

2009 FEBRUARY 16

An 'Open' meeting of the City Council was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2009 February 16 at 6:30 p.m. followed immediately by a 'Closed' meeting from which the public was excluded. At the conclusion of the 'Closed' meeting, the 'Open' meeting was reconvened at 7:00 p.m. in the Council Chamber.

PRESENT: His Worship, Mayor D.R. Corrigan, In the Chair
Councillor P. Calendino
Councillor R. Chang
Councillor S. Dhaliwal
Councillor D. Johnston
Councillor C. Jordan
Councillor P. McDonell
Councillor N.M. Volkow

ABSENT: Councillor A. Kang

STAFF: Mr. R.H. Moncur, City Manager
Mr. C.A. Turpin, Deputy City Manager
Mr. L. Chu, Director Engineering
Mr. R. Earle, Director Finance
Mr. D. Ellenwood, Director Parks, Recreation & Cultural Services
Mr. B. Luksun, Director Planning & Building
Mr. B. Rose, City Solicitor
Ms. A. Lorentsen, Administrative Officer Operations
Ms. B. Zeinabova, A/Administrative Officer Operations

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JORDAN:

"THAT the 'Open' Council meeting do now reconvene."

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened in the Council Chamber at 7:08 p.m.

P R O C L A M A T I O N S

His Worship, Mayor Derek R. Corrigan proclaimed 2009 March 04 as "***TB Vets Day***" in the City of Burnaby.

His Worship, Mayor Derek R. Corrigan proclaimed 2009 March as "***Community Social Services Awareness Month***" in the City of Burnaby.

His Worship, Mayor Derek R. Corrigan proclaimed 2009 February 16th to 22nd as ***"Heritage Week"*** in the City of Burnaby.

His Worship, Mayor Derek R. Corrigan proclaimed 2009 March as ***"Kidney Health Month"*** in the City of Burnaby.

1. MINUTES

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR McDONELL:

"THAT the minutes of the 'Open' Council meeting held on 2009 February 09 be now adopted."

CARRIED UNANIMOUSLY

2. DELEGATIONS

The following wrote requesting an audience with Council:

A) Karen Wong

Re: Concerns Regarding the Noise Bylaw

Speakers: Karen Wong
Carl Schrack

B) John Raue

Re: Environment and Garbage Pick Up

Speaker: John Raue

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR McDONELL:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- A) **Mr. Carl Schrack**, 3622 Lynndale Crescent, and **Ms. Karen Wong**, 3631 Lynndale Crescent, Burnaby appeared before Council to express their support for the introduction of a fine system for infractions of the City's Noise Bylaw. Mr. Schrack advised there is a house in their Government Road neighbourhood, currently occupied by the owner's son and his friends, who repeatedly violate the Noise Bylaw and the situation is having a negative impact on the community. The speaker noted calls are placed to the RCMP a couple of times each month,

mostly on the weekends, and stated his belief that there are better uses of RCMP services.

The delegation presented a petition by area residents suggesting a fining system added to the Noise Bylaw would be an effective method to encourage residents and owners to be a part of the neighbourhood and keep noise at an acceptable level as well as reduce the time spent by the RCMP on enforcing the Noise Bylaw.

Arising from consideration of the presentation by the delegation, His Worship Mayor Derek R. Corrigan advised the RCMP Superintendent would be notified of the situation and asked to make clear to the people involved that this situation is not acceptable.

- B) **Mr. John Raue**, 5668 Chaffey Avenue, Burnaby, appeared before Council to express concern about the proposed changes to garbage pick up services and taxes. The delegation stated there are inequities in the determination of the fee structures as rates will be applied to garbage and recycling collection for single, two-family and multi-family residences. Mr. Raue noted the "green rebates" would not be differentiated and distributed on the same basis.

The speaker claimed there has already been considerable cost incurred by the City for the new automated garbage and yard waste collection system and he suggests the new system will not be cost neutral as proposed.

3. REPORTS

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT Council do now resolve itself into a Committee of the Whole."

CARRIED UNANIMOUSLY

- A) **Environment Committee**
Re: Environment Week 2009 and the 2009
Environment Awards Program
Call for Nominations

The Environment Committee submitted a report seeking Council approval of the preliminary approach for the planning of Environment Week 2009 and to initiate the 2009 Environmental Awards Program call for nominations.

The Environment Committee recommended:

1. THAT Council approve the approach, as outlined in this report, for the planning of this year's Environment Week, scheduled for 2009 June 1 to June 7.
2. THAT Council approve the call for nominations for the 2009 Environmental Awards Program, including an amendment to the Terms of Reference, as outlined in this report.
3. THAT Council approve an expenditure of \$3,000, from the Council Committees and Boards' operating budget, for placement of advertisements in the local newspaper for the Environmental Awards call for nominations.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR DHALIWAL:

"THAT the recommendations of the Environment Committee be adopted."

CARRIED UNANIMOUSLY

B) Executive Committee of Council
Re: Grant Applications

The Executive Committee of Council recommended:

#09/09 Apex Volleyball Club

1. THAT a grant in the amount of \$375 be awarded to the Apex Volleyball Club to assist with travel expenses for Florian Zhou, Zainen Suzuki and Brandon Chin to participate at the 2009 Western Canadian Volleyball Championships to be held in Calgary, Alberta, 2009 May 16 to 18.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

#09/10 Scouts Canada – Pacific Coast Council

1. THAT a grant in the amount of \$4,500 be awarded to Scouts Canada – Pacific Coast Council for 2009.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

#09/11 Big Sisters of BC Lower Mainland

1. THAT a grant in the amount of \$3,000 be awarded to Big Sisters of BC Lower Mainland for 2009.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

#09/12 Burnaby Seniors Outreach Services Society

1. THAT a grant in the amount of \$2,000 be awarded to Burnaby Seniors Outreach Services Society for 2009.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

**C) Executive Committee of Council
Re: Coastal Sound International Choral
Festival**

The Executive Committee of Council submitted a report providing information regarding a request by Coastal Sound International Choral Festival for grant funds. The biennial festival is an opportunity for young people from around the world to experience musical excellence and to gain skills in leadership and global citizenship by coming together in Burnaby at Simon Fraser University.

1. THAT Council award a grant in the amount of \$7,500 to Coast Sound International Choral Festival to assist with the costs associated with hosting their third biennial event in Burnaby, 2009 June 29 to July 04

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

At the request of Council, the Director Parks, Recreation and Cultural Services advised that he would extend an invitation to this group to perform in the upcoming Summer Sundays at Civic Square.

D) Transportation Committee
Re: Burnaby Heights/Capitol Hill Traffic
Issues

The Transportation Committee submitted a report on the proposed process to address the traffic issues (non-local traffic, traffic volume, traffic speed, noise and pedestrian safety) raised by residents in the Burnaby Heights and Capitol Hill neighbourhoods.

The Transportation Committee recommended:

1. THAT Council authorize staff to proceed with the neighbourhood traffic consultation process as outlined in this report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR DHALIWAL:

"THAT the recommendation of the Transportation Committee be adopted."

CARRIED UNANIMOUSLY

- E)** The City Manager presented a report dated 2009 February 16 on the matters listed following as Items 01 to 12 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Summary of Lower Mainland Treaty Advisory Committee (LMTAC) Interests Regarding Common Table Negotiations

The City Manager submitted a report from the Director Planning and Building requesting Council endorsement of the *"Summary of LMTAC Interests Regarding Common Table Negotiations"* as input to the Provincial government in their development of a response to the *Common Table* discussions with First Nations.

The City Manager recommended:

1. THAT Council endorse the *"Summary of LMTAC Interests Regarding Common Table Negotiations"*, as prepared by the Lower Mainland Treaty Advisory Committee (LMTAC).
2. THAT Council forward a copy of this report to Ms. Regan Schlecker, Managing Director, Lower Mainland Treaty Advisory Committee (LMTAC).

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

"THAT the recommendations of the City Manager be adopted."

CARRIED UNANIMOUSLY

2. Building Permit Tabulation Report No: 11 From 2009 January 01 – 2009 January 31

The City Manager submitted a report from the Director Planning and Building providing Council with information on the construction activity as reflected by the building permits that have been issued for the subject period.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

3. Marine Way Widening at North Fraser Way

The City Manager submitted a report from the Director Engineering requesting Council approval for the funding of the widening of Marine Way at North Fraser Way.

The City Manager recommended:

1. THAT Council authorize bringing forward a Capital Works Expenditure Bylaw in the amount of \$3.072 Million (inclusive of 5% GST) for road widening on Marine Way at North Fraser Way.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

**4. Engineering and Construction Administration
Services Expenditure Approval for Central
Valley Greenway, Sections 5,6 and 7**

The City Manager submitted a report from the Director Engineering requesting Council approval of the expenditure under Engineering Agreement E22/2005. The Central Valley Greenway (CVG) project is jointly funded under the Urban Transportation Showcase by the City, TransLink and Transport Canada. When complete, the CVG will extend from Vancouver to New Westminster.

The City Manager recommended:

1. THAT Council approve the additional engineering expenditure of \$38,000 (inclusive of GST at 5%) with a revised total of \$283,000 in connection with the Central Valley Greenway project as outlined in this report.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR VOLKOW:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

5. Internal Order

The City Manager submitted a report from the Director Engineering requesting Council approval of Internal Order 60-21153 Watermain Renewals (2009 Program).

The City Manager recommended:

1. THAT the above internal order as more specifically referred to in this report, be approved.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

6. City Hall – North Wing Elevator Replacement Project

The City Manager submitted a report from the Major Civic Building Project Coordination Committee seeking Council approval to bring down a Capital Reserves Expenditure Bylaw for the replacement of the existing lift in the North Wing of City Hall with a new elevator.

The City Manager recommended:

1. THAT Council be requested to bring down a Capital Reserves Expenditure Bylaw in the amount of \$220,000 (inclusive of GST @ 5%) to finance the replacement of the existing lift in the North Wing of City Hall with a new elevator.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

7. Deer Lake Park Festival Lawn Implementation Plan

The City Manager submitted a report from the Director Parks, Recreation & Cultural Services providing an update regarding the Deer Lake Park Festival Lawn Implementation Plan. The proposed Festival Lawn improvements for 2009 have been moved forward due in part to the financial contribution of the Spirit Square Legacy program.

The City Manager recommended:

1. THAT this report be received for information purposes.*
2. THAT a copy of this report be forwarded to the Parks, Recreation and Cultural Services Commission, and the Community Heritage Commission for information.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

"THAT the recommendations of the City Manager be adopted."

Councillor Calendino retired from the Council Chamber at 8:23 p.m.

Councillor Calendino returned to the Council Chamber at 8:35 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

8. Phase II of the Redevelopment of the Festival Lawn and Shadbolt Terrace Project

The City Manager submitted a report from the Director Finance seeking Council approval to award Phase II of the Festival Lawn and Shadbolt Terrace Project.

The City Manager recommended:

1. THAT Council approve the award of Phase II of the Festival Lawn and Shadbolt Terrace Project to PWL Partnership Landscape Architects Inc. (PWL) for a total amount of \$283,787.79, including GST.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

9. Local Service Tax Bylaws

The City Manager submitted a report from the Director Finance seeking Council approval to impose a local service tax for projects completed between 2008 June 01 and 2009 May 31.

The City Manager recommended:

1. THAT a Local Service Tax Bylaw based on the taxable frontage be brought down to impose a local service tax on the benefiting properties included in the projects listed in Schedules 1 to 20 of this report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

10. Contract No. 2009-01
Watermain Replacement Program –
Package 'A'

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for construction of replacement watermain and related work.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Imperial Paving Ltd., for the replacement of watermain for a total cost of \$964,876.50 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

11. Cell Phone Agreement

The City Manager submitted a report from the Director Finance seeking Council approval to award a two year contract for cellular communications.

The City Manager recommended:

1. THAT Council approve the award of a two year contract with Telus Communications Company c.o.b. Telus for Cellular Communications for an estimated total amount of \$297,309.60, including GST.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

12. Computer Equipment for Fire Department

The City Manager submitted a report from the Chief Information Officer seeking funding approval from Council for the replacement and upgrade of the Fire Department's Staff Scheduling and Records Management computers and software.

The City Manager recommended:

1. THAT a Capital Reserve Bylaw in the amount of \$400,000 (inclusive of GST) be brought down to finance the purchase of computer equipment, software licensing and consulting services.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

4. BYLAWS

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Highway Closure Bylaw No. 3, 2009	#12600
Burnaby Local Improvement Fund Expenditure Bylaw No. 2, 2009	#12601
Burnaby Local Improvement Fund Expenditure Bylaw No. 3, 2009	#12602

be now introduced and read three times."

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#12497 7030/38/42/54/58/60/62/64 Edmonds Street REZ #07-57
7359 – 18th Street

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 46, 2008

#12497

be now read a third time."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Hotel Room Additional Tax Levy
Bylaw 2009

#12598

Burnaby Capital Works, Machinery and Equipment
Reserve Fund Expenditure Bylaw No. 2, 2009

#12599

be now reconsidered and Finally Adopted, signed by the Mayor and Clerk and the
Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

5. NEW BUSINESS

Councillor McDonell

Councillor McDonell advised he had attended a press conference held by the
Provincial government at RCMP E-Division to address gang activities in the
Lower Mainland. He noted 168 police officers are to be assigned to focus on

gang activities over the next two years; 131 members to be immediately assigned from existing forces with an estimated \$16 million required out of existing RCMP budgets to support the initiative. Councillor McDonell also noted the Province indicated there will be additional jail cells provided at three locations in the Province including the proposed jail in Burnaby.

His Worship, Mayor Corrigan advised that Burnaby assists with the funds for E-Division which is a diversion of funds from the Burnaby Detachment and expressed concern there had been no discussion with the Mayors of communities impacted by the task force on gang activity. Mayor Corrigan also stated there hadn't been any planning or inclusion of the RCMP as Burnaby's Superintendent had not been informed of this matter prior to the announcement.

Councillor Volkow

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

"THAT the Kushiro Cup Selection Committee meet on Thursday, 2009 February 26 at 5:00 p.m. in the Council Committee Room to review nominations."

CARRIED UNANIMOUSLY

Councillor Jordan

Councillor Jordan made reference to Item G) of the Council Correspondence received by 2009 February 13 from the United Way with regard to available supplies and services.

Arising from consideration of the information, Councillor Jordan was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT this item of correspondence be **REFERRED** to the Social Issues Committee for information."

CARRIED UNANIMOUSLY

Councillor Jordan made reference to Item K) of the Council Correspondence received by 2009 February 13 which is a copy of a letter from The Honourable John van Dongen, Minister of Public Safety and Solicitor General to Dr. Phil Moir

in response to his concerns about the proposed Provincial Prison Facility. Councillor Jordan referred to an attached document which states "As part of its capital planning process, MPSSG [Ministry of Public Safety and Solicitor General] undertook a comprehensive review of all available private and public sector sites for potential facility location. Conducted by an independent property consultant, the review identified and assessed 58 potential urban properties...".

Arising from consideration of the matter, Councillor Jordan was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT staff, on behalf of Council, obtain a copy of the comprehensive site review that was undertaken by Minister of Public Safety and Solicitor General in determining the site of the Lower Mainland Pre-trial Centre and if necessary pursue an FOI application to receive the report."

CARRIED UNANIMOUSLY

Councillor Calendino

Councillor Calendino was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT WHEREAS the Provincial Government is proposing to construct a 700 person prison facility on the former Willingdon Youth Detention Centre site at Canada Way and Willingdon Avenue; and

WHEREAS the location of such a prison is contrary to the long range land use plans of the City which have previously been discussed with the Province; and

WHEREAS the proposed prison will have a detrimental effect on the adjacent residential uses, BCIT, Discovery Park, schools, community facilities and other commercial facilities such as the Grand Villa Casino; and

WHEREAS the proposed prison will result in the need for additional resources from the Burnaby RCMP; and

WHEREAS the Provincial Government has not responded to the City's request to find an alternate appropriate location for the proposed prison;

THEREFORE BE IT RESOLVED THAT Council direct staff to initiate a rezoning of the subject site to preclude a prison and incorporate those uses previously discussed with the Province which are considered more suitable for the subject site."

CARRIED UNANIMOUSLY

6. INQUIRIES

There were no inquiries brought before Council at this time.

7. ADJOURNMENT

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT this 'Open' Council Meeting do now adjourn."

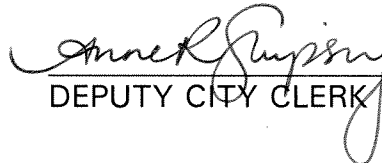
CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 9:16 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK