



Corporation of the City of NEW WESTMINSTER

A vibrant, compassionate, resilient city where everyone can thrive.

CITY COUNCIL MEETING

MINUTES

Monday, January 22, 2024, 6:00 p.m.

**Meeting held electronically and in Council Chamber
City Hall**

PRESENT:

Mayor Patrick Johnstone
Councillor Ruby Campbell
Councillor Daniel Fontaine
Councillor Tasha Henderson
Councillor Jaimie McEvoy
Councillor Paul Minhas
Councillor Nadine Nakagawa

STAFF PRESENT:

Lisa Spitale	Chief Administrative Officer
Peter DeJong	Corporate Officer
Kwaku Agyare-Manu	Senior Manager, Engineering Services
Mike Anderson	Manager of Transportation, Engineering Services
Rod Carle	General Manager, Electrical Utility
Renee Chadwick	Manager of Special Projects, Parks and Recreation
Brad Davie	Deputy Chief, New Westminster Fire and Rescue Services
Dean Gibson	Director of Parks and Recreation
Gavin Hermanson	Transportation Planner
Tristan Johnson	Senior Planning Analyst
Lisa Leblanc	Director of Engineering Services
Craig MacFarlane	Manager, Legal Services
Tobi May	Manager, Civic Buildings, Engineering
Jennifer Miller	Manager of Public Engagement
Meredith Seeton	Policy Planner, Climate Action, Planning and Development
Patrick Shannon	Manager, Purchasing
Shehzad Somji	Director of Finance and Chief Financial Officer

John Stark	Manager of Community Planning
Denise Tambellini	Intergovernmental and Community Relations Manager
Jackie Teed	Director, Climate Action, Planning and Development
Serena Trachta	Manager, Inspections, Climate Action, Planning and Development
Marius Miklea	Assistant Corporate Officer, Legislative Services

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

Mayor Johnstone opened the meeting at 6:00 p.m. and recognized with respect that New Westminster is on the unceded and unsurrendered land of the Halkomelem speaking peoples. He acknowledged that colonialism has made invisible their histories and connections to the land. He recognized that, as a City, we are learning and building relationships with the people whose lands we are on.

2. CHANGES TO THE AGENDA

MOVED and SECONDED

THAT Council adopt the agenda for January 22, 2024.

CARRIED UNANIMOUSLY

3. REPORTS AND PRESENTATIONS FOR COUNCIL DISCUSSION AND ACTION

**3.1 Member Selection for the Community Advisory Assembly
(Information report brought forward from January 8, 2024)**

MOVED and SECONDED

THAT Council receive this report for information.

CARRIED UNANIMOUSLY

3.2 Outcomes from Attending the United Nations Conference on Climate Change (COP28) (Information report brought forward from January 8, 2024)

MOVED and SECONDED

THAT Council receive this report for information.

CARRIED UNANIMOUSLY

3.3 Train Whistle Cessation – 2023 - Q4 Update (Information report brought forward from January 8, 2024)

MOVED and SECONDED

THAT Council receive this report for information.

CARRIED UNANIMOUSLY

4. CONSENT AGENDA

MOVED and SECONDED

THAT Council adopt the recommendations for items 4.2, 4.3, 4.7, 4.9 and 4.10 on consent.

CARRIED UNANIMOUSLY

4.1 Addictions Treatment and Supportive Recovery Residences: Proposed Conditions Related to Rezoning and Temporary Use Permits

MOVED and SECONDED

THAT Council endorse the proposed conditions for addictions treatment and supportive recovery residences in situations requiring a Rezoning or a Temporary Use Permit, as included in the Proposed Conditions section of this report.

CARRIED UNANIMOUSLY

4.2 Child Care Facility Lease Agreement at 65 E. Sixth Ave

MOVED and SECONDED

THAT subject to completion of required public notification processes, the Mayor and Corporate Officer be authorized to execute the attached Lease Agreement, substantially in the form included as Attachment “1”, between the City and the YMCA BC for a child care facility within the təməsewtxw Aquatic and Community Centre.

ADOPTED ON CONSENT

4.3 Construction Noise Bylaw Exemption: 651 Carnarvon Street (Provincial Courthouse)

MOVED and SECONDED

THAT Council grant a noise exemption to Signia Construction Ltd from Construction Noise Bylaw No. 6063, 1992 from 8:00 PM to 11:00 PM Monday through Friday and alternate Sundays from 9:00 AM to 6:00 PM from Thursday February 1, 2024 to Friday January 31, 2025 at the Provincial Courthouse located at 651 Carnarvon Street for the purposes of re-roofing, adding insulation and cladding, upgrading mechanical and electrical systems, glazing, and landscaping.

ADOPTED ON CONSENT

4.4 E-Bike Share Implementation Plan

MOVED and SECONDED

THAT Council endorse the implementation plan for an e-bike share system, as presented in Attachment #2 to this report.

THAT Council direct staff to initiate the procurement of an e-bike share operator, as outlined in the implementation plan.

THAT Council direct staff to report back to Council on the recommended e-bike share operator.

CARRIED UNANIMOUSLY

4.5 Financial Statements Audit Planning Report for Fiscal Year ended December 31, 2023

Discussion ensued on the potential to form a City Finance and Audit Standing Committee and that this item has an opportunity to direct staff to begin the process of developing such a committee.

MOVED and SECONDED as AMENDED

THAT Council appoint KPMG, LLP as the City's external auditors.

THAT Council approve the annual audit planning report for the fiscal year ended December 31, 2023; and

Be it resolved that staff draft the Terms of Reference to establish a Finance and Audit Committee and that it be comprised of three members of Council, the Director of Finance and the Chief Administrative Officer.

Discussion continued regarding the proposed committee's opportunity and relevance within the current landscape of staff work and existing committees. Previously, this topic was referred to the strategic planning process held by Council in February 2023. Audit and finance matters are brought to Council by default and any such business which would be brought to the proposed finance committee is being brought to Council meetings.

Procedural Note: The question was called on the motion.

MOVED and SECONDED as AMENDED

THAT Council appoint KPMG, LLP as the City's external auditors.

THAT Council approve the annual audit planning report for the fiscal year ended December 31, 2023.

Be it resolved that staff draft the Terms of Reference to establish a Finance and Audit Committee and that it be comprised of three members of Council, the Director of Finance and the Chief Administrative Officer.

DEFEATED

Mayor Johnstone and Councillors Campbell, Henderson, McEvoy and Nakagawa opposed

Procedural Note: A motion as recommended in the staff report was proposed.

MOVED and SECONDED

THAT Council appoint KPMG, LLP as the City's external auditors.

THAT Council approve the annual audit planning report for the fiscal year ended December 31, 2023.

CARRIED UNANIMOUSLY

Mayor Johnstone declared a recess at 7:04 p.m.

Mayor Johnstone called the meeting back to order at 7:12 p.m.

Procedural Note: At this time, Council proceeded with item 5. Opportunity for the Public to Speak to Council.

4.6 Food Security Update and Funding Request

Discussion ensued on a recent site visit by the Greater Vancouver Food Bank (GVFB) in which a determination was made that the grade was too steep to use the Annex Building and recommended a number of changes to make the building accessible for clients and food program operators. Staff indicated there are further costs which need to be addressed and will bring a report to Council in the future.

Procedural Note: An amended resolution was proposed regarding the required funding for structural repair of the Annex at 302 Royal Avenue.

MOVED and SECONDED as AMENDED

THAT Council direct staff to allocate \$10,000 from the Affordable Housing Fund for the purpose of retrofitting the City-owned Annex at 302 Royal Avenue to accommodate the Greater Vancouver Food Bank Society's weekly food distribution program, with an additional request to report back with information on further costs.

CARRIED UNANIMOUSLY

Procedural Note: The recommended remaining resolutions were moved.

MOVED and SECONDED

THAT Council allocate \$4,160 to support the continuation of the St. Barnabas - Shiloh Fifth Avenue and Hope Omid food security programs in 2024.

THAT Council direct staff to continue discussions with the Don't Go Hungry Food Program, and other organizations operating food security programs in New Westminster, to explore opportunities for collaboration, including developing a case for support to realize donor, foundation and senior government funding.

CARRIED UNANIMOUSLY

4.7 Funding Submission to the Union of British Columbia Municipalities (UBCM) Regional Community to Community Program 2023/2024

MOVED and SECONDED

THAT Council authorize the submission of a funding application under the UBCM Regional Community to Community Program 2023/2024 as described in this report; and

THAT the Chief Administrative Officer and the Corporate Officer be authorized to enter into a funding agreement with the Province of British Columbia.

ADOPTED ON CONSENT

4.8 Report back to Council on September 11, 2023 motion regarding Samson V oil spill

MOVED and SECONDED

THAT council receive this report for information and consider the matter of the Samson V oil spill concluded.

CARRIED UNANIMOUSLY

4.9 Correspondence dated January 9, 2024 from Lower Mainland Local Government Association re 2024 Call for Nominations for Executive

RECEIVED ON CONSENT FOR INFORMATION

4.10 Minutes for Adoption

- a. **October 16, 2023 City Council Meeting (11:00 a.m.)**
- b. **October 16, 2023 Council Workshop**
- c. **October 16, 2023 City Council Meeting (6:00 p.m.)**
- d. **October 23, 2023 City Council Meeting**

ADOPTED ON CONSENT

5. OPPORTUNITY FOR THE PUBLIC TO SPEAK TO COUNCIL – 7:00 PM

Larry Church presented to Mayor and Council regarding pedestrian safety, particularly for the students attending Herbert Spencer Elementary School. The intersection appears to prioritize the safety of transit first, cyclists second and pedestrians third. Larry noted the intersection was complex due to the double lane of Second Street and that a crosswalk was necessary at this location for

added safety. He added concerns that no public consultation took place in the development of a City document named Streamlined Guidelines for Laneway and Carriage Houses.

Phillip Goldfeldt asked if members of Council are aware of cost overruns with respect to the construction of tēmōsewtx^w Aquatic and Community Centre. Further, he asked if there was any funding from senior levels of government received which would reduce the burden of costs on the City. He explained he receives a 25% discount on his water bill because he lives by himself but it is in contradiction to other houses in the neighbourhood which have multiple families and most likely use more water than he does. Additionally he is a member of Century House and has heard from other community members that Century House volunteers have been replaced by paid employees due to a spurious complaint.

Mayor and Council responded that currently communities in Metro Vancouver are on a fixed water rate and there are significant costs to adding water meters, however, the Engineering Department is reviewing this.

Lorna Howat presented on the rise in the Consumer Price Index and stated that it is making life difficult for residents and noted the electric utility will experience a cost increase of 3.3% versus the pending 2.5% rate increase by BC Hydro. They also commented that replies from Mayor and Council have been scant, when mailing in concerns as a resident of the City.

Mayor and Council indicated the decision is made by the Utility Commission and it represents a best attempt at making a prediction to the increase in utility costs upstream. The Advanced Metering Infrastructure project by the City's Electrical Utility will make potential rate structure amendments toward multi-tier cost charges possible and generally make costs more equitable.

6. SPECIAL ORDER OF THE DAY

6.1 Break (15 minutes)

7. MOTIONS FROM MEMBERS OF COUNCIL

7.1 Motions for Discussion and Decision

Mayor Johnstone recused themselves due to a non-pecuniary conflict of interest pursuant to Section 100 of Community Charter at 8:17 p.m.

Acting Mayor McEvoy began chairing the meeting at 8:17 p.m.

a. **Request for a full accounting and report back to Council regarding trip to Dubai, United Arab Emirates by Mayor Johnstone**

Whereas the Mayor and staff recently attended an international conference in Dubai, United Arab Emirates; and

Whereas Council was not provided advance notification of the Mayor's participation in this conference; and

Whereas significant costs such as airfare, hotel, meals were paid for in whole or in part by a third-party organization, C40 Cities Climate Leadership Group Inc., funded by a number of major international corporations and foundations;

MOVED and SECONDED

BE IT RESOLVED THAT the Mayor provide a report to Council regarding the details pertaining to his recent business trip to Dubai, UAE; and

BE IT FURTHER RESOLVED THAT the report include the following information:

- Detailed breakdown of the financial costs pertaining to the trip including items such as meals, flights, hotel accommodation, ground transportation etc.;
- Detailed summary of what the 3rd party funder offered the Mayor's Office by way of free trips to Dubai for either himself, City staff or any members of his family;
- A day-by-day itinerary of all meetings and events attended by the Mayor while in Dubai;
- Estimated carbon footprint of attending the Dubai conference in-person rather than virtually;
- Summary of the direct benefits to the City of New Westminster of the Mayor's office delegation to Dubai; and

BE IT FURTHER RESOLVED THAT the City's new Ethics Commissioner be requested to conduct a workshop with Council regarding the *Community Charter Act* with a particular emphasis on section 105 pertaining to the restrictions imposed on municipal officials by the Province of BC regarding the acceptance of gifts.

Procedural Note: The motion was divided into two parts consisting of the first two motions and the third motion.

Discussion ensued on:

- The sponsorship of 2023 United Nations Climate Change Conference (COP28) was funded by various corporate and national entities and was not pre-approved at a Council meeting;
- Consideration around the City's sponsorship and gift policies and has this incident, or the way in which it was carried out, contravened any applicable policies;
- Members of Council indicated the decision was made within the Mayor's Office without any reports coming back thus far indicating items of interest such as the overall monetary value and carbon footprint of the trip;
- Consideration if this is a special case as there are instances where the Mayor or members of Council attend a conference such as the Union of BC Municipalities Conference which was sponsored by private corporations.

Procedural Note: A motion was put forward to uphold the ruling of the chair in response to a Point of Order regarding impugning potential motives which a member of Council may or may not have had.

MOVED

THAT Council uphold the ruling of the chair.

CARRIED

Councillors Fontaine and Minhas opposed

Discussion continued regarding the trip being made at the discretion of the Mayor's Office and if it was not paid for by the City of New Westminster that it had potentially contravened City policies.

Procedural Note: An amendment was proposed.

MOVED and SECONDED

THAT the second resolution add an additional bullet:

- That information be provided as to who the Mayor advised that he was going to be travelling to Dubai, UAE prior to his departure.

DEFEATED

**Councillors Campbell, Henderson, McEvoy and Nakagawa
opposed**

Procedural Note: The question on the main motion, as divided, was called.

MOVED and SECONDED

BE IT RESOLVED THAT the Mayor provide a report to Council regarding the details pertaining to his recent business trip to Dubai, UAE; and

BE IT FURTHER RESOLVED THAT the report include the following information:

- Detailed breakdown of the financial costs pertaining to the trip including items such as meals, flights, hotel accommodation, ground transportation etc.;
- Detailed summary of what the 3rd party funder offered the Mayor's Office by way of free trips to Dubai for either himself, City staff or any members of his family;
- A day-by-day itinerary of all meetings and events attended by the Mayor while in Dubai;
- Estimated carbon footprint of attending the Dubai conference in-person rather than virtually; and
- Summary of the direct benefits to the City of New Westminster of the Mayor's office delegation to Dubai.

DEFEATED

**Councillors Campbell, Henderson, McEvoy and Nakagawa
opposed**

MOVED and SECONDED

BE IT FURTHER RESOLVED THAT the City's new Ethics Commissioner be requested to conduct a workshop with Council regarding the *Community Charter Act* with a particular emphasis on section 105 pertaining to the restrictions imposed on municipal officials by the Province of BC regarding the acceptance of gifts.

Procedural Note: An amendment was proposed.

MOVED and SECONDED

THAT the motion be amended to read as follows: **BE IT FURTHER RESOLVED THAT** the City's new Ethics Commissioner be requested to conduct a workshop with Council regarding the *Community Charter Act* and Council Code of Conduct.

DEFEATED

Councillors Fontaine, Henderson, McEvoy, Minhas and Nakagawa opposed

Procedural Note: A further amendment was proposed.

MOVED and SECONDED

THAT the motion be amended to read as follows: **BE IT FURTHER RESOLVED THAT** the City's new Ethics Commissioner be requested to conduct a workshop with Council on the Code of Conduct including section 105 of the *Community Charter*.

CARRIED UNANIMOUSLY

Procedural Note: The question on the main motion, as amended, was asked.

MOVED and SECONDED as AMENDED

BE IT FURTHER RESOLVED THAT the City's new Ethics Commissioner be requested to conduct a workshop with Council on the Code of Conduct including section 105 of the *Community Charter*.

CARRIED UNANIMOUSLY

Mayor Johnstone rejoined and resumed chairing the meeting at 9:21 p.m.

7.2 Notices of Motion

a. Establishing delegation to visit Port Coquitlam to review best practices for limiting tax increases while increasing services

Submitted by Councillor Paul Minhas

Whereas the City of Port Coquitlam with a population of approximately 60,000 people has consistently registered some of lowest year-over-year property tax increases in Metro Vancouver over the last decade and beyond; and

Whereas the City of Port Coquitlam has proudly continued to expand core services for their residents and businesses including the recent addition of 57 free parking spaces in their downtown core; and

Whereas the City of New Westminster experienced a record high level of property tax in 2023

BE IT RESOLVED THAT the Mayor request a meeting with elected officials and senior city staff from Port Coquitlam to explore if any of their best practices could be implemented locally with a goal of limiting future property taxes while enhancing service standards

b. Increasing support in Budget 2024 to enhance the work done by our local resident associations

Submitted by Councillor Fontaine

Whereas our resident associations have a long history of engaging with City Hall and actively encouraging community participation and engagement; and

Whereas resident associations only receive \$200 each to support the funding of their operations; and

Whereas the grants provided to resident associations have not been adjusted in recent memory and they are not tied to the rate of inflation; and

BE IT RESOLVED THAT staff be directed to increase the annual resident association budget by up to an additional \$200 in the 2024 operational budget; and

BE IT FURTHER RESOLVED THAT this additional increase in base grant funding be available upon written request of the resident association; and

BE IT FURTHER RESOLVED THAT resident associations with a bona fide and active membership base over 150 individuals on December 31st of the previous calendar year are further eligible to request an additional \$200 in funding to support their operations

8. **NEW BUSINESS**

There was none.

9. **ANNOUNCEMENTS FROM MEMBERS OF COUNCIL**

There was none.

10. **END OF THE MEETING**

Mayor Johnstone terminated the meeting at 9:21 p.m.

Patrick Johnstone

MAYOR

Dennis Back

CORPORATE OFFICER