

Minutes of a Closed Meeting
of City of White Rock Council held in the
City Hall Board Room
July 27, 2015

[...]

5. **WATER UTILITY DEFINITIVE AGREEMENT**

[Community Charter Section 90(1) (e), (g), (i), and (k)]

The Chief Administrative Officer provided a verbal update in regard to the City's Water Utility negotiations.

2015-IC-070

It was MOVED and SECONDED

THAT Council:

1. Directs the Chief Administrative Officer, should in his opinion with consultation with the City's legal counsel, there be substantial delay with the completion of the Definitive Agreement, to proceed with expropriation action regarding the purchase of the Epcor water utility. The Chief Administrative Officer has authority to sign, file, and deliver a Notice of Expropriation in accordance with this resolution; **OR**
2. Authorizes the Chief Administrative Officer to proceed with the purchase of the water utility following the form of the on table document (Asset Purchase Agreement / Definitive Agreement) as described by Paul Hilderbrand, City's Legal Counsel,
3. Authorizes the Mayor and City Clerk to sign the document to complete the purchase; and
4. Authorizes the release of notification of the purchase to the public once it is complete.

CARRIED

Clerk's Note: Individual Council members must sign off on **Section 5.09 Public Announcements** on page 26 of the Asset Purchase Agreement / Definitive Agreement) provided On-Table. Epcor have stated it is imperative that they preserve their good name and good will. This clause for Council will stand at minimum the entire Council term. Present council members noted they are fine with the clause, but it was reiterated that all members of Council must adhere to the clause.

As there is not a full complement of Council present it was determined that the Chief Administrative Officer with Paul Hilderbrand, City's Legal Counsel would speak with the absent member of Council, Councillor Chesney, to ensure he is aware and understands the meaning of the clause and the necessity of his agreement to adhere as part of the negotiation and agreement to purchase of the water utility.