

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**

15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6

**MEETING NOTICE**

Pursuant to the *Community Charter* Special and Closed meetings of Council have been called for 3:45 p.m. on Monday, FEBRUARY 11, 2019.

**DATE:** FEBRUARY 11, 2019

**MEETING TIME:** 3:45 P.M.

**LOCATION:** WHITE ROCK CITY HALL COUNCIL CHAMBERS  
15322 BUENA VISTA AVENUE, WHITE ROCK BC

**PURPOSE:** To consider the following motion for items to be considered in a closed for the purpose of:

- *Legal Advice – Property Matter, Litigation, Potential Litigation, , Information Release*
- *Administrative tribunal hearing affecting the municipality*
- *Committee Appointments*

The Special meeting has been called to discuss items that are in accordance with Sections 90 (1) (a), (e), (g), (h), (i), and (k) of the *Community Charter*:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (g) litigation or potential litigation affecting the municipality;
- (h) administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.



Tracey Arthur, Director of Corporate Administration

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

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

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



February 6, 2019

A **CLOSED MEETING** of CITY COUNCIL will be held in the **CITY HALL BOARD ROOM** on **Monday, February 11, 2019**, following the Special to Close Meeting at **3:45 p.m.** for the transaction of business as listed below.

T. Arthur, Director of Corporate Administration

## **A G E N D A**

---

1. **AGENDA APPROVAL**

**RECOMMENDATION:**

THAT the Corporation of the City of White Rock Council adopt the agenda for the February 11, 2019 closed meeting as circulated.

2. **PREVIOUS MINUTES**

- November 19, 2018 – Closed Meeting Minutes

Page 5

**RECOMMENDATION:**

THAT the Corporation of the City of White Rock Council adopt the minutes of the November 19, 2018 closed meeting as circulated.

3. **Legal Privilege, Litigation**

4. **Legal Privilege, Litigation**

**RECOMMENDATION:**

THAT Council:

1. Receive for information the February 11, 2019 closed corporate report from the Director of Financial Services, titled **Litigation** - Litigation Update”; and

# Legal Privilege, Litigation

## 5. Legal Privilege, Litigation

5. **RELEASE OF LEGAL FEE TOTALS FOR FOI NO: 2019-03** - City’s Legal Counsel will be in attendance for this item  
*Community Charter Section 90(1) (g) and (i)*

A Freedom of Information and Protection of Privacy request (FOI No: 2019-03) has been received for the following:

- 1) *the total dollar value cost of all professional costs, legal costs and legal fees paid to Lidstone and Company by the City of White Rock in connection with OIPC F17-72222, White Rock FOI File 2016-147, the FOI Request for Records Related to the Councillor Chesney 2016 Censure;*
- 2) *the total dollar value cost of all professional costs, legal costs and legal fees paid to Lidstone and Company by the City of White Rock in connection with OIPC File F17-73066, White Rock File 2017-77, the FOI Request for an Unredacted Copy of the August 28, 2015 EPCOR Asset Purchase Agreement;*
- 3) *the total dollar value cost of all professional costs, legal costs and legal fees paid to Lidstone and Company by the City of White Rock in connection with OIPC File F17-69983, White Rock File 2017-10, the FOI Request for Records Related to the EPCOR Water Utility Purchase Negotiations;*
- 4) *the total dollar value cost of all professional costs, legal costs and legal fees paid to Lidstone and Company by the City of White Rock in connection with Lidstone and Company acting as a resource and assisting Administration Director Tracey Arthur with her Report entitled "Freedom of Information and Protection of Privacy Update" which was presented to Council at its regular December 10, 2018 Council Meeting;*  
and

- 5) *the total dollar value cost of all professional costs, legal costs and legal fees paid to Lidstone and Company by the City of White Rock in connection with Lidstone and Company putting on a FIPPA "workshop" or "seminar" for White Rock Council in December of 2018 which excluded Public observation and participation.*

Staff have been advised even though a record has not been requested, it is just the information to be given that prior to release of these totals that Council should hear from the City's Legal Counsel and then consider a motion to authorize staff to proceed.

This item is of time sensitive nature given the FOI legislated timeline for the City to respond. In the meantime the applicant has been send an acknowledgement of the request.

**RECOMMENDATION:**

THAT Council direct, despite the usual exemptions from disclosure, to release the total amount of Lidstone & Company professional legal fees for each of the five (5) categories requested by the Freedom of Information applicant FOI File No. 2019-03.

**6. WATER UTILITY PURCHASE – SUMMARY DOCUMENTATION FOR CONSIDERATION OF RELEASE**

– City's Legal Counsel will be in attendance for this item

*Community Charter Section 90(1) (g), (i), (k)*

**Page 16**

Corporate report dated February 11, 2019 from the Director of Corporate Administration titled "Water Utility Purchase – Summary Documentation for Consideration of Release".

**Note:** The corresponding documents include a very large package of 19,742 pages. Staff have printed one (1) hardcopy. A full copy of the documents has been downloaded to a flashdrive for each of member of Council. They will also be placed in sections in Dropbox. There is an index for all the documents to refer to and during the meeting the information will be available on the large screen in the boardroom.

**RECOMMENDATION:**

THAT Council:

1. Receive for information the closed corporate report dated February 11, 2019 from the Director of Corporate Administration titled "Water Utility – Documentation for Consideration of Release"; and
- 2a. Waive privilege and confidentiality and direct staff, following Council consultation with the City's Legal Counsel, to release the documents pertaining to the City's purchase of the water utility from EPCOR, subject to any expressly noted exception(s); ***or***
- 2b. Waive privilege and confidentiality and direct staff, following Council consultation with the City's Legal Counsel, to release the documents pertaining to the City's purchase of the water utility from EPCOR; and
3. Authorize any documents released by Council at this meeting to be posted on the City's website and noted at the next regular open Council meeting.

**7. 2019 COMMITTEE APPOINTMENTS**

**Page 23**

*Community Charter Section 90(1) (a)*

Corporate report dated February 11, 2019 from the Director of Corporate Administration titled “2019 Committee Appointments”.

**RECOMMENDATION:**

THAT Council:

1. Receive for information the corporate report dated February 11, 2019 from the Director of Corporate Administration, titled “2019 Committee Appointments;”
2. Appoint the following additional members to the Advisory Design Panel, all with a term expiring December 31, 2020:
  - a) Up to two (2) architects as members, as submitted by the Architectural Institute of British Columbia;
  - b) Up to three (3) members to fill ‘resident/property owner’ positions; and,
  - c) A Chairperson and Vice Chairperson for 2019;
3. Appoint up to eight (8) members for the Parking Task Force, including the Council chair;
4. Appoint up to nine (9) community members and one (1) member from the community with expertise in planning and organizing cycling races to the Tour de White Rock Committee, with a term expiring December 31, 2020;
5. Appoint a minimum of nine (9) community members to the White Rock Sea Festival, with a term expiring December 31, 2020; and
6. Authorize the release of the committee appointments.

**8. DISCUSSION / CONSIDERATION OF ITEMS TO BE RELEASED FROM THE CLOSED SESSION TO THE PUBLIC**

**9. CONCLUSION OF THE FEBRUARY 11, 2019 CLOSED COUNCIL MEETING**

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
CLOSED CORPORATE REPORT



**DATE:** February 11, 2019  
**TO:** Mayor and Council  
**FROM:** Sandra Kurylo, Director of Financial Services  
**SUBJECT:** **Litigation** - Litigation Update

---

**RECOMMENDATIONS**

THAT Council:

1. Receive for information the February 11, 2019 closed corporate report from the Director of Financial Services, titled **Litigation** - Litigation Update;” and

# Litigation

# Litigation

Respectfully submitted,



Sandra Kurylo  
Director of Financial Services

**Comments from the Chief Administrative Officer:**

I concur with the recommendations of this corporate report.



Dan Bottrill  
Chief Administrative Officer

Appendix A – Correspondence dated October 18, 2019 from Lidstone & Company

Conf

tial



**APPENDIX A**

**Correspondence dated October 18, 2019 from Lidstone & Company**

*Confidential*

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
**CLOSED CORPORATE REPORT**



**DATE:** February 11, 2019

**TO:** Mayor and Council

**FROM:** Tracey Arthur, Director of Corporate Administration

**SUBJECT:** Water Utility Purchase – Summary Documentation for Consideration of Release

---

**RECOMMENDATIONS**

THAT Council:

1. Receive for information the closed corporate report dated February 11, 2019, from the Director of Corporate Administration, titled “Water Utility Purchase – Summary Documentation for Consideration of Release;”
  - 2a. Waive privilege and confidentiality and direct staff, following Council consultation with the City’s Legal Counsel, to release the documents pertaining to the City’s purchase of the water utility from EPCOR, subject to any expressly noted exception(s);  
**or**
  - 2b. Waive privilege and confidentiality and direct staff, following Council consultation with the City’s Legal Counsel, to release the documents pertaining to the City’s purchase of the water utility from EPCOR; and
  3. Authorize any documents released by Council at this meeting to be posted on the City’s website and noted at the next regular open Council meeting.
- 

**INTRODUCTION**

This corporate report will introduce documents produced and provided to the Manager of Freedom of Information for coordination in relation to the water utility purchase by the City of White Rock from EPCOR.

Council may by resolution, authorize release of all or some of the documents following receipt of advice from the City’s Legal Counsel, Lidstone and Company on the matter.

**ANALYSIS**

The City of White Rock on June 10, 2013, authorized staff, in accordance with the Agreement dated September 29, 1922 between the Corporation of the District of Surrey and White Rock Water Works Company Limited, and their successor organizations, to:

- a) *Provide notice to EPCOR White Rock Water Inc. of the City's intention to exercise its option to assume ownership of EPCOR's water utility works and all associated licenses*

*and real and personal property in respect of the water utility service which provides water to the City of White Rock, which ownership would enable the City to provide water service to the residents of White Rock;*

- b) Commence negotiations with EPCOR to acquire this property; and*
- c) Report to and obtain approval from City of White Rock Council before completing the purchase.*

The City of White Rock acquired the water utility from EPCOR on October 30, 2015, with an advanced payment of \$14M.

After 24 months of owning and operating the water utility, in October 2017, the City and EPCOR agreed on a final purchase price of \$13.4M.

The documents provided, under separate cover, as Appendix A, include the responsive records of the City and Lidstone and Company in relation to the water utility purchase.

Lidstone and Company performed the City's negotiation with the Legal Counsel working on behalf of EPCOR.

Please note the following notice in regard to the documents provided as Appendix A to this corporate report, under separate cover, are confidential:

**IMPORTANT NOTICE:**

*The information in this binder is CLOSED City of White Rock information.*

*The information is for Council members of the City of White Rock only.*

*The information cannot be released or copied by any individual, and/or viewed by any person not on City of White Rock Council, until Council considers a resolution to waive privilege and confidentiality.*

*Only following consultation with the City's Legal Counsel and an approved motion of the City of White Rock Council can the City release the closed information.*

*Several documents within this binder are also subject to a special Settlement Privilege pursuant to a contract with EPCOR (the "SP Records"), such that following a Council motion to release EPCOR documents including the SP Records, the City must obtain EPCOR consent prior to the City of White Rock making the SP Records public. If the SP records being held under Settlement Privilege are released without legal authorization, EPCOR could take legal action against the City. If anyone has been found to release any SP Records contrary to the settlement agreement, the municipality may recover damages from the person for the loss or damage.*

*The unauthorized disclosure of personal information is also an offence under the Act. The City, as a corporate entity, could be liable for a fine of up to \$500,000. Individuals who are found liable for offences under the Act, which could include employees or Council members, could be fined up to \$2,000. The unauthorized disclosure of personal information under the Act could also open the City up to civil claims brought under the provincial Privacy Act.*

*The Community Charter provides as follows:*

**Duty to respect confidentiality**

- 117 (1) A council member or former council member must, unless specifically authorized otherwise by council,*
- (a) keep in confidence any record held in confidence by the municipality, until the record is released to the public as lawfully authorized or required, and*
  - (b) keep in confidence information considered in any part of a council meeting or council committee meeting that was lawfully closed to the public, until the council or committee discusses the information at a meeting that is open to the public or releases the information to the public.*
- (2) If the municipality suffers loss or damage because a person contravenes subsection (1) and the contravention was not inadvertent, the municipality may recover damages from the person for the loss or damage.*

In relation to the water utility purchase, Appendix B attached to this corporate report, is a list of available negotiation documents currently on the City's website. This has been included for information purposes. Any additional documents released will be made public by being added to this section on the City's website.

**CONCLUSION**

This corporate report introduces to Council responsive documentation in relation to the purchase of the water utility from EPCOR. The City's Legal Counsel will be in attendance to review the negotiation process with Council, discuss documents held thus far at the direction of EPCOR in regard to the negotiation and, through official motion of Council, release any closed minutes and documentation. The City's Legal Counsel will also outline consideration(s) and required processes for Council to consider as they determine the documents for release.

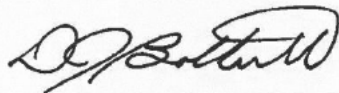
Respectfully submitted,



Tracey Arthur  
Director of Corporate Administration

**Comments from the Chief Administrative Officer:**

I concur with the recommendations of this corporate report.



Dan Bottrill  
Chief Administrative Officer

- Appendix A: Responsive Records Regarding the City's Purchase of the Water Utility from EPCOR (due to volume of materials are attached under separate cover)
- Appendix B: Listing from the City's Website of Water Utility Negotiation Documents

**APPENDIX A**

**Responsive Records Regarding the City's Purchase of the Water Utility from EPCOR  
(due to volume of materials are attached under separate cover)**

Confidential

**APPENDIX B**

**Listing from the City's Website of Water Utility Negotiation Documents**

Confidential

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
**CLOSED CORPORATE REPORT**



**DATE:** February 11, 2019  
**TO:** Chief Administration Officer  
**FROM:** Tracey Arthur, Director of Corporate Administration  
**SUBJECT:** 2019 Committee Appointments

---

**RECOMMENDATIONS**

THAT Council:

1. Receive for information the corporate report dated February 11, 2019 from the Director of Corporate Administration, titled “2019 Committee Appointments;”
  2. Appoint the following additional members to the Advisory Design Panel, all with a term expiring December 31, 2020:
    - a) Up to two (2) architects as members, as submitted by the Architectural Institute of British Columbia;
    - b) Up to three (3) members to fill ‘resident/property owner’ positions; and,
    - c) A Chairperson and Vice Chairperson for 2019;
  3. Appoint up to eight (8) members for the Parking Task Force, including the Council chair;
  4. Appoint up to nine (9) community members and one (1) member from the community with expertise in planning and organizing cycling races to the Tour de White Rock Committee, with a term expiring December 31, 2020;
  5. Appoint a minimum of nine (9) community members to the White Rock Sea Festival, with a term expiring December 31, 2020; and
  6. Authorize the release of the committee appointments.
- 

**INTRODUCTION**

The purpose of this corporate report is to appoint members to the following committees in accordance with their Terms of Reference. Council Policies – Terms of Reference for each committee are included for reference under the appendices as follows:

- Advisory Design Panel – Appendix A;
- Parking Task Force- Appendix B;
- Tour de White Rock Committee – Appendix C; and
- White Rock Sea Festival – Appendix D.

Volunteer opportunities for the Advisory Design Panel (ADP) were advertised in the Peace Arch News, November 2, 9, and 23 requesting those interested to serve to submit an application. Committee vacancy positions were also advertised on the City website. In accordance with the City's practice, current ADP members were contacted as a reminder to reapply.

Volunteer opportunities for the Parking Task Force, Tour de White Rock, and White Rock Sea Festival Committees were advertised, following Council approval of their Terms of Reference. Advertising was done in the Peace Arch News January 18, 23 and 25 requesting those interested to serve to submit an application. Committee vacancy positions were also advertised on the City website and through social media. Current members of both the Tour de White Rock and the White Rock Sea Festival were contacted as a reminder to reapply. The deadline for applications was January 31, 2019.

### **PAST PRACTICE/POLICY**

Committee appointments are discussed by Council in a closed meeting in accordance with section 90(1) (a) of the *Community Charter* to allow for discussion including personal information about an identifiable individual.

### **ANALYSIS**

#### **Advisory Design Panel**

The Advisory Design Panel (ADP) is appointed by Council to advise Council on the quality of the built environment of the City, and specifically to provide comments and suggestions to improve the design quality of new development and redevelopment in the City. The ADP is regulated by the White Rock Planning Procedures Bylaw and the ADP Terms of Reference. In accordance with the Terms of Reference for the ADP, the membership of the panel will consist of a minimum of six (6) voting members and one (1) non-voting representative from the Business Improvement Association (BIA) appointed by the BIA itself, and City staff as required. The ADP currently has one (1) member serving in the Landscape Architect position, whose term will not expire until December 31, 2019. At this time the following appointments need to be considered:

- Up to three (3) 'resident/property owner' positions;
- One (1) resident to address the perspective of a physically challenged person; and
- Two (2) architect positions (applicants provided by the Architectural Institute of British Columbia).

There have been sixteen (16) applications received for the ADP.

Five (5) of the applicants have noted in their application forms that they have previously served on the ADP, as well as the BIA representative. The Architectural Institute of British Columbia has provided two (2) applicants for the architect positions. No applications have been received to fill the resident position to address the perspective of a physically challenged person.

The BIA as their selected representative to serve on the ADP has put **Personal Information** forward. **Personal Information** application has been included in Appendix A for your information.



### **Parking Task Force**

The Parking Task Force will review and potentially revise pay parking in White Rock, including rates, parking permits, and the integration of the new parkade.

In accordance with the Terms of Reference, the Task Force will be composed of up to eight (8) members in total (including the Chair), representing a cross section of interested parties, including waterfront businesses, interested residents and White Rock staff and Council.

There have been eleven (11) applications received for the Parking Task Force. Two (2) of the applicants are currently members of the BIA.

### **Tour de White Rock Committee**

The Tour de White Rock Committee will be appointed by City Council to organize, promote, and host the Tour de White Rock – a high profile elite caliber cycling event. Nine (9) voting members are sought from the community at large and one (1) member from the community with expertise in planning and organizing cycling races. As directed in the Terms of Reference, Committee members would be assigned for a two (2) year term.

The Committee will consist of the following positions: Chairperson, Vice-Chairperson, Race Director, Treasurer, Secretary, Sponsorship, Community Events, Marketing and Communications, and Business Liaison. Due to the specialized requirements of each committee member, experience in these areas is an asset when appointing community members to the Committee.

There have been twelve (12) applications received for the Tour de White Rock Committee.

Seven (7) of the applicants received have previously served on the Tour de White Rock Committee. Personal Information, has served as the Chairperson for the Committee for the past eight (8) years, and has experience in planning and organizing cycling races.

### **White Rock Sea Festival Committee**

The White Rock Sea Festival Committee will organize, promote and host the White Rock Sea Festival on the BC Day long weekend in August. A minimum of nine (9) voting members are sought to fill the following positions: Chairperson, Vice-Chairperson, Children's Activities Coordinator, Volunteer Coordinator, Sponsorship Coordinator, Transportation Coordinator, Marketing & Communications Coordinator, Parade Coordinator, and Business Liaison Coordinator. Due to the specialized requirements of each committee member, experience in these areas is an asset when appointing community members to the Committee. As directed in the Terms of Reference, Committee members would be assigned for a two (2) year term.

There have been twelve (12) applications received for the White Rock Sea Festival Committee.

Six (6) of the applicants received have previously served on the White Rock Sea Festival Committee.

### **CONCLUSION**

Council is requested to make appointments to the relative committees:

1. Advisory Design Panel (five (5) appointments required, including appointment of Chairperson and Vice Chairperson for 2019);
2. Parking Task Force (up to eight (8) appointments required, including appointment of Chairperson);

3. Tour de White Rock Committee (up to ten (10) appointments required); and
4. White Rock Sea Festival Committee (a minimum of nine (9) appointments required).

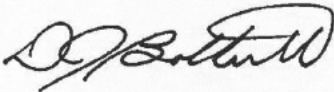
Respectfully submitted,



Tracey Arthur  
Director of Corporate Administration

**Comments from the Chief Administrative Officer:**

I concur with the recommendations of this closed corporate report.



Dan Bottrill  
Chief Administrative Officer

- Appendix A: Advisory Design Panel – Index summary of applications received, corresponding applications, and Terms of Reference
- Appendix B: Parking Task Force- Index summary of applications received, corresponding applications, and Terms of Reference
- Appendix C: Tour de White Rock Committee – Index summary of applications received, corresponding applications, and Terms of Reference
- Appendix D: White Rock Sea Festival – Index summary of applications received, corresponding applications, and Terms of Reference

**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  
S. Lam, Deputy Corporate Officer

---

1. **CALL MEETING TO ORDER**  
The meeting was called to order at 3:51 p.m.

2. **AGENDA APPROVAL**

2019-IC-001 **It was MOVED and SECONDED**  
THAT the Corporation of the City of White Rock Council adopts the agenda for the February 11, 2019 closed meeting as circulated.

**CARRIED**

3. **PREVIOUS MINUTES**  
• November 19, 2018 – Closed Meeting Minutes

2019-IC-002 **It was MOVED and SECONDED**  
THAT the Corporation of the City of White Rock Council adopts the minutes of the November 19, 2018 closed meeting as circulated.

**CARRIED**

C. Johannsen, Director of Planning and Development Services and C. Isaak, Manager of Planning arrived at the meeting.

3.

**Litigation**

The following City Solicitors were in attendance: Don Lidstone, Paul Hildebrandt, and Marissa Cruikshank. The Solicitors provided the following information:

## **Legal Privilege, Litigation**



2019-IC-003

## **Legal Privilege, Litigation**



# Legal Privilege, Litigation



# Legal Privilege, Litigation

4.

# Legal Privilege, Litigation

2019-IC-004

**It was MOVED and SECONDED**

THAT Council:

1. Receives for information the February 11, 2019 closed corporate report from the Director of Financial Services, titled "Litigation - Litigation Update"; and

# Legal Privilege, Litigation

**CARRIED**

5.

## **Legal Privilege, Litigation**



2019-IC-005

**5. RELEASE OF LEGAL FEE TOTALS FOR FOI NO: 2019-03 - City's**  
Legal Counsel was in attendance for this item *Community Charter Section 90(1) (g) and (i)*

A Freedom of Information and Protection of Privacy request  
(FOI No: 2019-03) has been received for the following:

- 1) *the total dollar value cost of all professional costs, legal costs and legal fees paid to Lidstone and Company by the City of White Rock in connection with OIPC F17-72222, White Rock FOI File 2016-147, the FOI Request for Records Related to the Councillor Chesney 2016 Censure;*
- 2) *the total dollar value cost of all professional costs, legal costs and legal fees paid to Lidstone and Company by the City of White Rock in connection with OIPC File F17-73066, White Rock File 2017-77, the FOI Request for an Unredacted Copy of the August 28, 2015 EPCOR Asset Purchase Agreement;*
- 3) *the total dollar value cost of all professional costs, legal costs and legal fees paid to Lidstone and Company by the City of White Rock in connection with OIPC File F17-69983, White Rock File 2017-10, the FOI Request for Records Related to the EPCOR Water Utility Purchase Negotiations;*
- 4) *the total dollar value cost of all professional costs, legal costs and legal fees paid to Lidstone and Company by the City of White Rock in connection with Lidstone and Company acting as a resource and assisting Administration Director Tracey Arthur with her Report entitled "Freedom of Information and Protection of Privacy Update" which was presented to Council at its regular December 10, 2018 Council Meeting; and*
- 5) *the total dollar value cost of all professional costs, legal costs and legal fees paid to Lidstone and Company by the City of White Rock in connection with Lidstone and Company putting on a FIPPA "workshop" or "seminar" for White Rock Council in December of 2018 which excluded Public observation and participation.*

Staff have been advised even though a record has not been requested, it is just the information to be given that prior to release of these totals that Council should hear from the City's Legal Counsel and then consider a motion to authorize staff to proceed.

This item is of time sensitive nature given the FOI legislated timeline for the City to respond. In the meantime the applicant has been sent an acknowledgement of the request.



2019-IC-006

**It was MOVED and SECONDED**

THAT Council directs, despite the usual exemptions from disclosure, to release the total amount of Lidstone & Company professional legal fees for each of the five (5) categories requested by the Freedom of Information applicant FOI File No. 2019-03.

**CARRIED**

2019-IC-007

**It was MOVED and SECONDED**

THAT Council authorizes the following item be added On Table to the February 11, 2019 Closed meeting:

*Item: 5.a Release of information in relation to FOI Files: Two (2) Further Requests to Complete Inquiries*

**CARRIED**

**5a.**

**RELEASE OF INFORMATION IN RELATION TO FOI FILES: TWO (2) FURTHER REQUESTS TO COMPLETE INQUIRIES**

The Director of Corporate Administration advised that there are two (2) further FOI Files that require Council consideration for release of closed minutes in regard to Corporate Priorities from 2015 and the topic of discussion in regard to the Harbour Board Agreement closed minutes and Corporate Report from December 11, 2017.

2019-IC-008

**It was MOVED and SECONDED**

THAT Council directs staff, to release the noted closed information in regard to:

- 1) Closed minutes containing information of the 2015 Corporate Priorities where the motions from the noted meetings are outlined below; and
- 2) Closed minutes of November 6, 2017 and December 11, 2017 regarding the Harbour Board Agreement as noted below;
- 3) Closed corporate report dated December 11, 2017, from the Director of Engineering and Municipal Operations titled "White Rock Harbour Board Operation and Management Agreement" following review for aspects from the Freedom of Information and Protection of Privacy (FOI) legislation; and
- 4) The final signed agreement with the Harbour Board rather than the Draft agreement attached to the noted December 11, 2017 Corporate Report

**CARRIED**

6. **WATER UTILITY PURCHASE – SUMMARY DOCUMENTATION FOR CONSIDERATION OF RELEASE**

– City’s Legal Counsel was in attendance for this item

*Community Charter Section 90(1) (g), (i), (k)*

Corporate report dated February 11, 2019 from the Director of Corporate Administration titled “Water Utility Purchase – Summary Documentation for Consideration of Release”.



**Legal Privilege**

The meeting recessed at 6:24 p.m. and was reconvened at 6:37 p.m. with all noted Council members and staff in attendance.

Discussion continued and the City Solicitors noted the following:

# Legal Privilege

2019-IC-008

**It was MOVED and SECONDED**

THAT Council:

1. Waives confidentiality over all previous in-camera minutes that deal with the water acquisition, and that those minute extracts be posted to the City's website;
2. Directs Legal Counsel to request legal consent of EPCOR to release the valuations prepared for the purchase price. Failing the consent of EPCOR, to the release of the valuations used to determine the purchase price, the City shall cooperate in any proceedings before the office of the Information and Privacy Commissioner (OIPC) to determine if the valuation should be released;
3. Waives settlement privilege to the negotiations of the purchase price; and
4. Authorizes the public release of this resolution/information.

**CARRIED**

**Note:** The corresponding documents include a very large package of 19,742 pages. Staff have printed one (1) hardcopy to be held on file with the Corporate Administration Department.

2019-IC-009

**It was MOVED and SECONDED**

THAT Council receives for information the closed corporate report dated February 11, 2019 from the Director of Corporate Administration titled “Water Utility – Documentation for Consideration of Release”.

**CARRIED**

**MEETING ADJOURNED / RECONVENED**

The Chairperson adjourned the closed Council meeting 7:00 p.m. until after the regular Council meeting was concluded and noted the meeting will be reconvened directly following.

The Chairperson reconvened the meeting at 10:23 p.m. with all noted members of Council and the following staff in attendance:

- D. Bottrill, Chief Administrative Officer
- T. Arthur, Director of Corporate Administration
- C. Johannsen, Director of Planning and Development Services
- E. Stepura, Director of Recreation and Culture
- C. Isaak, Manager of Planning

7.

**2019 COMMITTEE APPOINTMENTS**

*Community Charter Section 90(1) (a)*

Corporate report dated February 11, 2019 from the Director of Corporate Administration titled “2019 Committee Appointments”.

2019-IC-010

**It was MOVED and SECONDED**

THAT Council:

1. Receives for information the corporate report dated February 11, 2019 from the Director of Corporate Administration, titled “2019 Committee Appointments”;
2. Appoints the following additional members to the Advisory Design Panel, all with a term expiring December 31, 2020:
  - a) Two (2) architects as members, as submitted by the Architectural Institute of British Columbia as follows:
    - Fariba Gharaei
    - Nicholas Waissbluth
  - b) Three (3) members to fill ‘resident/property owner’ positions:
    - Philip Byer
    - Karen Hammersley; and

- Paul Rust
- c) A Chairperson and Vice Chairperson for 2019 as follows:
- Paul Rust as Chairperson; and
  - Karen Hammersley as Vice Chairperson.
3. Appoints up to eight (8) members for the Parking Task Force, including the Council Chairperson as follows:
- a) Committee Appointments:
- Mike Armstrong;
  - Kevin-Neil Klop;
  - Christian Lane;
  - Samantha McQuade;
  - Gillian Parkin;
  - Aroon Shah; and
  - Brian Sullivan.
- b) Chairperson Appointment:
- Councillor Trevelyan, Chairperson with the Vice Chairperson to be selected by the Task Force from the appointed voting members; and
- c) Terms of Reference Amendment:
- The Task Force Terms of Reference be amended to establish the Business Improvement Association representation on the Committee would be in the capacity as non-voting; and further
  - Committee Membership will be up to seven (7) members.
4. Appoints the following with expertise in planning and organizing cycling races to the Tour de White Rock Committee, with a term expiring December 31, 2020 as follows:
- Alfred Anderson;
  - Bert Coates;
  - Barry Dalziel;
  - Monique Isherwood;
  - Fiona MacDermid;
  - George Stonier;
  - Louise Taylor;
  - Rob Wright; and
  - Lena Xu.
5. Appoints a minimum of nine (9) community members to the White Rock Sea Festival, with a term expiring December 31, 2020 as follows:
- Donna Campbell;

- Heather Crawford;
- Fay Kubacki;
- Anita Nielsen;
- Cindy Poppy;
- Aroon Shah;
- Brian Sullivan;
- Sean Sullivan;
- Peter Zheng; and


6. Authorizes the release of the committee appointment information.


**CARRIED**

8. **DISCUSSION / CONSIDERATION OF ITEMS TO BE  
RELEASED FROM THE CLOSED SESSION TO THE PUBLIC**  
None

9. **CONCLUSION OF THE FEBRUARY 11, 2019 CLOSED COUNCIL  
MEETING**

The Chairperson declared the meeting concluded at 10:55 p.m.

  
\_\_\_\_\_  
Mayor Walker

  
\_\_\_\_\_  
Stephanie Lam, Deputy  
Corporate Officer