



REPORT TO COUNCIL
STANDING COMMITTEE OF COUNCIL
ON CITY SERVICES AND BUDGETS

SEPTEMBER 20, 2007

A Regular Meeting of the Standing Committee of Council on City Services and Budgets was held on Thursday, September 20, 2007, at 9:35 a.m., in the Council Chamber, Third Floor, City Hall.

PRESENT:

- Mayor Sam Sullivan
- Councillor Suzanne Anton
- Councillor Elizabeth Ball
- Councillor David Cadman
- Councillor Kim Capri
- Councillor George Chow *
- Councillor Heather Deal
- Councillor Peter Ladner (chair)
- Councillor B.C. Lee
- Councillor Raymond Louie
- Councillor Tim Stevenson

CITY MANAGER'S OFFICE: Judy Rogers, Tom Timm, Engineering Services
CITY CLERK'S OFFICE: Janice MacKenzie, Deputy City Clerk
Syd Baxter, City Clerk

* Absent for a portion of the meeting.

ADOPTION OF MINUTES

The Minutes of the Standing Committee on City Services and Budgets meeting of July 12, 2007 and July 26, 2007, were adopted.

RECOMMENDATION

1. Report Back - Commercial Solid Waste Diversion and Container Enforcement Strategy

The Committee had before it an Administrative Report dated September 3, 2007 in which the General Manager, Engineering provided Council with an update on the commercial solid waste diversion and container enforcement strategy.

Staff (Chris Underwood) from Solid Waste Management of Engineering Services responded to questions regarding the report and concerns of Council.

MOVED by Councillor Louie
THAT the Committee recommend to Council

That Council receive this report for INFORMATION.

CARRIED UNANIMOUSLY

2. Enactment of a new Health By-law

Council had before it an Administrative Report dated August 1, 2007 in which the Deputy General Manager of Community Services and Regional Director, Health Protection, Vancouver Coastal Health recommended to Council that the existing Health By-law be repealed, that staff be directed to bring forward an abridged health by-law as set out in the report for Council's consideration, and that the new smoking provisions of that by-law be withheld for six months.

Mr. David McLennan, Deputy General Manager of Community Services and Nick Losito, Health Protection, Vancouver Coastal Health made introductory remarks and responded to questions from Council.

Council heard from thirteen speakers, the majority of which spoke in favour of the report recommendations except for a few speakers who indicated that the proposed smoking by-law changes should not apply to cigar smoking clubs and hookah lounges and that the proposed language of the by-law should be easier to understand.

MOVED by Councillor Anton
THAT the Committee recommend to Council

- A. THAT Council repeal the Health By-law;
- B. THAT Council enact an abridged health by-law, generally as set out in Appendix A, that eliminates health regulations duplicated in provincial or other municipal legislation or suitable for inclusion in more appropriate by-laws; except that 1) Council does not support section 2.2b and, 2) Council defers section 2.2(a)iii for further advice from staff.
- C. THAT Council amend the:
 - (i) Building By-law, generally as set out in Appendix B, primarily to regulate the design and construction of marinas,
 - (ii) Standards of Maintenance By-law, generally as set out in Appendix C, to require owners to keep their property free from pests, and to eliminate infestations, and

- (iii) License By-law, generally as set out in Appendix D, mainly to regulate marina operators;
- (iv) Solid Waste By-law, generally as set out in Appendix F, to regulate garbage containers;
- (v) Street and Traffic By-law, generally as set out in Appendix G, to regulate littering on streets;
- (vi) Smoking Provisions of the Health By-law as set out in Appendix A, to remove an exemption for tobacco retailers, prohibit smoking on patios, control smoking at the front entry of buildings and prohibit smoking in transit shelters;

D. THAT Council authorize the Director of Legal Services to bring forward for enactment a new health by-law, and amendments to the Building By-law, Standards of Maintenance By-law, and License By-law, generally as set out in Appendices A, B, C, D, F and G,

E. THAT enforcement of the new smoking provisions of the Health By-law be withheld for 6 months so that staff can embark on a campaign to educate the public and businesses as to the new smoking provisions in the Health By-law.

AMENDMENT MOVED by Councillor Cadman

THAT part B of the motion be amended to replace 'Council defers section 2.2(a)iii for further advice from staff' to 'Council retain 2.2(a)iii but allow the existing hookah and cigar lounges to be exempted until further advice from staff.' Part B of the motion to read as follows:

THAT Council enact an abridged health by-law, generally as set out in Appendix A, that eliminates health regulations duplicated in provincial or other municipal legislation or suitable for inclusion in more appropriate by-laws; except that 1) Council does not support section 2.2b and, 2) Council retain 2.2(a)iii but allow the existing hookah and cigar lounges to be exempted until further advice from staff.

Carried unanimously
(Councillor Chow absent for the vote)

The amendment having carried unanimously, Parts A, C, D, E of Councillor Anton's motion were put and CARRIED UNANIMOUSLY with Councillor Chow absent for the vote.

FINAL MOTION AS APPROVED

That the Committee recommend to Council

- A. THAT Council repeal the Health By-law;

- B. THAT Council enact an abridged health by-law, generally as set out in Appendix A, that eliminates health regulations duplicated in provincial or other municipal legislation or suitable for inclusion in more appropriate by-laws; except that 1) Council does not support section 2.2b and, 2) Council retain 2.2(a)iii but allow the existing hookah and cigar lounges to be exempted until further advice from staff.

- C. THAT Council amend the:
 - (i) Building By-law, generally as set out in Appendix B, primarily to regulate the design and construction of marinas,
 - (ii) Standards of Maintenance By-law, generally as set out in Appendix C, to require owners to keep their property free from pests, and to eliminate infestations, and
 - (iii) License By-law, generally as set out in Appendix D, mainly to regulate marina operators;
 - (vii) Solid Waste By-law, generally as set out in Appendix F, to regulate garbage containers;
 - (viii) Street and Traffic By-law, generally as set out in Appendix G, to regulate littering on streets;
 - (ix) Smoking Provisions of the Health By-law as set out in Appendix A, to remove an exemption for tobacco retailers, prohibit smoking on patios, control smoking at the front entry of buildings and prohibit smoking in transit shelters;

- F. THAT Council authorize the Director of Legal Services to bring forward for enactment a new health by-law, and amendments to the Building By-law, Standards of Maintenance By-law, and License By-law, generally as set out in Appendices A, B, C, D, F and G,

- G. THAT enforcement of the new smoking provisions of the Health By-law be withheld for 6 months so that staff can embark on a campaign to educate the public and businesses as to the new smoking provisions in the Health By-law.

3. Vancouver Athletic Commission - Sanctioning of Combat Sports

Council had before it an Administrative Report dated August 21, 2007 in which the City Clerk put forward for Council's consideration two options regarding the Vancouver Athletic Commission and the sanctioning of combat sports.

The Director of Risk Management made brief comments on the report and summarized the options proposed by staff. Staff responded to questions from Council.

Council heard six speakers, all of which spoke in favour of the sanctioning of ultimate fighting and mixed martial arts by the Vancouver Athletic Commission and commented on the degree of risk associated with this type of combat sport versus older forms of combat sport such as boxing.

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Note from Clerk: The Committee heard from speakers on item 3 prior to recessing at 12:55 p.m. The Committee returned to item 3 upon reconvening at 2:05 p.m. and completed consideration of this item.

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MOVED by Councillor Capri
THAT the Committee recommend to Council

- A. THAT Council approach UBCM with the request that the Province of British Columbia establish a provincial body for the purpose of regulating and supervising professional boxing, kick-boxing, wrestling, ultimate fighting, and mixed martial arts contests and exhibitions;
- B. THAT Council direct the Vancouver Athletic Commission to cease sanctioning UF/MMA contests and exhibitions in the City until such time as staff report back with information as requested by Council; and
- C. THAT, in the interim, staff report back to Council with the information concerning:
 - i. The role of the Athletic Commission, its regulatory function, and governance options;
 - ii. Succession planning regarding Commission members
 - iii. The support and tools required by the Athletic Commission to be effective in fulfilling their role;
 - iv. Comments from the Vancouver City Police regarding ultimate fighting and mixed martial arts (UF/MMA)
 - v. Comments from the Vancouver Athletic Commission regarding UF/MMA;
 - vi. Financial implications associated with a decision to disallow UF/MMA at City owned or operated facilities; and
 - vii. Options for cost recovery concerning the Athletic Commission and the related support and tools.

CARRIED UNANIMOUSLY

4. Marie Gomez Place (590 Alexander Street): Termination of Lease, Relocation of Tenants and Demolition of Building

Council had before it an Administrative Report dated September 4, 2007 in which the Director of the Housing Centre recommended to Council that the lease for Marie Gomez Place be terminated, that the tenants be relocated, and the building demolished.

Cameron Gray, Director of the Housing Centre responded to questions.

MOVED by Councillor Louie

THAT the Committee recommend to Council

- A. THAT Council approve, in respect to Marie Gomez Place (590 Alexander St., Lots 14-16, Block 42, District Lot 196, Plan 196, PID 013-658-034,042 and 069) the Memorandum of Understanding attached as Appendix A between the City, BC Housing and the DERA Housing Society to terminate the lease, relocate the tenants, and demolish the building;
- B. THAT the Director of Legal Services be authorized to execute the necessary legal agreements on behalf of the City, noting that no legal rights or obligations shall arise or be created until all the necessary documentation is finalized and fully executed on terms and conditions to the satisfaction of the City's Director of Legal Services; and
- C. THAT Council approve a grant of approximately \$48,000 (\$47,548 as of the end of August 2007) to the DERA Housing Society to cover the cost of unpaid property taxes for Marie Gomez Place (590 Alexander St.) with the source of funding to be the Affordable Housing Fund.

CARRIED UNANIMOUSLY

The Committee adjourned at 2:25 p.m.

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CITY OF VANCOUVER

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

SEPTEMBER 20, 2007

A Regular Meeting of the Council of the City of Vancouver was held on Thursday, September 20, 2007, at 2:25 pm., in 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 Sam Sullivan
- Councillor Suzanne Anton
- Councillor Elizabeth Ball
- Councillor David Cadman
- Councillor Kim Capri
- Councillor George Chow
- Councillor Heather Deal
- Councillor Peter Ladner
- Councillor B.C. Lee
- Councillor Raymond Louie
- Councillor Tim Stevenson

CITY MANAGER'S OFFICE: Tom Timm, Engineering Services

CITY CLERK'S OFFICE: Janice MacKenzie, Deputy City Clerk

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson

SECONDED by Councillor Anton

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

COMMITTEE REPORTS

Report of Standing Committee on City Services and Budgets

September 20, 2007

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. Report Back - Commercial Solid Waste Diversion and Container Enforcement Strategy
2. Enactment of a new Health By-law

3. Vancouver Athletic Commission - Sanctioning of Combat Sports
4. Marie Gomez Place (590 Alexander Street): Termination of Lease, Relocation of Tenants and Demolition of Building

Items 1 - 4

MOVED by Councillor Chow

THAT the recommendations and actions taken by the Standing Committee on City Services and Budgets at its meeting of September 20, 2007, as contained in items 1 - 4, be approved.

CARRIED UNANIMOUSLY
AND ITEM 4 BY THE REQUIRED MAJORITY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Deal

THAT the Committee of the Whole rise and report.

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Lee
SECONDED by Councillor Ball

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

NEW BUSINESS

1. Climate Protection Progress Report - 2007

At the Regular Council meeting following the Standing Committee on City Services and Budgets held July 26, 2007 Councillor Cadman gave notice of the following motion. In accordance with Section 5.4(c) of the Procedure By-law, the motion will be placed on the Agenda of the next Regular Council meeting which follows the Standing Committee on Planning and Environment on September 20, 2007.

MOVED by Councillor Cadman
SECONDED by Councillor Louie

WHEREAS

- A. Vancouver has a goal of being the most sustainable city in the world;

- B. The World Mayors Council on Climate Change in Kyoto, February 2007 adopted GHG reduction targets of 30 percent by 2020 and 80 percent reduction by 2050;
- C. The Cool Vancouver Task Force developed a Community Climate Change Action Plan that called for a 2012 community Greenhouse Gas (GHG) emissions reduction target of 6 percent below 1990 levels;
- D. Community GHG emissions in Vancouver have, however, increased by 5 percent between 1990 and 2006; and
- E. Council unanimously passed a motion on June 24, 2007 setting a target of a city-wide reduction of 33 percent of current GHG emissions by 2020 and an 80 percent reduction by 2050, with carbon neutrality for all new buildings by 2030.

THEREFORE BE IT RESOLVED THAT:

Council reconvene the Cool Vancouver Task Force; and

Direct the Task Force to amend, adapt and otherwise revamp the Cool Vancouver Climate Change Action Plan to meet Council's stated target of a city-wide reduction of GHG emissions by 33 percent below current levels by 2020.

The Council adjourned at 2:30 p.m.

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