

Subject: RE: Community Charter - Approval of Electors

Date: Tue, 10 Feb 2004 21:57:14 -0800

From: "Ernie Crist" <ernie_crist@dnv.org>

To: "Agnes Hilsen" <Agnes_Hilsen@dnv.org>, <corrie@kost.ca>, "FONVCA (E-mail)" <fonvca@fonvca.org>, <Cagebc@yahoo.com>

CC: "Mayor and Council - DNV" <Council@dnv.org>, "Senior Management Committee" <managecomm@dnv.org>, <newsroom@northshoreoutlook.com>, <adangelo@nsnews.com>

Mayor and Council:

This is exactly (See message from Ms Hilsen below) what I wanted to explain at the Feb 9, 2004 Council meeting when my motion ("New Park Zones in the District of North Vancouver") came up on the Council Agenda. I had previously asked District Staff to clarify this matter with the solicitor in time for last night's agenda item.

There was a verbal agreement to this effect. The fact that such a report from the solicitor was not provided and that I was not allowed to even explain or clarify the purpose of my motion and correct an error or misconception regarding this matter is nothing less than scandalous.

This is especially so in light of Dr. Kost's expressed concerns about the erroneous and/or incomplete information provided to Council and the public. Dr. Kost had pointed out that the information Council had received was incorrect. He stated that he was shocked beyond belief to have staff say that a legal opinion had been rendered that to undedicate a dedicated park requires a referendum. He further stated that a Council may by simple majority vote undedicate a dedicated park following an approval process which uses the approval of the electors by alternative approval process...namely a counter petition. They are not, he continued, obliged to obtain "assent" i.e. referendum.

Council's refusal to accept my motion including an opportunity to point this out as I stated in the presence of Council and the public not only shows a shocking contempt of basic democratic principles, which brings into question any notion that the District is democratic institution (no wonder the voter turnout in the District is abysmal, for who is going to take such a "government" seriously), but it also shows that this Council in order to uphold it's indefensible bias is quite willing to risk misleading the public.

I request in the strongest possible terms that Council rectify this error and bring this issue back to Council for review. I further request that this be coupled with a new policy that notwithstanding the changes in the Community Charter which allows Council to rezone a park zone by a majority vote plus an opportunity for a counter petition be changed to a policy whereby no such parkland may be undedicated unless approval is sought from District residents via a public referendum process.

Ernie Crist.

-----Original Message-----

From: Agnes Hilsen

Sent: February 10, 2004 5:01 PM

To: 'corrie@kost.ca'

Cc: Mayor and Council - DNV; Richard Zerr; Irwin Torry

Subject: Community Charter - Approval of Electors

Dear Mr. Kost:

In response to your email regarding the above-noted subject, this will confirm that you are correct in noting the Community Charter change with respect to the requirement for "approval of the electors" for the removal of reservation and dedication of municipal property.

Mr. Zerr and Mr. Torry have advised me that they are aware that municipal councils now have the option of receiving the approval of the electors by either assent of the electors (referendum) or alternative approval process (counter-petition).

Yours truly,

Agnes Hilsen
Municipal Clerk
District of North Vancouver

ahilsen@dnv.org
Tel: 604-990-2207 Fax:604-984-9637

-----Original Message-----


From: Corrie Kost [<mailto:corrie@kost.ca>]
Sent: February 9, 2004 10:22 PM
To: Don Bell2; Ernie Crist; Janice Harris; Lisa Muri; Maureen McKeon
Holmes; Alan Nixon; Richard Walton; Agnes Hilsen
Cc: Irwin Torry; Mayor and Council - DNV
Subject: Approval of electors does NOT mean a referendum

Your Worship & Members of Council,

Please read the pdf attachment.

Yours truly,

Corrie Kost

 winmail.dat	Name: winmail.dat Type: application/ms-tnef Encoding: base64
---	---