

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* a Special and Closed meeting of Council have been called to begin at **5:00 P.M.** on **MONDAY, MAY 4, 2020.**

DATE: MONDAY, MAY 4, 2020

MEETING TIME: 5:00 P.M.

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

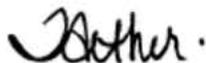
These meetings have been called to discuss items that are in accordance with Sections 90(1) (c), (d), (e), (f), (g), (i) and (k):

- (c) labour relations or other employee relations;
- (d) the security of the property of 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;
- (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- (g) litigation or potential litigation 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.

Purpose:

- Litigation / Legal Advice
- Labour – COVID 19
- RCMP Update
- On-going Negotiations Semiahmoo First Nation (SFN)
- Negotiation in Relation to a Municipal Service

Date: April 29, 2020



Tracey Arthur, Director of Corporate Administration

WHITE ROCK
My City by the Sea!

www.whiterockcity.ca

THE CORPORATION OF THE
CITY OF WHITE ROCK

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



April 29, 2020

A **CLOSED MEETING** of CITY COUNCIL will be held in the **CITY HALL COUNCIL CHAMBERS** on **MONDAY, MAY 4, 2020**, following the Special to Close meeting at **5:00 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 May 4, 2020 closed meeting as circulated.

2. PREVIOUS MINUTES

April 20, 2020 – Closed Council Meeting Minutes

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RECOMMENDATION:

THAT the Corporation of the City of White Rock Council adopt the minutes of the April 20, 2020 closed Council meeting as circulated.

3. HOMELESSNESS IN WHITE ROCK: DISCUSSIONS WITH THE WHITE ROCK RCMP

[Community Charter Section 90 (1) (d), and (f)]

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Verbal discussion with Staff Sergeant Kale Pauls regarding homelessness and new trends in this regard and possible impacts and concerns from a policing perspective.

Attached for information: Email from Staff Sergeant Pauls

4. COVID-19 - LABOUR PLAN DISCUSSION

Community Charter Section 90(1) (c)

Dan Bottrill, Chief Administrative Officer and the Director of Human Resources, Jacquie Johnstone to give an update in regard to the City's labour and impacts due to COVID-19.

5. **SEMIAHMOO FIRST NATION (SFN) –
DRAINAGE MEMORANDUM OF UNDERSTANDING (MOU)**
[Community Charter Section 90(1) (e), (g), (i) and (k)]

Negotiations

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6. **REQUEST FOR CONFIDENTIAL AND PRIVILEGED INFORMATION –
ACCESS REQUEST 2020-10**
[Community Charter Section 90(1) (g) and (i)]

The legal opinion dated April 23, 2020 from Lidstone & Company is attached for Council's information.

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At the April 20, 2020 Closed meeting, Council provided the following direction to staff (motion #2020-IC-059):

THAT Council directs staff to obtain a Solicitor Memorandum as to what actions the City could take in regard to the FOI 2020-10 request with how specific it is (where only a Member of the past Council or staff would have the information) and any action(s) / repercussion(s) there would be for the FOI applicant for holding the confidential information and making a request for the records; and

Included would be advice if the request breaches their confidentiality requirement.

Excerpt from the *Community Charter* – 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.

RECOMMENDATION:

THAT Council receive the April 23, 2020 Legal Memorandum from the City's legal counsel titled "Request for Confidential and Privileged Information" where it provides an opinion regarding any action the City can take if an access to information request is made for records that the requestor would only have knowledge of by virtue of their position as a former Council member or staff member of the City.

7. **DISCUSSION / CONSIDERATION OF ITEMS TO BE RELEASED FROM THE CLOSED SESSION TO THE PUBLIC**
8. **CONCLUSION OF THE MAY 4, 2020 CLOSED COUNCIL MEETING**

- PRESENT:** Mayor Walker
Councillor Chesney
Councillor Fathers
Councillor Johanson
Councillor Manning
Councillor Kristjanson
Councillor Trevelyan (via electronic means – Bylaw No. 2337) – arrived at 5:12 p.m.
- STAFF:** D. Bottrill, Chief Administrative Officer
T. Arthur, Director of Corporate Administration
-

The meeting was called to order at 5:01 p.m.

1. AGENDA APPROVAL

2020-IC-061 **It was MOVED and SECONDED**
THAT the Corporation of the City of White Rock Council amends the agenda for the May 4, 2020 closed meeting to include an update regarding the site of 1510 Johnston Road (previous Imperial Oil site); and

The agenda be adopted as amended.

CARRIED

2. PREVIOUS MINUTES

- April 20, 2020

2020-IC-062 **It was MOVED and SECONDED**
THAT the Corporation of the City of White Rock Council adopts the April 20, 2020 closed meeting minutes as circulated.

CARRIED

Kale Pauls, Staff Sergeant arrived at the meeting at 5:02 p.m.

3. HOMELESSNESS IN WHITE ROCK: DISCUSSIONS WITH THE WHITE ROCK RCMP [Community Charter Section 90 (1) (d), and (f)]
Verbal discussion with Staff Sergeant Kale Pauls regarding homelessness and new trends in this regard including possible impacts and concerns from a policing perspective.

The following discussion points were noted:

- Within in White Rock there currently are 0 to 3 homeless that have a history with the City

- For the RCMP the homelessness is defined through jurisdictions but for the homeless themselves there is no jurisdiction
- Various RCMP have been speaking with any homeless they encounter and it has been noted recently there have been different people noticed. Through discussion with them it was noted there is now no transit fares so they came to White Rock and have found due the how they are treated with kindness it has made White Rock an attraction. They are not hassled.
- Council must be aware if they are considering a shelter (emergency or temporary) it will attract from individuals from the City of Surrey
- Additional homeless has an immediate impact for the RCMP where there are increased on calls for service, mental health matters and an amount of property crime too
- It was noted that White Rock is a small detachment, The City of Surrey has the resources to help with homeless and mental health.
- Would it be possible to partner with Surrey on the program “Car 67” (police-mental health nurse car)?
Staff noted it may be possible but the White Rock detachment does not have the capacity to supply an officer for the program
It is a difficult program to duplicate and the reality is there is a large need in Surrey, not the need at this time in White Rock
- We appear to be doing well, we will have to see through the summer and into the fall

Councillor Trevelyan arrived at the meeting at 5:12 p.m.

2020-IC-063

It was MOVED and SECONDED

THAT Council receives the information provided by Staff Sergeant Kale Pauls regarding homelessness and new trends in this regard and possible impacts and concerns from a policing perspective for a shelter (emergency or temporary).

CARRIED

The Staff Sergeant departed the meeting at 5:16 p.m.

The Director of Human Resources arrived at the meeting at 5:17 p.m.

4.

COVID-19 - LABOUR PLAN DISCUSSION

Community Charter Section 90(1) (c)

Dan Bottrill, Chief Administrative Officer (CAO) and the Director of Human Resources, Jacquie Johnstone gave an update in regard to the City’s labour and impacts due to COVID-19.

The CAO noted COVID-19 has changed the way the City is doing business. All elements of the City's functions have been impacted. Many staff are now telecommuting. Casual City staff have now been laid off. We are looking at reallocating certain staff that due to the nature of their work are not as busy to higher priority operational tasks.

The current situation as noted by the Director of Human Resources:

The RCMP staff have changed their processes of how they handle files, (electronically)

The City's focus has been to protect jobs. There are 92 Full Time CUPE staff and 22 IAFF staff. Most of the casual positions/ staff have been laid off.

Staff are focusing on what are essential and critical task and how best to deliver them. Looking at this time at moving staff and working as a partnership with CUPE. White Rock is handling this differently from many in the region. Many are conducting layoffs and then the staff are put into an employee "pool" and then reassigned. We are not a large municipality we are working to keep them employed and reallocate.

In March when this started there were 30 staff on sick leave (26 COVID-19 related). Currently we have 60 – 64 staff that are working from home to respect social distancing and now 6 staff are on sick leave (2 are COVID-19 related).

Management are focusing on "working sheets" completing information in regard to what staff are doing right now. Turing to essential work and documenting what is not getting done.

The following discussion points were noted:

- Council are proud of the approach
- Is there a chance to make telecommuting a permanent option for some and free up some of the facility space
Yes this will be reviewed (where best applied and policy around it)
- Job reassignment involves positions who are impacted where are running low on tasks. HR are reviewing the work units and the lowest in seniority take are being reviewed to see where there can be the best fit
- Essential staff would be water staff, garbage / sanitary, payroll and IT)
- It was noted that the job reassignment process can be emotional for staff. HR will walking the impacted staff through a process and make sure they are comfortable

- It was noted that the morale of residents too are important. It will be important that we keep beautification of the City as a high priority...
- City flower beds need attention, a lot of people focusing on plants and flowers

2020-IC-064

It was MOVED and SECONDED

THAT Council directs that the City's beautification be considered a priority and ensure the reallocating of staff focuses on parks and operations where it will make a visible difference in this area.

CARRIED

Note: Prior to the motion being voted upon it was clarified that general maintenance is important (grass cutting, flowers and weeding)

2020-IC-065

It was MOVED and SECONDED

THAT Council receives and endorses the information provided by the Chief Administrative Officer and Director of Human Resources as outlined in regard to a labour plan decision.

CARRIED

The Director of Human Resources departed the meeting at 5:36 p.m.

The Director of Engineering and Municipal Operations arrived at the meeting at 5:37 p.m.

5.

**SEMIAHMOO FIRST NATION (SFN) –
DRAINAGE MEMORANDUM OF UNDERSTANDING (MOU)**

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

Negotiations

2020-IC-066

Negotiations

2020-IC-067

In accordance with motion 2020-IC-060 the following item was added to the Agenda:

6.

UPDATE REGARDING 1510 JOHNSTON ROAD (IMPERIAL OIL SITE)

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

Mr. Bottrill, Chief Administrative Officer to introduce this item.

Negotiations

2020-IC-068

Negotiations

The Director of Engineering and Municipal Operations departed the meeting at 5:51 p.m.

7.

REQUEST FOR CONFIDENTIAL AND PRIVILEGED INFORMATION –ACCESS REQUEST 2020-10

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

The legal opinion dated April 23, 2020 from Lidstone & Company is attached for Council's information.

At the April 20, 2020 Closed meeting, Council provided the following direction to staff (motion #2020-IC-059):

THAT Council directs staff to obtain a Solicitor Memorandum as to what actions the City could take in regard to the FOI 2020-10 request with how specific it is (where only a Member of the past Council or staff would have the information) and any action(s) / repercussion(s) there would be for the FOI applicant for holding the confidential information and making a request for the records; and

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2020-IC-069

It was MOVED and SECONDED

THAT Council receives the April 23, 2020 legal memorandum from the City's legal counsel titled "Request for Confidential and Privileged Information" where it provides an opinion regarding any action the City can take if an access to information request is made for records that the requestor would only have knowledge of by virtue of their position as a former Council member or staff member of the City.

CARRIED

The follow discussion points were noted:

- Legal no issue with the FOI request, there could be a reminder sent in regard to Duty of Confidentiality
- Question if a the person obtaining the information were to be elected using the information would that be considered a pecuniary gain?
Staff noted this would be difficult to conclude

8.

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

- Information provided by the Staff Sergeant, it was noted that the Staff Sergeant can be invited to an open meeting to ensure what can be made public will be.

2020-IC-070

It was MOVED and SECONDED

THAT Council endorses the work of the City's Human Resource Department; during the difficult time of the COVID-19 pandemic; and

Directs that a press release be issued that summarizes what the city has done to support its staff and the residents.

CARRIED

9.

**CONCLUSION OF THE MAY 4, 2020 CLOSED COUNCIL
MEETING**

The Chairperson declared the meeting concluded at 5:59 p.m.



Mayor Walker



Tracey Arthur, Director of
Corporate Administration