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Second Follow-Up: Request for Clarification — Legal Authority and Decision-Making Process for Denial of Delegation Requests (LU009583) — Unanswered as of July 14, 2026

Sarbjot Singh LOCHAM <lochamsarbjot@gmail.com>

Thu, Aug 6, 2026 at 10:23 AM

To: Laurie Darcus <LDarcus@delta.ca>

Cc: Marcy Sangret <MSangret@delta.ca>, Hanieh Berg <HBerg@delta.ca>, cityclerk@delta.ca, Mayor & Council <Mayor-Council@delta.ca>, Mayor George Harvie <mayorharvie@delta.ca>, Legislative Services <legislative@delta.ca>, "sarbjotlocham@gmail.com" <sarbjotlocham@gmail.com>

Subject: Re: 15 Legal Authority Questions — Question-by-Question Review of Your July 16, 2026 Response (LU009583)

Dear Dr. Laurie Darcus,

I have now reviewed your July 16, 2026 response against each of the 15 legal authority questions from my July 6/15, 2026 letter individually, and against the two letters from Mr. Poole that you asked me to supply (both attached again here for ease of reference: the August 1, 2025 letter and the November 5, 2025 letter). None of the 15 questions has received a substantive answer. I am setting out each question below, together with your response and why it does not answer what was asked, so the record is complete, and there is no ambiguity about what remains outstanding.

Note on formatting: your quoted responses appear in **dark red**, matching the color-coding used in your own July 16, 2026 reply. New text added since my last letter appears in **blue and highlighted** for ease of reference.

1. Under what legal authority was external counsel authorized to deny, or communicate the denial of, my first delegation request (November 5, 2025 letter)?

***Your response:** You asked me to provide a copy of the letter; stating you were not with the City at that time.*

— The letter is attached. It cites no bylaw, Community Charter provision, Council resolution, or delegated authority. Please now answer the question directly.

I would also note that the August 1, 2025 letter is correspondence from the City's external counsel requesting that I cease certain communications — it is not a court order, an injunction, or any other form of binding legal authority. To the extent the City has treated it as having that effect, please identify the legal basis for doing so.

2. Was the external lawyer acting under a specific provision of the Community Charter, a City bylaw, a Council resolution, a written policy, or a delegated authority?

***Your response:** "As above."*

— Not answered. The letter itself identifies no such authority.

3. Did the external lawyer make the decision himself, or communicate a decision already made by an authorized City official? If the latter, who?

***Your response:** "As above."*

— Not answered. No official is identified.

4. Under what legal authority did Leslie Tuerlings deny my second delegation request on May 20, 2026?

***Your response:** You stated Ms. Tuerlings communicated the decision only, and that the decision was based on the Council Procedure Bylaw "which we have supplied to you in previous emails."*

— This is incorrect: the City has never supplied me with a copy of Bylaw No. 8330 in any correspondence. I located the bylaw independently, through a public search. If your office is relying on it, please provide it directly along with the specific section(s) relied on for this decision.

5. Was that decision Ms. Tuerlings' own, or was she communicating a decision made by someone else? If the latter, who?

***Your response:** "As above."*

— Not answered. If Ms. Tuerlings only communicated the decision, as you state in Q4, please identify who actually made it.

6. Please explain how a request for clarification of a documentation conflict, as distinct from a request to revisit a decision already made, falls within the scope of the November 5, 2025 letter.

Your response: "As above re: letter."

— Not answered. The November 5, 2025 letter (attached) addresses only requests to "revisit decisions made by staff or Council"; it does not address requests for clarification of a documentation conflict, which is what my May 15, 2026 submission was.

7. If either decision was made by a City official rather than external counsel, please identify: (a) name and position; (b) legal authority; (c) whether delegated by Council.

Your response: "As per the Council Procedure Bylaw."

— Not answered. No name, no section number, no confirmation of delegation.

8. Sections 13.4 and 13.10 of Bylaw 8330 appear to indicate the Mayor approves delegation requests. If that reading is wrong, what authority permits someone else to exercise that function?

Your response: "As per the Council Procedure Bylaw."

— Not answered. This restates the bylaw I already cited without identifying any other authority.

9. Your June 29, 2026 email described a two-stage process (City Manager reviews, Mayor approves) that does not appear in ss.13.4/13.10. Is this documented elsewhere, and how does it reconcile with neither denial being communicated by the City Manager's office?

Your response: "This is an internal process."

— Not answered. Please confirm whether this process is documented in writing anywhere, and provide that document if so.

10. Mayor Harvie told me on June 29, 2026 that he was not aware of, and had not been informed of, either delegation request or its denial. If he did not make or review either decision, who did?

Your response: You stated you could not respond as you were not party to that conversation.

— This question does not ask you to speak to the conversation with the Mayor; it asks who made the decision if not him. Please answer directly.

11. What legal authority permitted reliance on the November 5, 2025 letter, more than six months later, to deny a substantively different request on May 20, 2026?

Your response: "As above re: letter."

— Not answered. The letter does not address this.

12. Please provide copies of any Council resolution, delegation of authority, written policy, or administrative procedure authorizing staff or external counsel to approve or deny delegation requests on behalf of the Mayor or Council.

Your response: "As per the Council Procedure Bylaw."

— Not answered. No documents were provided. Bylaw 8330 itself names only the Mayor at ss.13.4/13.10; it does not authorize staff or counsel to act in his place. If a separate document does so, please produce it.

13. Do the August 1, 2025 and November 5, 2025 letters continue to govern or restrict my communications with City staff? If so, under what authority, and who authorized their ongoing application?

Your response: "As above re: letter."

— Not answered. Neither letter addresses whether it remains in force today, nearly a year later.

14. Who determined that my Bill 25/SSMUH delegation requests constituted development or land use matters, and under what authority?

Your response: "As per the Council Procedure Bylaw."

— Not answered. No individual or authority is identified.

15. If the two letters were intended to apply only to my subdivision application, what authority permitted their later application to delegation requests, clarification requests, payment-confirmation requests, and Bill 25 correspondence?

Your response: "Not applicable. Delegation requests are determined as per the Council Procedure Bylaw."

— This does not answer the question asked, which concerns the scope of the two letters, not the delegation-request process generally. I would also note that both letters, on their face, restrict communication only to matters "relating to your subdivision

application... file number LU009583” (August 1, 2025 letter) and expressly confirm they are not intended to restrict communication “on governance and policy matters more generally” (November 5, 2025 letter, page 2).

To summarize: of the 15 questions, none has been substantively answered. Six were answered only with a repeated reference to “the Council Procedure Bylaw” without a section number or supporting document (Questions 7, 8, 9, 12, 14, and part of 4); five were deflected back to me for documents I have now supplied (Questions 1, 2, 3, 6, 11, 13, 15); and two were declined on the basis that you were not personally involved (Questions 5, 10).

Given that the bylaw has still never been provided to me directly, and that the specific sections relied on for each individual decision have still not been identified, I ask that your office provide, by August 12, 2026:

- (a) The specific section(s) of Bylaw No. 8330 (or any other bylaw, resolution, or policy) relied on for each of Questions 4, 5, 7, 8, 9, 12, and 14, with the document itself attached;
- (b) The name and position of the City official who authorized the August 1, 2025 and November 5, 2025 letters, and under what delegated authority (Questions 1–3, 6, 11, 13);
- (c) A direct answer to who made the decision to deny my requests, if not Ms. Tuerlings or the Mayor (Questions 5, 10);
- (d) A direct answer on the scope of the two letters and why they were applied beyond the subdivision file (Question 15).

I am attaching both Poole letters again for your convenience. I remain willing to receive a partial response by the deadline with a specific date for the remainder. If a substantive, question-by-question response is not received by August 12, 2026, I will treat this as the City's final position on all 15 questions and proceed accordingly, including updating Ombudsperson file [REDACTED] with this full record and making the correspondence public as previously stated.

Sincerely,

Sarbjot Singh Locham
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[Attachments: Mr. Poole's Cease & Desist Letter, August 1, 2025; Mr. Poole's Letter, November 5, 2025]

[Quoted text hidden]

2 attachments



Mr. Poole's - the November 5, 2025 letter.pdf
75K



Mr. Poole's Cease & Desist Letter, August 1, 2025.PDF
104K