



**AGENDA FOR THE REGULAR MEETING OF COUNCIL TO COMMENCE AT 6:00 P.M., AND A FINANCE COMMITTEE MEETING TO COMMENCE AT 7:00 P.M., IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14<sup>TH</sup> STREET, NORTH VANCOUVER, B.C., ON MONDAY, JANUARY 18, 2010.**

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**COUNCIL MEETING – 6:00 P.M.**

**“LIVE” BROADCAST VIA CITY WEB SITE [www.cnv.org](http://www.cnv.org)**

**Shaw Cable will broadcast at 1:30 p.m. Saturday**

**ADOPTION OF MINUTES**

1. [Regular Council Meeting Minutes, January 11, 2010.](#)
2. In Camera Committee of the Whole Meeting Minutes, January 11, 2010.

**PUBLIC INPUT PERIOD – 6:00 P.M. – File: 1090-21**

The time allotted for each speaker appearing before Council during the Public Input Period is two minutes. The maximum number of speakers during the Public Input Period is set at five persons.

The Public Input Period provides an opportunity for the public to speak directly to Council on items on the Council agenda and to any topic the speaker feels is of relevance to City Council.

The Public Input Period provides an opportunity for input only, without the expectation of response from Council and places the speaker's concern on the record.

Speakers are requested to place their name on the sign up sheet in order to speak during the Public Input Period. The sign up sheet will be available on the table in the lobby outside the Council Chamber from 5:30 p.m., until 6:00 p.m., on the night of the Council meeting. The Mayor will invite those wishing to speak in the order that their name appears on the sign up sheet.

Speakers are requested to omit addressing items that refer to items on the agenda from a concluded Public Hearing/Public Meeting and to Public Hearings, Public Meetings, Policy Committee and Finance Committee meetings, when these meetings are scheduled on the same evening's agenda.

Speakers may speak only once at the Public Input Period.

When appearing before Council, speakers are requested to state their name and address for the record.

Please address the Mayor as Mayor Mussatto or Your Worship and please address Councillors as Councillor followed by their surname.

## **CONSENT AGENDA ITEMS**

**{Items \*7, \*8 and \*9}**

The following items \*7, \*8 and \*9 **{See Agenda Pages 6 and 7}** are listed in the Consent Agenda and may be considered separately or considered in one motion:

### **RECOMMENDATION:**

**THAT** the resolutions listed within the “Consent Agenda” be approved.

### **CITY CLERK’S RECOMMENDATION:**

**THAT** the Council recess to the Committee of the Whole In Camera, to consider the item as listed under the Committee of the Whole Section of the Council Agenda, for the following reason:

3. Section 90(1) (c)

Sections 89 (1), 89 (2), 90 (1), 90 (2), 90 (3) and 92 are listed in their entirety within this agenda package.

## **COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS**

### **3. Labour Matter – File: 1800-06**

Confidential Information Reports: City Manager, January 4, 2010 and January 14, 2010.

## **REPORT OF COMMITTEE OF THE WHOLE**

## **PROCLAMATIONS**

### **BYLAWS - Reconsideration and Final Adoption**

4. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8048” (AMS Design & Project Management Co. Ltd., AVESTA Apartments at 1629 St. Georges Avenue Ltd./Arc Homes Ltd., 1629 St. Georges Avenue, CD-579).

**BYLAWS - Reconsideration and Final Adoption**

5. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8022” (David Wolstenholme/Integra Architecture Inc., 346 East 8<sup>th</sup> Street, CD-577).

**STEP 1:** THAT third reading of Bylaw No. 8022 be rescinded.

**STEP 2:** Question on the motion to rescind third reading.

**STEP 3:** THAT Bylaw No. 8022 be amended as follows:

By deleting Section 3(b)(7) in its entirety and replacing it with the following:

“3(b)(7) There will be no on-site parking stalls until a driveway can be built from the rear lot line and laneway;”

By deleting Section 3(b)(8) in its entirety and renumbering the subsequent sections accordingly.

**STEP 4:** Question on the amendment.

**STEP 5:** Question on second reading of Bylaw No. 8022, as amended.

**STEP 6:** THAT Bylaw No. 8022, as amended, be read a third time in short form and passed subject to reconsideration.

**STEP 7:** THAT Bylaw No. 8022, as amended, be reconsidered.

**STEP 8:** THAT Bylaw No. 8022, as amended, be finally adopted.

See [Information Report of the City Planner dated January 13, 2010.](#)

6. “Heritage Designation Bylaw, 2009, No. 8023” (David Wolstenholme / Integra Architecture Inc., 346 East 8<sup>th</sup> Street).

**FINANCE COMMITTEE – 7:00 P.M.**

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**Re:** City of North Vancouver’s 2010-2019 Financial Plan  
File: 1650-02

**Chair:** Mayor Darrell R. Mussatto

**Purpose:** The community is invited to attend and participate in the consideration by Finance Committee of the **City of North Vancouver’s proposed 2010-2019 Financial Plan.**

There will be a presentation that will outline City revenues and program expenditures, along with potential funding options. The meeting will also provide information on the following:

1. Proposed Tax Rate Increase Options for 2010
2. Values of City-Owned Assets and Reserves
3. City Funding of Social Service Agencies
4. Proposed User Fees for Street Parking on Lonsdale (User Pay Parking)

Council invites community participation in the 2010 financial planning process.

**AGENDA**

- (a) Opening Comments .....City Manager
- (b) [Review of 2010 Draft Operating Budget](#).....Director of Finance
- (c) [Values of City-Owned Assets](#).....Manager of Financial Services
- (d) [User-Pay Parking](#) ..... Director of Corporate Services
- (e) Public input – 5 Minutes per Speaker  
During the Public Input, any questions the speaker may have for staff will be dealt with as part of the 5 minute timeline and will be responded to after the conclusion of the presentation by the speaker.
- (f) Questions/Comments..... Finance Committee

*Continued...*

**FINANCE COMMITTEE – Continued**

(g) **RECOMMENDATION:**

**PURSUANT** to the report of the Director of Finance, dated January 13, 2010, entitled “2010 Draft Operating Budget”:

**THAT** Council supports the budget reductions endorsed by the City’s Directors’ Team that are listed in the January 13, 2010 report;

**AND THAT** staff bring forward in a timely manner the appropriate Financial Plan Bylaw (2010 to 2019) and options for allocation among tax classes, which reflects an overall tax rate increase for 2010 of 2.95%, based on Tax Increase Scenario #2 of the January 13, 2010 report, which includes endorsement of the implementation of user pay parking as described in the “User Pay Parking” report of the Director of Corporate Services, dated January 12, 2010.

(h) **RECOMMENDATION:**

**PURSUANT** to the report of the Manager, Financial Services, dated January 11, 2010, entitled “Tangible Capital Asset Inventory and Valuation”:

**THAT** the implications of the City’s policy for the management of tangible capital assets and its relationship to long term financial planning be discussed in the Council Workshop to be arranged in February, 2010.

(i) **RECOMMENDATION:**

**PURSUANT** to the report of the Community Planners, dated January 5, 2010, entitled “Impacts of Economic Times on Social Service Agencies – Follow-up Report”:

**THAT** current supports to the non-profit community agencies through the existing community-based grant processes, including core funding be continued, and not reduced;

**AND THAT** staff continue to seek other means of municipal support to the social service sector as noted in the January 5, 2010 report.

(j) Adjournment

## **START OF CONSENT AGENDA ITEMS**

### **BYLAWS - Reconsideration and Final Adoption**

- \*7. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8061" (Villa St. George's/Chercover Massie & Associates Ltd., 1033 St. George's Avenue, CD-581).

#### **RECOMMENDATIONS:**

**THAT** the said Bylaw No. 8061 be reconsidered.

**THAT** the said Bylaw No. 8061 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

## **REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF**

- \*8. **Core / Operating Support for Major Arts Organizations: Interim Funding, 2010 – File: 1010-04**

Report: [Cultural Development Officer, North Vancouver Office of Cultural Affairs, January 8, 2010.](#)

[Attachment 1](#)

#### **RECOMMENDATION:**

**PURSUANT** to the report of the Cultural Development Officer, North Vancouver Office of Cultural Affairs, dated January 8, 2010, entitled "Core / Operating Support for Major Arts Organizations: Interim Funding, 2010":

**THAT** interim funding in the amount of \$297,333 for the four major arts organizations identified in the January 8, 2010 report, this amount being equivalent to one half of their annual, bi-municipal Core/Operating Support grants, be approved;

**AND THAT** the District of North Vancouver be invoiced for their contribution to this grant program in accordance with the established funding agreement;

**AND THAT** the final balance of the 2010 Core/Operating Support grant be disbursed in full on or after June 30, 2010, further to Council's final approval of the budget.

**\*9. Foot of Lonsdale Deck – Partial Replacement – File: 3380-02-V3-03-06**

Report: [Manager, Engineering, Planning & Design, January 12, 2010.](#)

[Attachment 1](#)

**RECOMMENDATION:**

**PURSUANT** to the report of the Manager, Engineering, Planning & Design, dated January 12, 2010, entitled “Foot of Lonsdale Deck – Partial Replacement”:

**THAT** (Funding Appropriation No. 1001) an amount of \$125,000 be appropriated from the Lower Lonsdale Amenity Reserve for the purpose of funding the partial replacement of the Foot of Lonsdale deck;

**AND THAT** the Lower Lonsdale Amenity Reserve be replenished by the amount used by this project from the developers’ contribution scheduled to be received as part of the requirements for Phase 3 of the Pier Development;

**AND THAT** should any of the above amount remain unexpended after three years from the date of adoption of this resolution, the unexpended balance shall be returned to the credit of the said Reserve Fund.

**END OF CONSENT AGENDA**

**COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS**

- Continued

**REPORT OF THE COMMITTEE OF THE WHOLE - Continued**

**RECESS: Public Question Period Limited to Items on the Agenda  
- TEN MINUTES TOTAL**

The recess for the Public Question Period is limited to items on the Council agenda only. The entire recess period cannot be longer than ten minutes and this is for everyone, not just one individual. If there are two or more persons asking questions, the Mayor will divide the ten minutes equally between each individual. Then the Mayor will ask each individual "What is your question"? and decide if the question is related to an item on the Council agenda. Once the ten minute recess period is up, the recess shall be declared over and the Council meeting reconvened.

**INQUIRIES**

**ANY OTHER BUSINESS – NEW ITEMS**

**ADJOURNMENT**

# COMMUNITY CHARTER

## Division 3 – Open Meetings

### General rule that meetings must be open to the public

- 89** (1) A meeting of a council must be open to the public, except as provided in this Division.
- (2) A council must not vote on the reading or adoption of a bylaw when its meeting is closed to the public.

### Meetings that may or must be closed to the public

- 90** (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:
- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
  - (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
  - (c) labour relations or other employee relations;
  - (d) the security of the property of the municipality;
  - (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 municipality;
  - (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
  - (g) litigation or potential litigation affecting the municipality;
  - (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the council or a delegate of council;
  - (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 of the *Freedom of Information and Protection of Privacy Act*;
  - (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

Continued....

## Meetings that may or must be closed to the public – Continued

- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [*annual municipal report*];
  - (m) a matter that, under another enactment, is such that the public may be excluded from the meeting;
  - (n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);
  - (o) the consideration of whether the authority under section 91 [*other persons attending closed meetings*] should be exercised in relation to a council meeting.
- (2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:
- (a) a request under the *Freedom of Information and Protection of Privacy Act*, if the council is designated as head of the local public body for the purposes of that Act in relation to the matter;
  - (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;
  - (c) a matter that is being investigated under the *Ombudsman Act* of which the municipality has been notified under section 14 [*ombudsman to notify authority*] of that Act;
  - (d) a matter that, under another enactment, is such that the public must be excluded from the meeting.
- (3) If the only subject matter being considered at a council meeting is one or more matters referred to in subsection (1) or (2), the applicable subsection applies to the entire meeting.

## Requirements before meeting is closed

- 92** Before holding a meeting or part of a meeting that is to be closed to the public, a council must state, by resolution passed in a public meeting,
- (a) the fact that the meeting or part is to be closed, and
  - (b) the basis under the applicable subsection of section 90 on which the meeting or part is to be closed.



# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## City Clerk's Department Procedures

### DELEGATIONS

"Delegation" is the term used to define the process whereby an individual appears before the City Council in order to make a presentation, enter a request for action, register a complaint, bring Council up to date on a project/idea/concept, or to provide further information on an issue currently before the Council for a decision.

The procedure for a member of the public to appear as a delegation is as follows:

- submit a written request to the City Clerk by <sup>1</sup>fax, email, letter, or memo no later than noon on the Wednesday preceding the regular Monday Council meeting at which they wish to appear. Such written request should include the subject matter to be discussed with Council, complete with all relevant information, and specify the preferred date they wish to be received (heard). (Note: The earlier this request is submitted, the better the chance to obtain the preferred meeting night.)
- The City Clerk will assign an appropriate date. Every effort is made to assign a date as soon as possible depending on various factors such as whether or not a staff report is pending that should be considered by Council at the same time as the delegation appears, or upon whether timeliness is an issue.
- The City Clerk will respond to the request by telephone or in writing advising the date of the Monday Council meeting when they are scheduled, the time they should appear and advising that they are limited to a 10 minute presentation. (The Clerk's response will clarify that the presentation is limited to 10 minutes regardless of the number of people in the delegation, i.e. one person gets 10 minutes, two or more people split up the 10 minutes however they wish.) The response will also affirm that the City must be in receipt of any presentation brief to be put to Council no later than noon of the Wednesday (5 days) prior to the scheduled Council Monday meeting delegation appearance.

Those persons appearing before Council as a delegation should be aware of the following matters of protocol:

- The Mayor should be addressed as "Your Worship" or "Mayor Mussatto";
- the Councillors should be addressed as "Councillor <name>" (being certain to include the title Councillor in front of their name);
- staff should be addressed either by title, e.g. the 'City Clerk', 'Director, Community Development', 'City Manager', 'Director of Finance', or by name, e.g. Ms. Dowey, Mr. White, Mr. Tollstam, or Ms. Gordon, respectively

and all responses to Council or staff should be addressed through the Mayor.

It is understandable that delegates will be nervous, but remember that Council is very familiar with this process and is very understanding of the nervousness and tries to set a comfortable and welcoming scenario for all. Council is very sympathetic, wants to entertain delegations, and wants to encourage participation. So, remember Council wants you to come forward and be heard; so 'speak up' because you are important and 'you do make a difference'.

The opportunity to appear as a delegation is at the privilege of Council so use the time wisely to make succinct, salient points. Upon completion of your presentation, Council will ask questions if they feel clarification is required.

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<sup>1</sup> Fax: 604-985-9417  
Email: [sdowey@cnv.org](mailto:sdowey@cnv.org)  
Address: 141 West 14<sup>th</sup> Street, North Vancouver BC V7M 1H9



## THE CORPORATION OF THE CITY OF NORTH VANCOUVER

### PUBLIC INPUT PERIOD - GUIDELINES

The following guidelines apply to the Public Input Period held before Council to afford citizens an opportunity to address Council:

- The time allotted for each speaker appearing before Council during the Public Input Period is two minutes.
- The maximum number of speakers during the Public Input Period is set at five persons.
- The Public Input Period provides an opportunity for the public to speak directly to Council on items on the Council agenda and to any topic the speaker feels is of relevance to City Council.
- The Public Input Period provides an opportunity for input only, without the expectation of response from Council. It is an opportunity to provide input and places the speaker's concern on the record.
- Speakers are requested to place their name on the sign up sheet in order to speak during the Public Input Period. The sign up sheet will be available on the table in the lobby outside the Council Chamber from 5:30 p.m., until 6:00 p.m., on the night of the Council meeting.
- The Mayor will invite those wishing to speak in the order that their name appears on the sign up sheet.
- Speakers are requested to omit addressing items that refer to items on the agenda from a concluded Public Hearing/Public Meeting and to Public Hearings, Public Meetings, Policy Committee and Finance Committee meetings, when these meetings are scheduled on the same evening's agenda.
- Speakers may not speak disrespectfully of any Council Member, staff member, or any other person and must not use offensive words or gestures.
- Speakers may speak only once at the Public Input Period.
- When appearing before Council, speakers are requested to state their name and address for the record.
- Please address the Mayor as Mayor Mussatto or Your Worship.
- Please address Councillors as Councillor followed by their surname.