed the motion. A member of the Board stated that to support the motion a letter will be sent to all levels of government that can help to keep the shelters open. A Board member suggested an amendment to the resolution of the motion.

Moved by Commissioner Woodcock,

THAT The Park Board encourage the Province to continue to develop and fund emergency and interim housing options for Vancouver's street homeless that includes keeping our current HEAT shelters open past April 30th, 2010.

-Carried Unanimously.

The main motion as amended was put forward and it was Carried Unanimously.

Moved by Commissioner Robertson,

WHEREAS the seven elected commissioners are responsible for the policy direction of the Park Board and direct staff to deliver on the Park Board mandate to 'provide, preserve and advocate' that will benefit people, communities and the environment; and

WHEREAS the seven commissioners are elected by and accountable to the residents of Vancouver; and

WHEREAS Section 488 of the Vancouver Charter provides that the Park Board has exclusive possession of, and exclusive jurisdiction and control of all areas designated as permanent or temporary public parks of the City, and that the Park Board has custody, care and management of such areas belonging to or held by the City as Council may determine; and

WHEREAS the Vancouver Charter states that Council may add to the powers given to the Park Board by the Vancouver Charter (Section 489 (1)(p)); and

WHEREAS the precedent has been established that the General Manager of the Park Board reports to the Board of seven elected commissioners; and

WHEREAS the Police Chief of the Police Board and the Director of the Library Board report directly to their respective Boards, as per Provincial legislative authority;

THEREFORE BE IT RESOLVED THAT Council delegate authority to the Board of seven elected commissioners to be solely responsible to oversee the recruitment, selection, delegation of work-related tasks, and performance management for the General Manager of the Park Board in accordance with the established employment policies of the City of Vancouver.

A Board member advised that the motion advocates for the independent future of the Park Board to ensure that it is unencumbered by management action. As it now stands, the new General Manager will report to both the Board and the City Manager, while in the past the Board was solely responsible for the hiring and management of the General Manager, and the City Manager took on an advisory role. A Board member stated that the General Manager's role has always been under dual leadership as the position reports to the Board, as well as the City Manager on the budget and there is a need for alignment with the City. The Board is in the process of creating an official job description and the final decision on the General Manager selection will be made entirely by the Board. A Board member proposed that the motion be referred to a future Committee meeting.

Moved by Commissioner Woodcock,

THAT the motion be referred to a future Committee meeting after legal consultation.

- Defeated.

(Commissioner Woodcock contrary).

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

Enquiries, Other Matters and New Business

A Board member requested that staff look into whether it was the practice in the past to include the author's name on staff reports, as well as the name of the Commissioners.

A Board member announced that the Ross Street Sikh Temple along with the Punjabi Market Association will be celebrating Vaisakhi on April 10th, 2010 and it has been a tradition for the City to participate in these events, members of the Board were invited to attend the festivities.

A Board member acknowledged that "during the Olympics and Paralympics (that ended on March 21, 2010), newly developed Park Board facilities were showcased and events were successfully hosted at these facilities". The Board member thanked staff for their work in preparing the facilities and the roles they played during the Games.

A Board member mentioned that Board members should be called on to vote on whether late delegations are allowed to speak at the meetings and the Board also has to approve whether absent delegations can appoint someone else to speak on their behalf.

Moved by Commissioner Mackinnon,

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

- (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 Board, could reasonably be expected to harm the interests of the Park Board if they were held in public.**

In-camera Session

The Board exited the in-camera session and announced that the following motion was passed by the Board.

BE IT RESOLVED THAT the Board approve the following Board members to be part of the Selection Committee for the General Manager position of the Vancouver Park Board:

**Commissioner Aaron Jasper
Commissioner Constance Barnes
Commissioner Loretta Woodcock
Commissioner Stuart Mackinnon**

BE IT FURTHER RESOLVED THAT this Committee report back to the Board with their recommended candidate(s).

The meeting adjourned at 11:58 pm.

Peter Kuran
Acting General Manager

Commissioner Aaron Jasper
Chair