

July 9, 2020

FOI No.: 2020-18

VIA E-MAIL – Redacted

# Redacted

Dear Redacted

Re: Request for Records  
Freedom of Information and Protection of Privacy Act

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The City of White Rock has received your request for access to the following records pursuant to the Freedom of Information and Protection of Privacy Act:

- *Copies of all correspondence, emails between staff or between staff and members of council or between members of Council (including the Mayor) staff reports, legal advice, notes of any meetings, and minutes of any meetings In - Camera or public , which pertain to or relate to Council's decision to exonerate Councillor Chesney from being censured by a previous City Council and pay him retroactively for Acting Mayor duties which he did not perform*

Access to the City's legal advice correspondence is unavailable. Legal advice correspondence is exempted from the disclosure requirements of the Act pursuant to Section 14 and privilege at common law.

Access to the remaining records is available. However, some of the information in the records is excepted from the disclosure requirements of the Act. I have severed the excepted information so that I could disclose to you the remaining information as attached.

The severed information is excepted from disclosure under Sections 12(3)(b), 14, and 22 of the Act. Severing under Section 12(3)(b) is necessary to protect the substance of closed meeting deliberations of Council that have not otherwise been disclosed or authorized for disclosure. Severing under Section 14 is necessary to protect information that is subject to legal privilege. Finally, severing under Section 22 is necessary to avoid disclosing any third-party personal information without permission.

**Corporate Administration**

P: 604.541.2212 | F: 604.541.9348

**City of White Rock**

15322 Buena Vista Avenue, White Rock BC, Canada V4B 1Y6

**WHITE ROCK**  
*City by the Sea!*

[www.whiterockcity.ca](http://www.whiterockcity.ca)

Please contact our office if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ken Overton", with a long, sweeping horizontal line extending to the right.

Ken Overton  
Manager, Property, Risk Management, and FOI  
604-541-2104

## Chesney's Censure

editor@whiterocksun.com <editor@whiterocksun.com>

Thu 2019-05-16 10:24 AM

To: Darryl Walker <DWalker@whiterockcity.ca>

 1 attachment (130 KB)

David Chesney's Censure – Timeline.docx;

Good Morning Darryl

Here is some outhouse reading for you before we meet tomorrow (Friday) 2 p.m./ your office.

thank you

Dave

## David Chesney's Censure – Timeline

May 06, 2019

Shorrtrly after I was elected Mayor Bbaldiwn called me into his office and very sternly informed me I had to shut down The White Rock Sun. I explained to him that was not going to happen. The convvrsation very quickly deteriorated and I stood up and told the mayor I did not care for where the conversation was going. I stood up to leave and he began yelling “I am going to be watching you, I will get you!”

Within a couple of months DON PITCAIRN a columnist for the White Rock Sun in an editorial said “When I heard councillor GRANT MEYER had stated at an open meeting he wanted to clear cut the hump, he was surprised in that MEYER was the rep for the BNSF. Pitcairn said **Redacted S. 22** ” That was all Baldwin needed. He pulled out the guns an informed me he was going to move with censuring me. I consulted with a lawyer in Vancouver who specializes in civic politics. He sent a letter to the city stating he felt the city was in no position to censure me.

The day of the censurship downstairs in a IN CAMERA meeting it was decided by council (with the excepiton of Heln Fathers) voted to proceed with the censurship. OF course for the majority of the discussion I was out of the room.

As we went upstairs Helen explained the point of contention was council felt Pitcairn had labelled **Redacted S. 22** . Not the case. When we got upstairs into the council chambers I asked Mayor Baldwin if we could talk in private. We recessed into his office and I asked him how =we could avoid this distraction so early in the council's mandate. He said wait here and I will talk to CAO Bottrill. He came back in and said the censurhip would be suspended if I did the following.

1. apologize fo councillor Meyer
2. Remove the offensive refverence
3. Publish an apology the following week when the next Pitcairn editorial ran.

I agreed to all three points.

At the conclusion of the council meeting everyone wondered what the hell happened in that the censurhip was not brough forward. Following the conclusion of the meeting I stood up and walked over to councillor Meyer and said I would like to speak to him in private. Councilor Fathers grabbed me by the arm and said “what the hll happened?”

I said I will tell you later right now I need to privately speak with councillor Meyer. We stepped behind the glass door for privacy purposes and I apologized to councillor Meyer. He accepted my apology and we shook hands. All of this was witnessed by councillor Fathers.

I then went home and removed the **s. 22** reference. I then sent an email to Meyer/Bottrill and Baldwin explaining I had fulfilled two of the three directives. In that I wanted to ensure we had the proper wording for the apology I informed Meyer/Battirill and Baldwin that I would like them to decide on the wording of the apology. I waited a full week, when the following Monday came around I informed mayor Baldwin I had not published an apology due to the fact I had not received the wording from them, but I was still willing to fulfill the request. Mayor Baldwin then informed me councillor Meyer did not accept my apology. Huh?

The mayor then said as a result of Meyer claiming he did not accept my apology they would be proceeding with my censure.

It was interesting to note a few months later Meyer in a closed meeting asked Lidstone **Redacted S. 12(3)(b), s. 14**

**Redacted S. 12(3)(b), s. 14** He pressed Lidstone what could we do. Lidstone stated "**Redacted S. 12(3)(b), s. 14**

I fully take advantage of the second censure. I would do it again given the same circumstances. I had sat and listened for months **Redacted S. 22**

Due to my first censure which I believe was total BS the severity of my second censure was far too serious in my humble opinion.

Vancouver and Langley recently censured members of council and it was a simple IN CAMERA dressing down with no financial or privilege suspension.

For this reason I would like the new council to review what was done to me under the previous council.

David Chesney

Friday, May 17, 2019

 Calendar

17 Fri

9 AM  
**Mayors' Council Finance and Governance Committee (Rescheduled)**  
Room 423, Translink, 287 Nelson's Court, New Westminster  
Mayors Council

10 AM

11 AM

12 PM

1 PM

**Mayor Interview with Global News Re: Focus BC (Richard Zussman Reporter | Wayne Decoffe Cameraman)** City Hall

2 PM

**Meeting with the Mayor and Cllr David Chesney** Mayor's Office Darryl Walker

3 PM

4 PM

## Couple things

David Chesney <DChesney@whiterockcity.ca>

Wed 7/3/2019 7:04 AM

To: Darryl Walker <DWalker@whiterockcity.ca>

Darryl

Could you make sure staff gets the new add on for our pier Canada's longest pier so it is up when we reopen the pier?

Also is it possible to add the review of my censure on the agenda for our next In Camera

Thank you

David

Sent from my iPhone

## Tracey Arthur

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**From:** Tracey Arthur  
**Sent:** Friday, July 05, 2019 3:48 PM  
**To:** David Chesney  
**Subject:** Tracey: July 22 Closed Agenda Question

Hi Councillor Chesney, Mayor Walker noted to me that you had asked for the following to be added to the July 22 closed agenda:

- Review of my censure

Please confirm this is the one regarding SFN, Confidentiality. We will add information to the agenda on this matter I just want to be sure it was this censure you were looking for.

Thank you Councillor Chesney, have a nice week-end, Tracey

**TRACEY ARTHUR, CMC**  
Director of Corporate Administration  
15322 Buena Vista Avenue, White Rock, BC V4B1Y6  
Tel: 604-541-2212 | [www.whiterockcity.ca](http://www.whiterockcity.ca)



The information transmitted, including attachments, is intended only for the individual(s) or entity(ies) to which it is addressed and may contain information that is confidential and/or privileged or exempt from disclosure under applicable law. Any copying, review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by individual(s) or entities other than the intended recipient is strictly prohibited. If you have received this information in error, please notify the City of White Rock and destroy any copies of this information. Thank you.



## Tracey Arthur

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**From:** Tracey Arthur  
**Sent:** Friday, July 05, 2019 3:51 PM  
**To:** Stephanie Lam  
**Subject:** Research for July 22 Closed Agenda

Hi Stephanie, Councillor Chesney has asked for this Censure to be placed on the agenda for this meeting.

May I ask you for research the motions in this regard as we will place this on the agenda. For sure the SFN, Confidentiality which was the second one for him for the 2014-2018 term but there was the first one too, I asked him if it was only just the second one he was looking for and I will let you know what he says but in the meantime I wanted to forward this to get started. It will need to be the motion and I think it has an email he sent to SFN that was the basis for it.

I believe it was the last one we are talking about only. Thank you!

**TRACEY ARTHUR, CMC**

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## Tracey Arthur

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**From:** David Chesney  
**Sent:** Friday, July 05, 2019 6:03 PM  
**To:** Tracey Arthur  
**Subject:** Re: Tracey: July 22 Closed Agenda Question

Both censures thanks Tracey

Sent from my iPhone

On Jul 5, 2019, at 3:48 PM, Tracey Arthur <[TArthur@whiterockcity.ca](mailto:TArthur@whiterockcity.ca)> wrote:

Hi Councillor Chesney, Mayor Walker noted to me that you had asked for the following to be added to the July 22 closed agenda:

- Review of my censure

Please confirm this is the one regarding SFN, Confidentiality. We will add information to the agenda on this matter I just want to be sure it was this censure you were looking for.

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<image001.jpg>

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## Tracey Arthur

---

**From:** Tracey Arthur  
**Sent:** Saturday, July 06, 2019 9:24 AM  
**To:** Stephanie Lam  
**Subject:** Tracey: July 22 Closed Agenda Question

Hi Stephanie, he's looking for both so the first recommendation as well and then the back up (newspaper article) will be needed. Thank you.

**TRACEY ARTHUR, CMC**  
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**From:** David Chesney <DChesney@whiterockcity.ca>  
**Sent:** Friday, July 05, 2019 6:03 PM  
**To:** Tracey Arthur <TArthur@whiterockcity.ca>  
**Subject:** Re: Tracey: July 22 Closed Agenda Question

Both censures thanks Tracey

Sent from my iPhone

On Jul 5, 2019, at 3:48 PM, Tracey Arthur <[TArthur@whiterockcity.ca](mailto:TArthur@whiterockcity.ca)> wrote:

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Please confirm this is the one regarding SFN, Confidentiality. We will add information to the agenda on this matter I just want to be sure it was this censure you were looking for.

Thank you Councillor Chesney, have a nice week-end, Tracey

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<image001.jpg>

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Agenda for a Closed Meeting of  
City of White Rock Council to be held in the  
City Hall Boardroom  
July 22, 2019

[...]

7. **CENSURE OF COUNCILLOR**

*Community Charter Section 90(1) (a), (c), (d), (g), (i) and (m)*

Councillor Chesney has requested the matter of both his censures from the past Council term (2015 and 2106) be added to the agenda for discussion purposes.

*The following motions are in relation to Councillor Chesney being censured by City Council as following:*

**March 2, 2015 Closed:**

2015-IC-032 **It was MOVED and SECONDED**

Whereas Council believes that Councillor Chesney has acted in a manner unbecoming a member of City Council and not in accordance with the principles of City Policy – Respectful Workplace Policy No. 405;

And Whereas Councillor Chesney has been afforded procedural fairness with respect to Council’s consideration of this matter, and in particular was notified at least seven (7) days in advance:

- (a) that Council would be considering the matter and was given a copy of this draft resolution that may be considered by Council;
- (b) that Council may consider, subject to continuing procedural fairness, sanctions including a motion of censure and public notification of any sanction;

Whereas Councillor Chesney was expressly informed of his right to retain legal counsel and for his legal counsel to be present at the Council meeting in which this resolution would be discussed and voted on;

Whereas Councillor Chesney was given the opportunity to personally, or via his legal counsel, make submissions to the rest of Council regarding his conduct in this matter;

Whereas Council has considered the submissions made by Councillor Chesney;

Whereas Council has attempted to reach a consensus as to the appropriate action;

Whereas this resolution contains reasons so that Councillor Chesney understands the basis for the decision to address the conduct of Councillor Chesney;

Be it Resolved that Council shall address what it believes to be conduct unbecoming a member of City Council by way of a motion of censure;

**WHEREAS** within the City of White Rock's Council and Committee Procedure Bylaw there is a provision in regard to a motion to censure that may be used to express Council's indignation with a Council member's conduct regarding Council business; and

**WHEREAS** Councillor Chesney is the noted Publisher / Editor of the internet newspaper titled the "White Rock Sun" and therefore has control over items published within that internet newspaper; and

**WHEREAS** on February 9, 2015 an article was published in the White Rock Sun that brings the conduct and integrity of a fellow member of Council that is possibly defamatory, at the very least was disrespectful and not in accordance with the principles of the City's Respectful Workplace Policy No. 405;

**THEREFORE BE IT RESOLVED**

THAT Council hereby formally censure Councillor Chesney for his actions taken while a member of City of White Rock Council by allowing the conduct and integrity of a fellow member of Council be brought into disrespect by facilitating the publication in the White Rock Sun.

Further, that Councillor Chesney be removed from all Committees of Council (excluding standing committees that are comprised of all members of Council), exterior representations, and Acting Mayor duties until January, 2016.

**CARRIED**

Councillor Fathers voted in the negative

2015-IC-033

**It was MOVED and SECONDED**

THAT Council directs the motion of censure of Councillor Chesney 2015-IC-032 remain in closed.

**CARRIED**

Councillor Chesney returned to the meeting at 9:20 p.m. Mayor Baldwin notified Councillor Chesney that the motion of censure had taken place; a copy of the motion will be distributed to Councillor Chesney by the City Clerk. The motion was not released to the public and will remain confidential. The stipulations of the censure included:

- Removal from all Committees of Council (excluding standing committees that are comprised of all members of Council);
- Exterior representations; and
- Acting Mayor duties until January, 2016.

**SECOND CENSURE**

**October 24, 2016**

2016-IC-070

**It was MOVED and SECONDED**

THAT Council hereby formally:

- (a) censures Councillor Chesney for Breach of confidentiality in regard to the City's legal relationship with the Semiahmoo First Nation, where the City currently is negotiating reserve servicing matters;
  - (b) removes Councillor Chesney from the Deputy Mayor rotation, for the remainder of the current Council term;
  - (c) cancels City funding for Councillor Chesney to attend Union of British Columbia Municipalities (UBCM), Federation of Canadian Municipalities (FCM) and Lower Mainland Local Government Association (LGLMA) conferences / conventions / meetings, for the remainder of the current Council term;
  - (d) cancels Councillor Chesney's utilization of the Council Expenses authorized under Council Policy 106 Council Remuneration and Expenses (Discretionary & Educational Conferences) & annual reimbursement to cover expenses for attending and representing the City of White Rock, as individual Councillors, at local community events, for the remainder of the current Council term;
  - (e) shall review the conduct of Councillor Chesney to ascertain whether his conduct results in financial loss to the City in relation to the negotiations re: servicing the Semiahmoo Reserve;
- (2) Directs staff to bring forward an amendment to the Council and Committee Procedure Bylaw to create an offence where any Breach of Confidentiality by a Council member occurs, such that a contravention of the bylaw provision may result in a statutory injunction and ultimately contempt of court proceedings in the event of continuing contravention.

**Council debated the motion**

**Question was called on the motion with the clarification that items c) and d) were for the remainder of the Council term and the motion was**

**CARRIED**

Councillor Fathers and  
Mayor Baldwin voted in the negative

**Subsequent Motion**

2016-IC-071

**It was MOVED and SECONDED**

THAT Council authorizes the release of information regarding the censure as follows:

- Councillor Chesney has been censured a second time.
- Following a process in accordance with Procedural Fairness City Council determined that Councillor Chesney has breached trust and has shared confidential information that may result in impeding of closed negotiations.
- The result of the censure removes Councillor Chesney from the Deputy Mayor rotation for the remainder of the current Council term.
- The public will be notified of the censure through a media release, the draft media release was provided on table, and the information will be stated at the October 24, 2016 regular Council meeting, that a media release will be issued regarding the censure.

**CARRIED**

**The following materials are attached for reference purposes:**

**Censure 1 (2015)**

**Page 89**

- a) 2015 Closed Minute Extracts
- b) 2015-02-15 Legal Opinion regarding “White Rock Sun Article “White Rock Rail Safety Task Farce”
- c) 2015-03-02 Notice to Councillor Chesney
- d) 2015-03-04 Release of Legal Opinion to Councillor Chesney
- e) 2015-03-12 Letter from Councillor Chesney’s Legal
- f) 2015-03-16 Letter from City Solicitor in response to the letter dated March 12, 2019
- g) 2015-03-30 Letter to Councillor Chesney from Mayor Baldwin regarding Council’s Adopted Motion of Censure (March 23, 2015)

**Censure 2 (2016)**

**Page 110**

- a) 2016 Closed Minute Extracts
- b) 2016-09-17 Email from Councillor Chesney to Council, copied to Semiahmoo First Nation Councillor J. Charles
- c) 2016-09-23 Letter from staff to Councillor Chesney regarding notice of censure
- d) 2016-10-04 Letter from staff to Councillor Chesney regarding revised Closed meeting date for Submission in regard to consideration of Council censure (rescheduled to October 17, 2016)
- e) 2016-10-24 City Media Release presented On Table at the Regular Council meeting titled “White Rock City Councillor, David Chesney, Censured”

[...]

Minutes of a Closed Meeting of  
City of White Rock Council held in the  
City Hall Boardroom  
July 22, 2019

**PRESENT:** Mayor Walker  
Councillor Chesney  
Councillor Fathers  
Councillor Johanson  
Councillor Kristjanson  
Councillor Manning  
Councillor Trevelyan

**STAFF:** D. Bottrill, Chief Administrative Officer  
T. Arthur, Director of Corporate Administration

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The meeting was called to order at 3:34 p.m.

[...]

**7. CENSURE OF COUNCILLOR**

*Community Charter Section 90(1) (a), (c), (d), (g), (i) and (m)*

Councillor Chesney requested the matter of both his censures from the past Council term (2015 and 2106) be added to the agenda for discussion purposes.

Councillor Chesney gave an overview of the censure processes for the two (2) censures made by the previous Council:

*The following motions are in relation to Councillor Chesney being censured by City Council as following:*

**March 2, 2015 Closed:**

2015-IC-032

**It was MOVED and SECONDED**

Whereas Council believes that Councillor Chesney has acted in a manner unbecoming a member of City Council and not in accordance with the principles of City Policy – Respectful Workplace Policy No. 405;

And Whereas Councillor Chesney has been afforded procedural fairness with respect to Council's consideration of this matter, and in particular was notified at least seven (7) days in advance:

- (a) that Council would be considering the matter and was given a copy of this draft resolution that may be considered by Council;



- (b) that Council may consider, subject to continuing procedural fairness, sanctions including a motion of censure and public notification of any sanction;

Whereas Councillor Chesney was expressly informed of his right to retain legal counsel and for his legal counsel to be present at the Council meeting in which this resolution would be discussed and voted on;

Whereas Councillor Chesney was given the opportunity to personally, or via his legal counsel, make submissions to the rest of Council regarding his conduct in this matter;

Whereas Council has considered the submissions made by Councillor Chesney;

Whereas Council has attempted to reach a consensus as to the appropriate action;

Whereas this resolution contains reasons so that Councillor Chesney understands the basis for the decision to address the conduct of Councillor Chesney;

Be it Resolved that Council shall address what it believes to be conduct unbecoming a member of City Council by way of a motion of censure;

**WHEREAS** within the City of White Rock's Council and Committee Procedure Bylaw there is a provision in regard to a motion to censure that may be used to express Council's indignation with a Council member's conduct regarding Council business; and

**WHEREAS** Councillor Chesney is the noted Publisher / Editor of the internet newspaper titled the "White Rock Sun" and therefore has control over items published within that internet newspaper; and

**WHEREAS** on February 9, 2015 an article was published in the White Rock Sun that brings the conduct and integrity of a fellow member of Council that is possibly defamatory, at the very least was disrespectful and not in accordance with the principles of the City's Respectful Workplace Policy No. 405;

**THEREFORE BE IT RESOLVED**

THAT Council hereby formally censure Councillor Chesney for his actions taken while a member of City of White Rock Council by allowing the conduct and integrity of a fellow member of Council be brought into disrespect by facilitating the publication in the White Rock Sun.

Further, that Councillor Chesney be removed from all Committees of Council (excluding standing committees that are comprised of all members of Council), exterior representations, and Acting Mayor duties until January, 2016.

**CARRIED**

Councillor Fathers voted in the negative

2015-IC-033

**It was MOVED and SECONDED**

THAT Council directs the motion of censure of Councillor Chesney 2015-IC-032 remain in closed.

**CARRIED**

Councillor Chesney returned to the meeting at 9:20 p.m. Mayor Baldwin notified Councillor Chesney that the motion of censure had taken place; a copy of the motion will be distributed to Councillor Chesney by the City Clerk. The motion was not released to the public and will remain confidential.

The stipulations of the censure included:

- Removal from all Committees of Council (excluding standing committees that are comprised of all members of Council);
- Exterior representations; and
- Acting Mayor duties until January, 2016.

## **SECOND CENSURE**

**October 24, 2016**

2016-IC-070

**It was MOVED and SECONDED**

THAT Council hereby formally:

- (a) censures Councillor Chesney for Breach of confidentiality in regard to the City's legal relationship with the Semiahmoo First Nation, where the City currently is negotiating reserve servicing matters;
- (b) removes Councillor Chesney from the Deputy Mayor rotation, for the remainder of the current Council term;
- (c) cancels City funding for Councillor Chesney to attend Union of British Columbia Municipalities (UBCM), Federation of Canadian Municipalities (FCM) and Lower Mainland Local Government Association (LGLMA) conferences / conventions / meetings, for the remainder of the current Council term;
- (d) cancels Councillor Chesney's utilization of the Council Expenses authorized under Council Policy 106 Council Remuneration and Expenses (Discretionary & Educational Conferences) & annual reimbursement to cover expenses for attending and representing the City of White Rock, as individual Councillors, at local community events, for the remainder of the current Council term;

(e) shall review the conduct of Councillor Chesney to ascertain whether his conduct results in financial loss to the City in relation to the negotiations re: servicing the Semiahmoo Reserve;

(2) Directs staff to bring forward an amendment to the Council and Committee Procedure Bylaw to create an offence where any Breach of Confidentiality by a Council member occurs, such that a contravention of the bylaw provision may result in a statutory injunction and ultimately contempt of court proceedings in the event of continuing contravention.

**Council debated the motion**

**Question was called on the motion with the clarification that items c) and d) were for the remainder of the Council term and the motion was**

**CARRIED**

Councillor Fathers and  
Mayor Baldwin voted in the negative

**Subsequent Motion**

**It was MOVED and SECONDED**

THAT Council authorizes the release of information regarding the censure as follows:

- Councillor Chesney has been censured a second time.
- Following a process in accordance with Procedural Fairness City Council determined that Councillor Chesney has breached trust and has shared confidential information that may result in impeding of closed negotiations.
- The result of the censure removes Councillor Chesney from the Deputy Mayor rotation for the remainder of the current Council term.
- The public will be notified of the censure through a media release, the draft media release was provided on table, and the information will be stated at the October 24, 2016 regular Council meeting, that a media release will be issued regarding the censure.

**CARRIED**

**The following materials are attached for reference purposes:**

**Censure 1 (2015)**

- a) 2015 Closed Minute Extracts
- b) 2015-02-15 Legal Opinion regarding “White Rock Sun Article “White Rock Rail Safety Task Farce”
- c) 2015-03-02 Notice to Councillor Chesney
- d) 2015-03-04 Release of Legal Opinion to Councillor Chesney

2016-IC-071

- e) 2015-03-12 Letter from Councillor Chesney's Legal
- f) 2015-03-16 Letter from City Solicitor in response to the letter dated March 12, 2019
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- c) 2016-09-23 Letter from staff to Councillor Chesney regarding notice of censure
- d) 2016-10-04 Letter from staff to Councillor Chesney regarding revised Closed meeting date for Submission in regard to consideration of Council censure (rescheduled to October 17, 2016)
- e) 2016-10-24 City Media Release presented On Table at the Regular Council meeting titled "White Rock City Councillor, David Chesney, Censured"

**Redacted S. 12(3)(b)**



2019-IC-050

**It was MOVED and SECONDED**

THAT Council authorizes the reimbursement to Councillor Chesney for monies lost for four (4) years for the 2014 – 2018 Council term that would be paid for the role of Deputy Mayor and requests the following information to be provided at the next closed Council meeting:

1. What the dollar amount would be; and

2. Where will the funds come from.

**CARRIED**

2019-IC-051

**It was MOVED and SECONDED**

THAT Council authorizes the reimbursement to Councillor Chesney for legal fees paid to defend himself in regard to the censure (approximately \$4,000) **Redacted S. 12(3)(b)**

**CARRIED**

2019-IC-052

**It was MOVED and SECONDED**

THAT Council authorizes the full release of the closed details from the first censure of Councillor Chesney from the 2014 – 2018 Council Term; following the review of the documentation by the City's Legal Counsel.

**CARRIED**

***Note:** It was noted that the details from the second censure were already released through a Freedom of Information and Protection of Privacy file.*

2019-IC-053

**It was MOVED and SECONDED**

THAT Council endorses an apology with all details in regard to payment of funds for Deputy Mayor and Legal expenses if applicable as they hereby rescind the resolutions of the previous Council (2014-2018 term) that censured Councillor Chesney.

**CARRIED**

[...]

## Tracey Arthur

---

**From:** Tracey Arthur  
**Sent:** Friday, July 26, 2019 3:27 PM  
**To:** Stephanie Lam  
**Subject:** Tracey, Admin Legal Fees

If Don comes back stating **Redacted S. 14** would you email Councillor Chesney asking for copies of the receipts.  
If we have the answer while I am gone I'd like him to be aware ASAP that he needs to get them to us. Thanks so much

**TRACEY ARTHUR, CMC**  
**Director of Corporate Administration**  
15322 Buena Vista Avenue, White Rock, BC V4B1Y6  
Tel: 604-541-2212 | [www.whiterockcity.ca](http://www.whiterockcity.ca)



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## Tracey Arthur

---

**From:** Tracey Arthur  
**Sent:** Thursday, August 29, 2019 6:37 PM  
**To:** Dan Bottrill  
**Subject:** FW: City of White Rock, Review of 2015 and 2016 Censure for Councillor Chesney

Just FYI

**TRACEY ARTHUR, CMC**  
Director of Corporate Administration  
15322 Buena Vista Avenue, White Rock, BC V4B1Y6  
Tel: 604-541-2212 | [www.whiterockcity.ca](http://www.whiterockcity.ca)



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# Redacted S. 14

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**Redacted S. 14**

**Redacted S. 14**

# Redacted S. 14



Agenda for a Closed Meeting of  
City of White Rock Council to be held in the  
City Hall Board Room  
September 9, 2019

[...]

7. **COUNCILLOR CHESNEY RELEASE OF CENSURE INFORMATION**  
*Community Charter Section 90(1) (a), (c), (d), (g), (i) and (m)*  
Motions from the July 22, 2019 Closed Council meeting regarding the Councillor Chesney Release of Censure Information

2019-IC-050

**It was MOVED and SECONDED**

THAT Council authorizes the reimbursement to Councillor Chesney for monies lost for four (4) years for the 2014 – 2018 Council term that would be paid for the role of Deputy Mayor and requests the following information to be provided at the next closed Council meeting:

1. What the dollar amount would be; and
2. Where will the funds come from.

**CARRIED**

***Note:** The following calculations have been provided by the Finance Department in regard payment of Deputy Mayor during the 2014-2018 Council Term.*

<i>Deputy Mayor</i>	
<i>2015</i>	<i>\$2,620</i>
<i>2016</i>	<i>\$2,620</i>
<i>2017</i>	<i>\$2,620</i>
<i>2018</i>	<i>\$2,760</i>
<b><i>Total Payment</i></b>	<b><i>\$10,620</i></b>

*It has been noted that the funding source will be from the City's General Fund Contingency Budget.*

2019-IC-051

**It was MOVED and SECONDED**

THAT Council authorizes the reimbursement to Councillor Chesney for legal fees paid to defend himself in regard to the censure (approximately \$4,000) **Redacted S. 12(3)(b)**

**CARRIED**

***Note:** From Legal Counsel: **Redacted S. 14***

# Redacted S. 14

2019-IC-052

**It was MOVED and SECONDED**

THAT Council authorizes the full release of the closed details from the first censure of Councillor Chesney from the 2014 – 2018 Council Term; following the review of the documentation by the City’s Legal Counsel.

**CARRIED**

***Note:** It was noted that the details from the second censure were already released through a Freedom of Information and Protection of Privacy file.*

2019-IC-053

**It was MOVED and SECONDED**

THAT Council endorses an apology with all details in regard to payment of funds for Deputy Mayor and Legal expenses if applicable as they hereby rescind the resolutions of the previous Council (2014-2018 term) that censured Councillor Chesney.

**CARRIED**

***Note:** The apology will be completed following the September 9, 2019 closed meeting, staff will work on the document for Mayor Walker’s review and signature.*

[...]

Minutes of a Closed Meeting of  
City of White Rock Council held in the  
City Hall Board Room  
September 9, 2019

**PRESENT:** Mayor Walker  
Councillor Chesney  
Councillor Fathers  
Councillor Johanson  
Councillor Kristjanson  
Councillor Trevelyan

**ABSENT:** Councillor Manning

**STAFF:** S. Kurylo, Director of Financial Services / Acting Chief Administrative  
Officer  
T. Arthur, Director of Corporate Administration

---

The meeting was called to order at 3:19 p.m.

[...]

**7. COUNCILLOR CHESNEY RELEASE OF CENSURE INFORMATION**

*Community Charter Section 90(1) (a), (c), (d), (g), (i) and (m)*  
Motions from the July 22, 2019 Closed Council meeting regarding the  
Councillor Chesney Release of Censure Information

**July 22, 2019-IC-050****It was MOVED and SECONDED**

*THAT Council authorizes the reimbursement to Councillor Chesney for monies lost for four (4) years for the 2014 – 2018 Council term that would be paid for the role of Deputy Mayor and requests the following information to be provided at the next closed Council meeting:*

- 1. What the dollar amount would be; and*
- 2. Where will the funds come from.*

**CARRIED**

**Note:** *The following calculations have been provided by the Finance Department in regard payment of Deputy Mayor during the 2014-2018 Council Term.*

<b>Deputy Mayor</b>	
2015	\$2,620
2016	\$2,620
2017	\$2,620
2018	\$2,760
<b>Total Payment</b>	<b>\$10,620</b>

*It has been noted that the funding source will be from the City's General Fund Contingency Budget.*

**July 22, 2019-IC-051** **It was MOVED and SECONDED**

*THAT Council authorizes the reimbursement to Councillor Chesney for legal fees paid to defend himself in regard to the censure (approximately \$4,000) **Redacted S. 12(3)(b)***

**CARRIED**

**Note:** *From Legal Counsel:* **Redacted S. 14**

**July 22, 2019-IC-052** **It was MOVED and SECONDED**

*THAT Council authorizes the full release of the closed details from the first censure of Councillor Chesney from the 2014 – 2018 Council Term; following the review of the documentation by the City's Legal Counsel.*

**CARRIED**

**Note:** *It was noted that the details from the second censure were already released through a Freedom of Information and Protection of Privacy file.*

**July 22, 2019-IC-053** **It was MOVED and SECONDED**

*THAT Council endorses an apology with all details in regard to payment of funds for Deputy Mayor and Legal expenses if applicable as they hereby rescind the resolutions of the previous Council (2014-2018 term) that censured Councillor Chesney.*

**CARRIED**

*Note: The apology will be completed following the September 9, 2019 closed meeting, staff will work on the document for Mayor Walker's review and signature.*

**Redacted S. 12(3)(b)**

[...]

## Tracey Arthur

---

**From:** Tracey Arthur  
**Sent:** Wednesday, September 11, 2019 1:59 PM  
**To:** Sandra Kurylo  
**Subject:** Councillor Chesney, motion  
**Attachments:** 2019-09-09 Closed Agenda.docx

### It was MOVED and SECONDED

THAT Council authorizes the reimbursement to Councillor Chesney for monies lost for four (4) years for the 2014 – 2018 Council term that would be paid for the role of Deputy Mayor and requests the following information to be provided at the next closed Council meeting:

1. What the dollar amount would be; and
2. Where will the funds come from.

**CARRIED**

***Note:*** *The following calculations have been provided by the Finance Department in regard payment of Deputy Mayor during the 2014-2018 Council Term.*

<i>Deputy Mayor</i>	
<i>2015</i>	<i>\$2,620</i>
<i>2016</i>	<i>\$2,620</i>
<i>2017</i>	<i>\$2,620</i>
<i>2018</i>	<i>\$2,760</i>
<b><i>Total Payment</i></b>	<b><i>\$10,620</i></b>

*It has been noted that the funding source will be from the City's General Fund Contingency Budget.*

**TRACEY ARTHUR, CMC**  
Director of Corporate Administration  
15322 Buena Vista Avenue, White Rock, BC V4B1Y6  
Tel: 604-541-2212 | [www.whiterockcity.ca](http://www.whiterockcity.ca)



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## Tracey Arthur

---

**From:** Tracey Arthur  
**Sent:** Thursday, September 12, 2019 10:25 AM  
**To:** Sandra Kurylo  
**Subject:** Censure Motion:

019-IC-053

**It was MOVED and SECONDED**

THAT Council endorses an apology with all details in regard to payment of funds for Deputy Mayor and Legal expenses if applicable as they hereby rescind the resolutions of the previous Council (2014-2018 term) that censured Councillor Chesney.

**CARRIED**

Hi Sandra this should do it. Thx.

**TRACEY ARTHUR, CMC**  
**Director of Corporate Administration**  
15322 Buena Vista Avenue, White Rock, BC V4B1Y6  
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Agenda for a Closed Meeting of  
City of White Rock Council to be held in the  
City Hall Board Room  
October 7, 2019

[...]

**Redacted S. 12(3)(b)**



Minutes of a Closed Meeting of  
City of White Rock Council held in the  
City Hall Boardroom  
October 7, 2019

**PRESENT:** Mayor Walker  
Councillor Chesney  
Councillor Fathers  
Councillor Johanson  
Councillor Kristjanson (arrived at the meeting at 3:42 p.m.)  
Councillor Manning  
Councillor Trevelyan

**STAFF:** D. Bottrill Acting Chief Administrative Officer  
T. Arthur, Director of Corporate Administration

---

The meeting was called to order at 3:40 p.m.

[...]

**Redacted S. 12(3)(b)**

[...]

## Tracey Arthur

---

**From:** Sandra Kurylo  
**Sent:** Thursday, October 17, 2019 7:51 AM  
**To:** Tracey Arthur  
**Cc:** Shannon Johnston  
**Subject:** Re: Tracey Councillor Chesney Legal Expenses

Hi Tracey

The deputy Mayor Pay was the figure provided to Council and to my knowledge he has not yet been reimbursed any legal fees.

Shannon, are you aware if Councillor Chesney has been reimbursed any legal fees yet? I haven't seen anything but I missed one or two cheque runs since then.

Thanks Sandra

---

**From:** Tracey Arthur <TArthur@whiterockcity.ca>  
**Sent:** Wednesday, October 16, 2019 5:24 PM  
**To:** Sandra Kurylo  
**Subject:** Tracey Councillor Chesney Legal Expenses

Hi Sandra tomorrow I need to work on a draft letter for the Mayor re: the Censures

I am suppose to include the cost of the legal and deputy Mayor payment.

Would you forward that to me. Thank you.

---

**TRACEY ARTHUR, CMC**  
**Director of Corporate Administration**  
15322 Buena Vista Avenue, White Rock, BC V4B1Y6  
Tel: 604-541-2212 | [www.whiterockcity.ca](http://www.whiterockcity.ca)



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## Tracey Arthur

---

**From:** Shannon Johnston  
**Sent:** Thursday, October 17, 2019 8:09 AM  
**To:** Sandra Kurylo; Tracey Arthur  
**Subject:** RE: Tracey Councillor Chesney Legal Expenses

I've just looked in accounts payable and there has been no reimbursement for legal fees, only the deputy mayor payment.

Thanks Shannon

**From:** Sandra Kurylo  
**Sent:** October 17, 2019 7:51 AM  
**To:** Tracey Arthur <TArthur@whiterockcity.ca>  
**Cc:** Shannon Johnston <sjohnston@whiterockcity.ca>  
**Subject:** Re: Tracey Councillor Chesney Legal Expenses

Hi Tracey

The deputy Mayor Pay was the figure provided to Council and to my knowledge he has not yet been reimbursed any legal fees.

Shannon, are you aware if Councillor Chesney has been reimbursed any legal fees yet? I haven't seen anything but I missed one or two cheque runs since then.

Thanks Sandra

---

**From:** Tracey Arthur <TArthur@whiterockcity.ca>  
**Sent:** Wednesday, October 16, 2019 5:24 PM  
**To:** Sandra Kurylo  
**Subject:** Tracey Councillor Chesney Legal Expenses

Hi Sandra tomorrow I need to work on a draft letter for the Mayor re: the Censures

I am suppose to include the cost of the legal and deputy Mayor payment.

Would you forward that to me. Thank you.

**TRACEY ARTHUR, CMC**  
Director of Corporate Administration  
15322 Buena Vista Avenue, White Rock, BC V4B1Y6  
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## Tracey Arthur

---

**From:** David Chesney  
**Sent:** Saturday, November 02, 2019 4:48 PM  
**To:** Tracey Arthur  
**Subject:** Re: Tracey, White Rock

Thanks Tracey will have the legal expenses in this week

David

Sent from my iPhone

On Nov 2, 2019, at 1:22 PM, Tracey Arthur <TArthur@whiterockcity.ca> wrote:

Hi Councillor Chesney, once the invoices for legal fees for the censure are submitted, they can be paid. We can then begin to work on the release of information including the letter from the Mayor regarding the censure out.

Nothing will be done without you seeing it first but I have the papers on my desk and I wanted you to know where the item stood.

Have a nice week-end.

**TRACEY ARTHUR, CMC**  
**Director of Corporate Administration**  
15322 Buena Vista Avenue, White Rock, BC V4B1Y6  
Tel: 604-541-2212 | [www.whiterockcity.ca](http://www.whiterockcity.ca)

<image001.jpg>

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**Tracey Arthur**

---

**From:** Tracey Arthur  
**Sent:** Tuesday, November 12, 2019 2:23 PM  
**To:** Sandra Kurylo  
**Cc:** Dan Bottrill  
**Subject:** Tracey, Councillor Chesney Legal Expenses for Payment  
**Attachments:** DOC.PDF

---

Sandra are you able to have a cheque drawn up for the attached. Thank you Tracey

*This request is in accordance with the following Motion and Ratification of the motion at the July 22, 2019 and September 9, 2019 Closed Council meetings.*

*July 22, 2019-IC-051 It was **MOVED and SECONDED**  
THAT Council authorizes the reimbursement to Councillor Chesney for legal fees paid to defend himself in regard to the censure (approximately \$4,000) Redacted S. 12(3)(b)*

**CARRIED**

Note: From Legal Counsel; Redacted S. 14

[Redacted]

---

[Redacted]

---

[Redacted]

Sept 9, 2019 Closed meeting:

**Redacted S. 12(3)(b)**

TRACEY ARTHUR, CMC  
Director of Corporate Administration  
15322 Buena Vista Avenue, White Rock, BC V4B1Y6  
Tel: 604-541-2212 | [www.whiterockcity.ca](http://www.whiterockcity.ca)



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**From:** Redacted S. 22  
**Sent:** Tuesday, November 12, 2019 1:33 PM  
**To:** Tracey Arthur <TArthur@whiterockcity.ca>  
**Subject:** Fwd: Account

---

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

---

Begin forwarded message:

**From:** Chris Murdy <[murdy@lidstone.ca](mailto:murdy@lidstone.ca)>  
**Subject:** FW: Account  
**Date:** November 8, 2019 at 12:54:39 PM PST  
**To:** "[chesneytheking@telus.net](mailto:chesneytheking@telus.net)" <[chesneytheking@telus.net](mailto:chesneytheking@telus.net)>

Hi David - Nice to hear from you after all this time - I'm glad that things have worked out for you on this matter.

Attached is the invoice which I believe was the one that was paid .

Please don't concern yourself with the unpaid invoice as that would have been written off as uncollectible a number of years ago and given that my former law firm has been closed there's no real basis at this point to recover past amounts which, truthfully, would be more trouble than the benefit as it would require a further tax return !

Christopher Murdy  
Senior Counsel

## LIDSTONE & COMPANY BARRISTERS & SOLICITORS

The Merged Law Firm of Lidstone and Murdy & McAllister  
Suite 1300 - Sun Tower  
128 Pender Street West  
Vancouver, BC V6B 1R8  
604.899.2269 Phone  
604.689.5206 Direct  
1.877.339.2199 Toll Free  
[www.lidstone.ca](http://www.lidstone.ca)

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**This e-mail communication is CONFIDENTIAL AND LEGALLY PRIVILEGED. If you are not the intended recipient, please notify me at the telephone number shown above or by return e-mail and delete this communication and attachment, and any copy, immediately. Thank you.**

# MURDY & McALLISTER

BARRISTERS & SOLICITORS

TELEPHONE (604) 689-5263  
FAX (604) 689-9029

TWO BENTALL CENTRE  
1155 - 555 BURRARD STREET  
P.O. BOX 49059  
VANCOUVER, CANADA V7X 1C4

March 24, 2015

PERSONAL & CONFIDENTIAL

David Chesney, Councillor  
15322 Buena Vista Avenue  
White Rock, B.C.  
V4B 1Y6

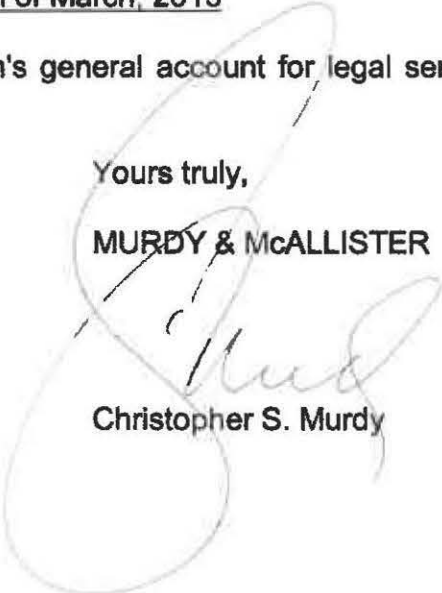
Dear David:

Re: Provision of Legal Services  
For the month of March, 2015

Enclosed is our firm's general account for legal services rendered up to March 12, 2015.

Yours truly,

MURDY & McALLISTER

  
Christopher S. Murdy

CSM/lb  
Enclosure



David Chesney, Councillor  
City of White Rock  
15322 Buena Vista Avenue  
White Rock, B.C. V4B 1Y6

March 13, 2015

Invoice No. 20943

In Account With  
**MURDY & McALLISTER**  
BARRISTERS & SOLICITORS  
11th Floor Two Bentall Centre  
555 Burrard Street  
P.O. Box 49059  
Vancouver, Canada V7X 1C4  
Telephone (604) 689-5263  
Fax (604) 689-9029

For Professional Services Rendered ending March 12, 2015

RE: **White Rock Censure Motion**

FILE NO: **1842-1**

DATE	LWR	HRS	DESCRIPTION	RATEAMOUNT	
Mar-11-15	CSM	0.50	Telephone call, memo from Councilor Chesney; review documents and prepare for meeting with Councilor Chesney;	\$245.00	122.50
Mar-12-15	CSM	3.50	Meet with Councilor Chesney, review additional materials provided; study law, draft letter to Mayor and Council; memo regarding instructions, finalize and release letter to Mayor and Council;	\$245.00	857.50
Total Fees			4.00	\$980.00	
GST on Fees				\$49.00	
PST on Fees				\$68.60	
GST on Other Charges				\$0.00	

<b>FEEES</b>	\$980.00
G.S.T.	\$49.00
P.S.T.	\$68.60

**FEEES, OTHER CHARGES AND DISBURSEMENTS INCLUDING TAX**

**\$1,097.60**

Total GST: \$49.00  
GST #: R119470706

\* tax-exempt

MURDY & McALLISTER

  
Christopher S. Murdy

## Tracey Arthur

---

**From:** David Chesney  
**Sent:** Thursday, November 21, 2019 5:09 PM  
**To:** Tracey Arthur  
**Subject:** Re: Letter of Apology from Mayor and Council

Looks fine to me I do believe all council members should have input before we proceed

David Chesney

Sent from my iPhone

On Nov 21, 2019, at 9:26 AM, Tracey Arthur <TArthur@whiterockcity.ca> wrote:

Hi Councillor Chesney, attached is the draft letter.

**TRACEY ARTHUR, CMC**  
**Director of Corporate Administration**  
15322 Buena Vista Avenue, White Rock, BC V4B1Y6  
Tel: 604-541-2212 | [www.whiterockcity.ca](http://www.whiterockcity.ca)

<image001.jpg>

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**From:** David Chesney <DChesney@whiterockcity.ca>  
**Sent:** Wednesday, November 20, 2019 3:01 PM  
**To:** Tracey Arthur <TArthur@whiterockcity.ca>  
**Subject:** Re: Letter of Apology from Mayor and Council

Tracey

Could you email me a copy of the letter? Councillor Chesney

Sent from my iPhone

On Nov 20, 2019, at 12:00 PM, Tracey Arthur <TArthur@whiterockcity.ca> wrote:

Hi Councillor Chesney, I have the draft letter ready for your review. Did you want to come by this week and have a look at it?

We are preparing the closed documents ready for posting but it is taking some time but I do aim to have them ready for the end of this week. Following your review of the letter and the documents being ready this is something we would issue all at one time, so end of this week / early next week.

**TRACEY ARTHUR, CMC**

**Director of Corporate Administration**

15322 Buena Vista Avenue, White Rock, BC V4B1Y6

Tel: 604-541-2212 | [www.whiterockcity.ca](http://www.whiterockcity.ca)

<image001.jpg>

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<2019-11-15 Councillor Chesney Apology notification and rescind of censures.pdf>

Minutes of a Closed Meeting of  
City of White Rock Council held in the  
City Hall Boardroom  
December 2, 2019

**PRESENT:** Mayor Walker  
Councillor Chesney  
Councillor Fathers  
Councillor Johanson  
Councillor Kristjanson  
Councillor Manning  
Councillor Trevelyan

**STAFF:** D. Bottrill, Chief Administrative Officer  
T. Arthur, Director of Corporate Administration  
J. Gordon, Director of Engineering and Municipal Operations

---

- 1. CALL MEETING TO ORDER**  
The meeting was called to order at 5:05 p.m.

**Redacted S. 12(3)(b)**



**Redacted S. 12(3)(b)**

[...]