



Regular Council Meeting

Monday, April 23, 2012

- Time: 7:00 p.m.
- Place: Council Chambers
Richmond City Hall
- Present: Mayor Malcolm D. Brodie
Councillor Chak Au
Councillor Derek Dang
Councillor Evelina Halsey-Brandt
Councillor Ken Johnston
Councillor Linda McPhail
- Corporate Officer – David Weber
- Absent: Councillor Linda Barnes
Councillor Bill McNulty
Councillor Harold Steves
- Call to Order: Mayor Brodie called the meeting to order at 7:01 p.m.

RES NO. ITEM

MINUTES

- R12/7-1 1. It was moved and seconded
That:
- (1) *the minutes of the Regular Council Meeting held on Tuesday, April 10, 2012,*
 - (2) *the minutes of the Regular Council Meeting for Public Hearings held on Monday, April 16, 2012,*



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each be adopted as circulated, and

That the Metro Vancouver 'Board in Brief' dated April 13, 2012 be received for information.

CARRIED

AGENDA ADDITIONS & DELETIONS

R12/7-2

It was moved and seconded

(1) That RCMP Contract be added to the Council agenda as Item No. 20A; and

(2) That the Additional Hotel Tax Bylaws be added to the Council agenda as Item No. 20B.

CARRIED

COMMITTEE OF THE WHOLE

R12/7-3

2. It was moved and seconded

That Council resolve into Committee of the Whole to hear delegations on agenda items (7:02 p.m.).

CARRIED

3. Delegations from the floor on Agenda items – None.

R12/7-4

4. It was moved and seconded

That Committee rise and report (7:03 p.m.).

CARRIED

CONSENT AGENDA

R12/7-5

5. It was moved and seconded

That Items 6 through 20 be adopted by general consent.

CARRIED



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6. **COMMITTEE MINUTES**

That the minutes of:

- (1) *the General Purposes Committee meeting held on Monday, April 16, 2012;*
- (2) *the Planning Committee meeting held on Tuesday, April 17, 2012;*
- (3) *the Public Works & Transportation Committee meeting held on Wednesday, April 18, 2012;*

be received for information.

ADOPTED ON CONSENT

7. **VANCOUVER AIRPORT FUEL DELIVERY PROJECT**

(File Ref. No.: 10-6600-06-01)

That letters be sent to the federal and provincial Ministers of Environment, and the local MLAs and MPs requesting that a Public Hearing be held during the course of the environmental assessment process for the Vancouver Airport Fuel Facilities Corporation (VAFFC) Vancouver Airport Fuel Delivery Project.

ADOPTED ON CONSENT

8. **LIQUOR PRIMARY CLUB LICENCE APPLICATION ARMY NAVY & AIR FORCE VETERANS IN CANADA STEVESTON UNIT NO. 284 UNIT 105 - 11900 NO. 1 ROAD**

(File Ref. No. 12-8275-30-050) (REDMS No. 3494625)

That a letter be sent to the Liquor Control and Licensing Branch advising that:

- (1) *The application by Army Navy & Air Force Veterans in Canada, Steveston Unit No. 284, to relocate Liquor Primary Club Licence No. 029737 from 3960 Chatham Street Unit 200, to 11900 No. 1 Road Unit 105, to offer liquor service is recommended.*
- (2) *Council comments on the prescribed considerations are:*



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- (a) *The location and the surrounding area of the establishment comprised of a senior's residential housing component attached to the establishment; a townhouse complex to the north; a seniors apartment complex to the south; a mix of residential and commercial uses to the west; and parkland to the east, was considered and reviewed.*
 - (b) *The proximity of the proposed liquor primary location to other social or recreational facilities and public buildings within a 500 metre radius was reviewed and it was considered that the application would not conflict with those facilities.*
 - (c) *The application for a 325 person capacity operation with liquor service hours of Monday to Sunday 9:00 a.m. to 2:00 a.m. will not pose a significant impact on the community based on the lack of responses received from the residents and businesses in the area. Council does NOT support any opening past 2:00 a.m. as is indicated in the application summary received from LCLB.*
 - (d) *The number and market focus of clientele to existing liquor primary licence establishments within a reasonable distance of the proposed location was reviewed and it was considered that there would be no impact on those establishments.*
 - (e) *The potential for additional noise on the community in the area if the application is approved was considered and it was determined that there would be little or no additional noise on the community in the immediate vicinity.*
 - (f) *The impact on the community if the application is approved was considered and based on the lack of response from the community from public notices; the licence approval would have little impact on the community.*
- (3) *Council's comments on the views of the residents were gathered as follows:*
- (a) *Property owners and businesses with a 50 metre radius of the subject property were contacted by letter detailing the application and provided with instructions on how community concerns could be submitted.*



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- (b) *Signage was posted at the subject property and three public notices were published in a local newspaper. The signage and notice provided information on the application and instructions on how community comments or concerns could be submitted.*

Based on the lack of negative responses from residents and businesses in the nearby area and the lack of responses received from the community through all notifications, Council considers that the application is acceptable to the public.

ADOPTED ON CONSENT

9. RICHMOND ADDICTION SERVICES' PROPOSAL TO RENEW A FIVE-YEAR PROBLEM GAMBLING PREVENTION AND EDUCATION PLAN

(File Ref. No. 01-0060-20-RADA1) (REDMS No. 3468541, 3497793)

That:

- (1) *Richmond Addiction Services' Proposal to Renew a Five-Year Problem Gambling Prevention and Education Plan be sent to the Minister of Energy and Mines, Richmond MLAs, the School/Council Liaison Committee and stakeholders for their information;*
- (2) *Richmond Addiction Services be commended for preparing the Proposal; and*
- (3) *staff review the situation and the report back by the end of November, 2012.*

ADOPTED ON CONSENT

10. 2012 ANNUAL PROPERTY TAX RATES BYLAW NO. 8885

(File Ref. No. 12-8060-20-8885) (REDMS No. 3492636 v.3, 3492985)

- (1) *That Option 2, which redistributes \$1.8M from Business class to Major Industry, Light Industry, Seasonal/Recreation, and Residential classes be approved as outlined in the staff report dated April 3, 2012 from the Director, Finance, titled 2012 Annual Property Tax Rates Bylaw No. 8885; and*
- (2) *That Annual Property Tax Rates Bylaw No. 8885 be introduced and given first, second and third readings.*

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11. **AMENDMENTS TO SECTION 2.10 OF THE OFFICIAL COMMUNITY PLAN BYLAW 7100 (CITY CENTRE AREA PLAN), TO INCLUDE THE CITY CENTRE PUBLIC ART PLAN**
(File Ref. No. 12-8060-20-8889, XR: 11-7000-09-20-088) (REDMS No. 3498880, 3487047)

That Bylaw No. 8889 proposing amendments to Section 2.10 of the Official Community Plan (Bylaw 7100), to include the endorsed City Centre Public Art Plan, be introduced and given first reading.

ADOPTED ON CONSENT

12. **PARKLAND DEVELOPMENTS LTD. HAS APPLIED TO THE CITY OF RICHMOND FOR PERMISSION TO REZONE 7091 AND 7111 BRIDGE STREET FROM "SINGLE DETACHED (RS1/F)" TO "SINGLE DETACHED (ZS14)-SOUTH MCLENNAN (CITY CENTRE)" IN ORDER TO CREATE 8 NEW SINGLE FAMILY LOTS**
(File Ref. No. 12-8060-20-8886, RZ 12-596719) (REDMS No. 3479168, 3496242)

That Bylaw 8886, for the rezoning of 7091 and 7111 Bridge Street from "Single Detached (RS1/F)" to "Single Detached (ZS14) – South McLennan (City Centre)", be introduced and given first reading.

ADOPTED ON CONSENT

13. **APPLICATION BY MATTHEW CHENG ARCHITECT INC. FOR REZONING AT 6471, 6491 AND 6511 NO. 2 ROAD FROM SINGLE DETACHED (RS1/E) TO LOW DENSITY TOWNHOUSES (RTL4)**
(File Ref. No. 12-8060-20-8890, RZ 11-586782) (REDMS No. 3497834, 3499097, 3499005)

That Bylaw No. 8890, for the rezoning of 6471, 6491 and 6511 No. 2 Road from "Single Detached (RS1/E)" to "Low Density Townhouses (RTL4)", be introduced and given first reading.

ADOPTED ON CONSENT

14. **APPLICATION BY TOWNLINE GARDENS INC. FOR A ZONING TEXT AMENDMENT TO THE COMMERCIAL MIXED USE (ZMU18) – THE GARDENS (SHELLMONT) ZONING DISTRICT AT 10880, 10820 AND 10780 NO. 5 ROAD AND 12733 STEVESTON HIGHWAY (THE GARDENS DEVELOPMENT LANDS)**
(File Ref. No. 12-8060-20-8891, ZT 11-593771) (REDMS No. 3499608, 3500667, 2718015)

That Bylaw No. 8891, to amend the "Commercial Mixed Use (ZMU18) – The Gardens (Shellmont)" zoning district, be introduced and given first reading.

ADOPTED ON CONSENT



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15. **APPLICATION BY ONNI 7731 ALDERBRIDGE HOLDING CORP. AND ONNI 7771 ALDERBRIDGE HOLDING CORP. FOR THE REZONING OF 7731 AND 7771 ALDERBRIDGE WAY FROM INDUSTRIAL RETAIL (IR1) TO HIGH DENSITY LOW RISE APARTMENTS (RAH2)**

(File Ref. No. 12-8060-20-8884, RZ 11-585209) (REDMS No. 3498893 v. 5, 3497848, 3443571, 3492342)

That Bylaw No. 8884, which makes minor amendments to the RAH2 zone specific to 7731 and 7771 Alderbridge Way and rezones these subject properties from "Industrial Retail (IR1)" to the amended "High Density Low Rise Apartments (RAH2)", be introduced and given first reading.

ADOPTED ON CONSENT

16. **BC HYDRO 20 YEAR WORK PROGRAM IN THE CITY OF RICHMOND**

(File Ref. No. 10-6600-02-01) (REDMS No. 3502343)

That staff report back on BC Hydro activity and progress toward a common voltage for Lulu Island on an annual basis.

ADOPTED ON CONSENT

17. **GILBERT TRUNK SEWER UPDATE**

(File Ref. No. 10-6060-03-01) (REDMS No. 3501874)

That the updated alignment for the Gilbert Trunk Sewer upgrade as identified in the staff report titled "Gilbert Trunk Sewer Update" dated April 3, 2012 from the Director, Engineering, be endorsed.

ADOPTED ON CONSENT

18. **ALEXANDRA DISTRICT ENERGY UTILITY BYLAW NO 8641 AMENDMENT BYLAW NO 8892**

(File Ref. No. 12-8060-20-8892) (REDMS No. 3499575 v.7, 3501551, 3498773)

That the Alexandra District Energy Utility Bylaw No. 8641, Amendment Bylaw No. 8892 be introduced and given first, second and third reading.

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19. CONTINUATION OF ENHANCED PESTICIDE MANAGEMENT PROGRAM

(File Ref. No. 10-6125-04-01) (REDMS No. 3510579 v.4, 3141372)

- (1) *That the Enhanced Pesticide Management Program as described in the staff report titled "Enhanced Pesticide Management Program Review", dated February 8, 2011 (Attachment 1), including the TFT Environmental Coordinator, be approved to continue on a temporary basis until the province takes action on the use of pesticides for cosmetic purposes; and*
- (2) *That staff report back when the provincial Special Committee on Cosmetic Pesticides recommendations are made public.*

ADOPTED ON CONSENT

20. MOORAGE FOR CANADIAN COAST GUARD AUXILIARY STATION 10

(File Ref. No. 06-2280-20-256) (REDMS No. 3496651)

That:

- (1) *Britannia Heritage Shipyard, as detailed in the staff report, "Moorage for Canadian Coast Guard Auxiliary Station 10," from the Senior Manager, Parks, be approved as the location for the Canadian Coast Guard Auxiliary Pacific Region – Station 10 to moor its boathouse and operate its services; and*
- (2) *staff be authorized to take all necessary steps to complete an agreement with the Canadian Coast Guard Auxiliary – Station 10 to moor its boathouse and operate its services at Britannia Heritage Shipyards, as outlined in the report, "Moorage for Canadian Coast Guard Auxiliary – Station 10," from the General Manager, Parks and Recreation including authorizing the Chief Administrative Officer and the General Manager, Parks and Recreation to negotiate and execute all documentation required to effect the transaction.*

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NON-CONSENT AGENDA ITEMS

20A. **RCMP CONTRACT**

(File Ref. No.: 03-1000-13-006) (REDMS No. 3509632v8)

R12/7-6

It was moved and seconded

- (1) *That the Minister of Justice be requested to answer the questions as circulated on table and attached to and forming part of the minutes of the Council meeting of April 23, 2012; and*
- (2) *That copies of the resolution and the questions be sent to the Mayors of the RCMP Lower Mainland Detachment Cities, and the Richmond MLAs and MPs, and the provincial leader of the opposition.*

CARRIED

The questions that will be posed to the Minister of Justice regarding the new Police Services Contract are attached as **Schedule 1** and form part of these minutes.

20B. **ADDITIONAL HOTEL TAX – BYLAWS**

(File Ref. No.: 12-8060-20-8894/8897/8898/8898) (REDMS No. 3507607v5, 3517713v7, 3517711v4, 3517712v4)

R12/7-7

It was moved and seconded

That the following bylaws be introduced and given first, second and third readings:

- (1) *Additional Hotel Room Tax Imposition Bylaw No. 8894;*
- (2) *Additional Hotel Room Tax Levy Bylaw No. 6817 Amendment Bylaw No. 8897;*
- (3) *Additional Hotel Room Tax levy Bylaw No. 8471 Amendment Bylaw No. 8899; and*
- (4) *Additional Hotel Room Tax Imposition Bylaw No. 7810 Amendment Bylaw No. 8898.*

CARRIED



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BYLAWS FOR ADOPTION

R12/7-8

It was moved and seconded

That the following bylaws each be adopted:

Housing Agreement (6951 Elmbridge Way) Bylaw No. 8691

5 Year Financial Plan (2012-2016) Bylaw No. 8867

CARRIED

ADJOURNMENT

R12/7-9

It was moved and seconded

That the meeting adjourn (8:00 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the Regular Meeting of the Council of the City of Richmond held on Monday, April 23, 2012.

Mayor (Malcolm D. Brodie)

Corporate Officer (David Weber)

Questions:

- 1. 20 Year Term and Review Process.** During the contract discussions when questioned about the advisability of a 20 year arrangement for policing, the response to inquiries was that there would be five year reviews. The municipalities understood that they would be able to have meaningful input during these reviews. However, the Provincial Policing Services Agreement provides that there is only one representative for all of British Columbia in the review process and although the representative can make presentations is an “*observer*” in the process. In addition, municipalities are bound by the reviews conducted pursuant to the Provincial Policing Services Agreement, an agreement to which the municipalities are not even a party. How does the Province explain that the municipalities having no material role in the review process? Why can the results of the federal/provincial reviews not be the subject of negotiation with the municipalities rather than automatically being imposed upon them?
- 2. Wage increases and severance pay changes announced March 30, 2012.** On March 30, 2012, the RCMP Commissioner announced seven separate changes to compensation for RCMP Members for the fiscal years 2012-2014. RCMP representatives have stated the cost of this recently announced change will not be fully available to the municipal sector until late in May 2012. These changes could have an enormous impact on the 2012 budget for the municipalities. For example, based on the new change to severance pay, it is possible that a Member could elect to take up to 28 weeks of pay in 2012. The severance pay estimate for Richmond could amount to \$3.5M if all of the members elect to take this benefit. Where will the funding for this severance payment come from?

There is an indication that the wage increases for 2012-2014 were decided by Treasury Board and therefore, may also be the subject of a future court challenge just as the 2009 and 2010 pay rates currently are. If there is a future successful court challenge, who will pay the award?
- 3. Estimated Incremental Cost Impact of the New Agreement on BC’s RCMP Municipal Forces.** The Province provided the municipalities with the Province’s estimates dated March 12, 2012 of the incremental cost impact of the new Agreement, which begins in 2012/2013. However, in light of Commissioner’s March 30 2012 announcement of a possible \$20M cut back to contract policing and the proposed RCMP compensation changes, these numbers will need to be updated and refined. When can each municipality expect to receive revised numbers from the Province as to what the new contract would cost and an analysis of what the Commissioner’s proposal to cut \$20M from contract policing and a further \$175 M from the overall budget would mean to the municipal sector?
- 4. Green Timbers.** Advice has been provided that the Heather Street RCMP facilities will be closed and sold by Canada Lands Corporations. The functions currently located at Heather Street will be moved to Green Timbers in 2013. In addition, other RCMP

functions will be moved into the Green Timbers facility. When will municipalities have more details as to what costs it will be expected to pay in connection with Green Timbers (including construction and land acquisition costs)? The Province has advised that the cost of the Green Timbers is still being negotiated between the federal and provincial governments. The costing information provided to the municipal sector with the signed contract from the Minister only estimated the incremental costs of Green Timbers above that which is already paid by the municipal sector for E Division Headquarters (Heather Street), not the full cost of Green Timbers. When will municipalities learn which policing resources will be located in this facility and what costs, if any, the municipal sector will be required to pay? If there is a suggestion that the municipal sector will have to pay any of the capital costs, why is this required when the municipalities will obtain no legal interest in the property and why would the value of Heather Street not be used to offset those costs?

- 5. Lower Mainland Integrated Teams.** Previously, provincial representatives advised that the costs of the Lower Mainland Integrated Teams would be reduced from a 90/10 municipal/federal ratio to a 70/30 ratio. There is no provision in the Agreement that references integrated teams, their governance or the payment for their services. The budget for these teams is in the order of \$49 million. These teams should be a provincial responsibility. When will municipalities have clarity about the costs of the integrated teams?

There has been a suggestion in the past that the Province will assume the governance of the Lower Mainland Integrated Teams and simply provide the municipal sector with the costs. Is it the intention of the Province to simply bill each municipality its share of the costs for the integrated teams and not enter into any agreement with the municipalities with respect to the teams?

Provincial representatives recently advised that effective April 1, 2012 there is an agreement with the federal government relating to IHIT, when will the municipalities be privy to the agreement? The provincial representatives have also indicated that there will be a series of agreements relating to the other teams, when will the details of these agreements be available?

- 6. Retro-payment liability.** If the Federal Court of Appeal upholds the wage increases to members of the RCMP for 2009 and 2010, how are municipalities to pay for these increases that are estimated to be \$11,000 per member? In addition, if those increases are upheld, there will be a compounding impact on the March 30, 2012 announced increases relating to salary and benefits due to compounding. Will the Province assume these costs?
- 7. Municipal Companion Document.** Provincial representatives have advised that document known as the "Municipal Companion Document" which will assist in interpreting the agreement is in the process of preparation. The Municipal Companion Document is not referenced in the contract but yet it is to impact how the parties function under the contract. When can the municipalities expect to receive this?

8. **Dispute Resolution Process.** Notwithstanding local governments had repeatedly requested a fair dispute resolution clause, the dispute resolution clause which has found its way into the Agreement provides that in the event of any dispute, the federal and provincial governments shall be entitled to the final say. Why can matters in dispute not be referred to an independent arbitrator for resolution?
9. **Pension Claim.** In 1999, the federal government passed Bill C-78 which allowed it to appropriate the accumulated surplus in three public service pension plans (including that of the RCMP) (approximately \$28-30B).

There has been a challenge to this action and in February 2012, the matter was heard before the Supreme Court of Canada. The Attorney General of BC was added as an intervener in the fall of 2011.

What are the future impacts of this case on the municipal sector?

10. **Unionization.** What will the future costs be if the RCMP unionize?