

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 to begin at **5:00 p.m. on MONDAY, SEPTEMBER 28, 2020.**

DATE: MONDAY, SEPTEMBER 28, 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) (e), (g), (i), (k) and 90(2) (b)] of the *Community Charter*:

- (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;
 - (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (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; and
- 90(2) (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

PURPOSE:

- Land /Negotiation of Municipal Service - Semiahmoo First Nation
- Property, Legal, Litigation

The City of White Rock is committed to the health and safety of our community. In keeping with Ministerial Order No. M192 from the Province of British Columbia, City Council meetings will take place without the public in attendance at this time until further notice.

Date: September 23, 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



September 23, 2020

A **CLOSED MEETING** of CITY COUNCIL will be held in the **CITY HALL COUNCIL CHAMBERS** on **Monday, September 28, 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 September 28, 2020 closed meeting as circulated.

2. PREVIOUS MINUTES

Closed Meeting – September 14, 2020

Page 2

RECOMMENDATION:

THAT the Corporation of the City of White Rock Council adopt the minutes of the September 14, 2020 closed meeting as circulated.

Note: Don Lidstone, City Solicitor, will be in attendance (via electronic means) for Items 3 & 4 in regard to Semiahmoo First Nation Utility Agreements.

3. MUNICIPAL AGREEMENTS – SERVICING

Community Charter Section 90(1) (e), (g), (i), (k) and 90(2)(b)

Verbal update regarding the status of the Municipal Service Agreements to be given by the City Solicitor.

- Sewer Services Agreement
- Water Supply Agreement – Westerly Lands
- Water Supply Agreement – Community Core Lands

Page 7

Page 24

Page 44

4. DRAINAGE MEMORANDUM OF UNDERSTANDING

Community Charter Section 90(1) (e), (g), (i), (k) and 90(2)(b)

Verbal update regarding a proposed Drainage Memorandum to be given by the City Solicitor.

Page 64

5. **COLDICUTT RAVINE**

Page 70

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

Corporate report from the Director of Engineering and Municipal Operations dated September 28, 2020 titled "Coldicutt Ravine".

RECOMMENDATION

THAT Council impose Remedial Action Requirement resolutions to 14104 Marine Drive, 14112 Marine Drive, and 14140 Marine Drive; and direct Staff to obtain a formal legal opinion on **Legal Privilege**

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

7. **CONCLUSION OF THE SEPTEMBER 28, 2020 CLOSED COUNCIL MEETING**

THE CORPORATION OF THE
CITY OF WHITE ROCK
CLOSED CORPORATE REPORT



DATE: September 28, 2020
TO: Mayor and Council
FROM: Jim Gordon, P.Eng., Director, Engineering and Municipal Operations
SUBJECT: Coldicutt Ravine

RECOMMENDATION

THAT Council impose Remedial Action Requirement resolutions to 14104 Marine Drive, 14112 Marine Drive, and 14140 Marine Drive; and direct Staff to obtain a formal legal opinion on **Legal Privilege**

EXECUTIVE SUMMARY

Coldicutt Ravine has been closed since the landslides that occurred in February 2020. An independent Geotechnical Engineer determined that unpermitted drainage from three (3) properties were the primary contributing factor to the landslides.

Legal Privilege

LEGISLATION

Meetings that may or must be closed to the public per the Community Charter:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (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;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;

PREVIOUS COUNCIL DIRECTION

Motion # & Meeting Date	Motion Details
<i>February 18, 2020</i>	Item noted for information purposes.

The Director of Engineering and Municipal Operation noted the following:

- Due to the past few weeks of rainfall it has caused issues throughout the city especially in Ruth Johnson Park and Coldicutt Ravine.
- Coldicutt Ravine has now been closed off (there will need to be discussion with Council in future about further plans with this).
- Staff have asked Geotechnical Consultants to give an approximate cost to address this in order to inform Council but also to apply to the Province for Disaster Financial Assistance.

Property Matter

<p>Question and Answer Period</p> <p><i>June 29, 2020</i></p>	<p>Staff reported the following information in relation to Coldicutt Ravine:</p> <ul style="list-style-type: none">• Transport Canada does not want people to be on the trail.• Emergency access only by the Fire Department.• It will remain closed until further notice at Council's decision. <p>Staff will report back in the Fall with further details of mitigation and how to move forward.</p>
---	--

INTRODUCTION/BACKGROUND

Between January 31, 2020 and February 2, 2020, slope failures occurred in Coldicutt Ravine after heavy rainfalls. Staff subsequently closed Coldicutt Ravine for public safety.

Property Matter

Property Matter

Property Matter

Property Matter

Respectfully submitted,



Jim Gordon, P.Eng.
Director, Engineering and Municipal Operations

Comments from the Chief Administrative Officer

I concur with the recommendation of this corporate report.



Guillermo Ferrero
Chief Administrative Officer

Appendix A:

Appendix B:

Appendix C:

Appendix D:

Appendix E:

Appendix F:

Appendix G: Remedial Action Requirements Resolution for 14112 Marine Drive, White Rock,
14140 Marine Drive, White Rock and 14104 Marine Drive, White Rock

Property Matter

- PRESENT:** Mayor Walker
Councillor Chesney
Councillor Johanson
Councillor Kristjanson (arrived at 5:07 p.m.)
Councillor Manning
Councillor Trevelyan
- ABSENT:** Councillor Fathers
- GUEST:** D. Lidstone, City Solicitor (via electronic means for Items 3 & 4)
- STAFF:** G. Ferrero, Chief Administrative Officer
T. Arthur, Director of Corporate Administration
J. Gordon, Director of Engineering and Municipal Operations (via electronic means)
-

The meeting was called to order at 5:02 p.m.

1. AGENDA APPROVAL

- 2020-IC-103 **It was MOVED and SECONDED**
THAT the Corporation of the City of White Rock Council adopt the agenda for the September 28, 2020 closed meeting as circulated. **CARRIED**

2. PREVIOUS MINUTES
Closed Meeting – September 14, 2020

- 2020-IC-104 **It was MOVED and SECONDED**
THAT the Corporation of the City of White Rock Council adopt the minutes of the September 14, 2020 closed meeting as circulated. **CARRIED**

Note: Don Lidstone, City Solicitor, was in attendance (via electronic means) for Items 3 & 4 in regard to Semiahmoo First Nation Utility Agreements.

Councillor Kristjanson arrived at the meeting at 5:07 p.m.

- 3. MUNICIPAL AGREEMENTS – SERVICING WITH THE SEMIAHMOO FIRST NATION (SFN)**
Community Charter Section 90(1) (e), (g), (i), (k) and 90(2)(b)
Verbal update regarding the status of the Municipal Service Agreements was given by the City Solicitor.

- Sewer Services Agreement
- Water Supply Agreement – Westerly Lands

- Water Supply Agreement – Community Core Lands (Service connection at Stayte Road)

Mr. Lidstone reviewed the Water Supply Agreements (Westerly Lands and Community Core Lands) that were circulated in the agenda and the following discussion points were noted:

Legal Privilege

2020-IC-105

2020-IC-106

It was MOVED and SECONDED

THAT Council endorses the two (2) Water Utility Agreements between the City of White Rock and Semiahmoo First Nation with noted amendments as tracked in the circulated documents and with added clarification language to be supplied by Mr. Lidstone and they be forwarded to Semiahmoo First Nation for final signature.

CARRIED

Mr. Lidstone reviewed the Sewer Services Agreement that was circulated in the agenda. It was noted that this agreement came back from SFN legal with no suggested amendments.

2020-IC-107

It was MOVED and SECONDED

THAT Council endorses the Sewer Services Agreement between the City of White Rock and Semiahmoo First Nation as circuted in the agenda.

CARRIED

4.

DRAINAGE MEMORANDUM OF UNDERSTANDING (MOU)

Community Charter Section 90(1) (e), (g), (i), (k) and 90(2)(b)

Verbal update regarding a proposed Drainage MOU was given by the City Solicitor.

Legal Privilege, Negotiations

2020-IC-108

2020-IC-109

Negotiations

5.

COLDICUTT RAVINE

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

Corporate report from the Director of Engineering and Municipal Operations dated September 28, 2020 titled "Coldicutt Ravine".

2020-IC-110

It was MOVED and SECONDED

THAT Council impose Remedial Action Requirement resolutions to 14104 Marine Drive, 14112 Marine Drive, and 14140 Marine Drive; and direct Staff to obtain a formal legal opinion on Legal Privilege

CARRIED

Property Matter

6.


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

None

7.

CONCLUSION OF THE SEPTEMBER 28, 2020 CLOSED COUNCIL MEETING

The Chairperson declared the meeting concluded at 6:16 p.m.



Mayor Walker



Tracey Arthur, Director of
Corporate Administration