



## **SPECIAL REGULAR MEETING**

### **Amended**

For the **SPECIAL REGULAR MEETING** of Council to be held on August 16, 2023, at 5:30 pm in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

#### **1. CALL TO ORDER**

#### **2. ADOPTION OF AGENDA**

**Recommendation:**

THAT the Agenda for the Special Regular Council Meeting of August 16, 2023, be adopted as presented.

#### **3. PUBLIC COMMENTS REGARDING AGENDA ITEMS**

#### **4. CONSENT AGENDA**

**a) Reports**

- i. Report from the Director of Operations & Intergovernmental Relations Re: Capital & Major Projects – Monthly Update;
- ii. Report from the Director of Operations & Intergovernmental Relations Re: Council Notification – Purchases Update; and,
- iii. Memorandum from the Director of Operations & Intergovernmental Relations Re: Water Provisions to Community Garden;
- iv. **Memorandum from the Director of Operations & Intergovernmental Relations Re: Community Water Treatment – Staff update.**

**Recommendation:**

THAT all items on the Consent Agenda be accepted as noted and filed

#### **5. REPORTS**

**a) Report from the Director of Operations & Intergovernmental Relations Re: 2023 Capital Paving Program – Award**

**Recommendation:**

THAT Mayor and Council approve the recommendation of Staff and award the 2023 Capital Paving Program to Adventure Paving.

**b) Report from the Corporate Administrator Re: Remedial Action Order for 741 – 3<sup>rd</sup> Avenue West, Prince Rupert, BC; legally described as Parcel B (BV18042), Block 32, Section 1, District Lot 251, Range 5, Coast District Plan 923 (PID: 025-584-006) – reconsideration request.**

**Recommendation:**

THAT the bus and car (the “Chattels”) located adjacent to the building located at 741 – 3<sup>rd</sup> Avenue West, Prince Rupert, BC; legally described as Parcel B (BV18042), Block 32, Section 1, District Lot 251, Range 5, Coast District Plan 923 (PID: 025-584-006) (the “Property”), be declared a Hazard under Section 73 and a Nuisance under Section 74 of the Community Charter at that the registered owner of the Property be required to remove the Chattels by 4:30 pm, PST, Friday, August 18, 2023;

AND THAT if the Chattels are not removed by 4:30 pm, PST, Friday, August 18, 2023, Staff are directed to remove said Chattels with all costs associated to be borne by the registered owner;

AND THAT the building (the “Building”) located at the Property, be declared a Hazard under Section 73 and a Nuisance under Section 74 of the Community Charter at that the registered owner of the Property be required to commence action to remove or demolish the Building within 30-days;

AND THAT if the work to have the Building removed has not substantially commenced within 30-days Staff are directed to remove the Building with all costs associated to be borne by the registered owner;

AND THAT, for the purposes of this resolution, “remove or demolish” shall mean to either remove or cause to be removed, all building components, including but not limited to the roof, beams, walls, floors, electrical, plumbing, and mechanical systems to the remaining foundation, and any wood or concrete pilings, piers and foundation be removed and that the building site be filled to the prevailing grade.

- c) **Report from the Corporate Administrator Re: Remedial Action Order for 1127 & 1133 – 2<sup>nd</sup> Avenue West, Prince Rupert, BC; legally described as lots 18, 19, 20 & 21, Block 27, Section 1, District Lot 1992, Range 5, Coast District Plan 923 (PIDs: 012-028-746, 012-028-754, 012-028-762 and 012-028-771). – reconsideration request.**

**Recommendation:**

THAT the property located at 1127 & 1133 2<sup>nd</sup> Avenue West, Prince Rupert, BC; legally described as lots 18, 19, 20 & 21, Block 27, Section 1 (the “Property”), be declared a Hazard under Section 73 and a Nuisance under Section 74 of the Community Charter at that the registered owner of the Property be substantially cleaned by August 31, 2023, including the removal of all outside and area garbage and recycling, including garbage (the “Remediation”) from in between 1127 & 1133 2<sup>nd</sup> Avenue West;

AND THAT if the Remediation work is not completed by August 31, 2023, Staff are directed to proceed with the Remediation with all costs associated to be borne by the registered owner;

THAT the building (the “Building”) located at the Property, be declared a Hazard under Section 73 and a Nuisance under Section 74 of the Community Charter at that the registered owner of the Property be required to commence action to remove or demolish the Building within 30-days;

AND THAT if the work to have the Building removed has not substantially commenced by September 30, 2023, Staff are directed to remove the Building with all costs associated to be borne by the registered owner;

AND THAT, for the purposes of this resolution, “remove or demolish” shall mean to either remove or cause to be removed, all building components, including but not limited to the roof, beams, walls, floors, electrical, plumbing, and mechanical systems to the remaining foundation, and any wood or concrete pilings, piers and foundation be removed and that the building site be filled to the prevailing grade.

**6. BYLAWS**

**a) Infrastructure Replacement Design Loan Authorization Bylaw No. 3519, 2023.**

**Recommendation:**

THAT Council introduces and gives Fourth & Final Reading to the Infrastructure Replacement Design Loan Authorization Bylaw No. 3419, 2023.

**b) Linear Liquid Waste Infrastructure Replacement Loan Authorization Bylaw No. 3520, 2023.**

**Recommendation:**

THAT Council introduces and gives Fourth & Final Reading to the Infrastructure Replacement Design Loan Authorization Bylaw No. 3420, 2023.

**7. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL**

**8. ADJOURNMENT**



## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** August 16, 2023  
**TO:** Dr. Robert Buchan, City Manager  
**FROM:** Richard Pucci, Director of Operations & Intergovernmental Relations

**SUBJECT: CAPITAL & MAJOR PROJECTS – MONTHLY UPDATE**

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#### REASON FOR REPORT:

The City of Prince Rupert has several active Capital and Major Projects in various states of completion. This Consent Report aims to update Council and the Public on the progress monthly.

#### ANALYSIS:

The Staff has completed the attached chart and is prepared to verbally report to showcase the progress of our Capital and Major Projects.

#### LINK TO STRATEGIC PLAN:

All Projects associated with these updates are linked to the Strategic Plan.

#### COST:

There is no impact on the Annual Budget or Strategic Priorities for the Staff at this time.

#### Report Prepared By:

#### Report Reviewed By:

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Richard Pucci,  
Director of Operations &  
Intergovernmental Relations

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Dr. Robert Buchan,  
City Manager

#### Attachment(s):

- Major/Capital Projects Progress Chart

# Capital & Major Project Update

MAJOR PROJECT	PRIORITY	STATUS	% COMPLETE
Public Works Building	High	In Progress	5%
Bridge Repairs (6th & 2nd)	High	In Progress	5%
Landfill Closure	High	In Progress	5%
RCMP Detachment	High	In Progress	15%
Water Replacement Program	High	In Progress	5%
SCADA System Upgrade	High	In Progress	25%
Sewer Treatment Pilot Program	High	In Progress	5%
Submarine/Overland	High	In Progress	5%
Water Treatment	High	In Progress	5%
Waterfront Project	High	In Progress	10%
Outfall Repairs (L & J)	High	In Progress	5%



## REPORT TO COUNCIL

### Meeting of Council

**DATE:** August 16, 2023  
**TO:** Robert Buchan, City Manager  
**FROM:** Richard Pucci, Director of Operations & Intergovernmental Relations

**SUBJECT: COUNCIL NOTIFICATION – PURCHASES UPDATE**

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#### REASON FOR REPORT:

As per the City of Prince Rupert's Purchasing Policy, Staff is required to notify the City Council on Purchases over \$100,000.00 dollars. Previously this was completed through memos from the Staff to Council. However, moving forward, the Staff will present this information periodically as a Report to Council for information purposes.

#### ANALYSIS:

As per the Purchasing Policy, please see below for recent and anticipated purchases over \$100,000.00 that do not require a Council Resolution.

- **Adventure Paving** - RFQ PW23-01 Capital Paving Program
  - \$1,021,796.60
- **Associated Engineering** - RFP 22-18 Water Treatment Change Orders
  - \$194,269.95
- **Big Truck Rental** - Refuse Truck Purchase EQ187
  - \$323,512.00
- **Brandt Tractor** - Skid Steer Purchase
  - \$25,525.12
- **Brandt Tractor** - Landfill Dozer Purchase
  - \$796,396.32
- **Broadwater Industries** - 23-0097 Seal Cove & Shawatlans Docks

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- \$425,985.00
- **Broadwater Industries** - Phase I Utility Replacement – 1<sup>st</sup> Ave East
  - \$630,000.00
- **Falcon Equipment** - Single Axel Gravel Plow Truck
  - \$328,811.60
- **Gitxaala Operations** - RFP 2022-20 Environmental Services
  - \$211,137.14
- **Magna Engineering** - Omineca Waste Water Change Order
  - \$112,350.00
- **Marcan Construction** - RFT 22-01 New Public Works Mezzanine
  - \$172,313.19
- **McElhanney Consulting** - RFP 22-20 Landfill Environmental Monitoring
  - \$271,110.00
- **Pac. Northwest Electrical** - ITT 23-01 Scada Plc Upgrade
  - \$394,773.75
- **Sperling Hansen** - Landfill Phase I Closure -
  - \$209,730.15
- **Yellowhead Pavement** - RFP 23-03 Line Painting Program
  - \$105,000.00

**COST:**

All procurement listed above was completed and Approved as per the City's Purchasing Policy.

**Report Prepared By:**

**Report Reviewed By:**

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Richard Pucci,  
Director of Operations &  
Intergovernmental Relations

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Robert Buchan,  
City Manager



## MEMORANDUM

**DATE:** August 16, 2023  
**TO:** Dr. Robert Buchan, City Manager  
**FROM:** Richard Pucci, Director of Operations & Intergovernmental Relations

**SUBJECT: Water Provisions to Community Garden**

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### Through the City Manager:

The Operations Department has reviewed the Council's request to provide water via a water truck to the community garden on Ritchie Street.

This Department has rendered the following in response:

- The Public Works Department does not have a proper purpose-built water truck within its fleet;
- The truck Public Works used to use for watering hanging basket plants is purpose-built for watering hanging plants.
  - The pump and spout are slow and would not be efficient.
  - It would take approximately a quarter of a day to use this truck for filling the on-truck tank and filling water barrels;
  - This would be approximately \$500-800.00 worth of lost staff and equipment time that could not be charged to a utility or a project (unless willing to pay for service);
- The Public Works Vac-truck holds sewer and cannot be used for providing water for health and safety reasons;
- Rain capture devices and barrels can be used to catch rainwater for an adequate supply; and,
- This service could be provided by a third party with a proper water truck likely in-kind.

As a result of this review, the Operations Department recommends that the operators of the community garden request a local service provider with a watering truck for assistance and use rain capture devices and barrels for an adequate supply of water.

Thank you, and please direct any questions or concerns to the City Manager.

Regards,

Richard Pucci,  
Director of Operations & Intergovernmental Relations





## MEMORANDUM

**DATE:** August 28, 2023  
**TO:** Dr. Robert Buchan, City Manager  
**FROM:** Richard Pucci, Director of Operations & Intergovernmental Relations  
**SUBJECT:** **COMMUNITY WATER TREATMENT – STAFF UPDATE**

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### Through the City Manager:

At a recent Council meeting, the Staff was requested to provide an update on where we are at with the construction of a water treatment facility.

In response, unfortunately, the construction of the community water treatment facility has been paused. The Staff along with our consultants, feel that a pause is necessary for this project due to the following concerns

#### Recent leakage test determined significant water loss in older *high-risk* piping

- During recent leakage testing, the City discovered that it is releasing into the ground a significant amount of potable water. During this test, the water meter was virtually unchanged from the middle of the night to peak mid-day. This is relevant as it is expensive to sophisticatedly treat water and if we are treating double what the community requires the system will be oversized and overpriced for the community's needs.

#### Major Water Infrastructure Replacement Strategy to replace *high-risk* water pipes

- The City's water distribution system is currently in the process of catastrophic failure and the social, environmental, and economic impacts will be severe. To avoid these outcomes, we need to immediately begin the replacement of our most critical and *high-risk* water mains.
- In response, the City developed the Infrastructure Replacement Strategy (IRS) with Urban Systems in early 2023. This Strategy identified approximately 26 km of *high-risk* and *high-likelihood of failure* water mains that are critical to supplying potable water to residents, commercial businesses, and industry.
- The total estimated project cost for the water main replacement and sewer separation is \$205 million, with \$65 million committed from the Province of British Columbia (for water only), \$45 million proposed to be funded by the City through debt financing (or new revenues), \$82 million as part of the DMAF application (still under Federal review), and the remaining \$13 million funded through small grants.

- Before constructing a new water treatment facility, it is imperative that the distribution system is operating at a normal and manageable level as there is no point having water treatment with no piping to convey it to the users.

Current Municipal cost constraints to complete the Project

- As previously mentioned, the City is in the process of borrowing \$45M through an AAP process. If we achieve approval to borrow the \$45M, the City's borrowing capacity will be exhausted and we will not be able to borrow any more. Therefore, the City needs more time to increase revenues and pay down its debt to contribute to the cost of the water treatment facility. It should be noted that the cost of the water treatment facility has increased by approximately \$30M since our original estimates.

The City requires approximately 3 years to complete the water distribution network upgrades. Nearing the end of distribution system upgrades, it is our vision that we will start the design of the new facility. We believe that at that time we will have a good understanding of our system and will be able to design the right facility for our needs. We believe that the design will start in 2027 with construction in 2028 and commissioning in 2029.

Thank you, and please direct any questions or concerns to the City Manager.

Regards,

Richard Pucci,  
Director of Operations &  
Intergovernmental Relations



## **REPORT TO COUNCIL**

### **Regular Meeting of Council**

**DATE:** August 16<sup>th</sup>, 2023  
**TO:** Dr. Robert Buchan, City Manager  
**FROM:** Richard Pucci, Director of Operations & Intergovernmental Relations

**SUBJECT: 2023 CAPITAL PAVING PROGRAM - AWARD**

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#### **RECOMMENDATION:**

**That Mayor and Council approve the recommendation of Staff and award the 2023 Capital Paving Program to Adventure Paving.**

#### **REASON FOR REPORT:**

The City annually completes paving under the Capital Paving Program. The paving undertaken with this program covers trouble spots throughout the community.

#### **ANALYSIS:**

The Operations Department posted a Tender for the 2023 Capital Paving Program on BC Bid and only received one compliant bid from Adventure Paving at \$1,020,000.00 + GST.

#### **LINK TO STRATEGIC PLAN:**

The completion of the Capital Paving Program is linked to the Transportation section of the Strategic Plan.

#### **COSTS AND BUDGET IMPACT:**

The City Council has already approved the capital expenditure for the 2023 Capital Paving Program, and this award falls within that approved Budget.

#### **CONCLUSION:**

That Mayor and Council award the 2023 Capital Paving Program to Adventure Paving.

**Report Prepared By:**

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Richard Pucci,  
Director of Operations &  
Intergovernmental Relations

**Report Reviewed By:**

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Dr. Robert Buchan,  
City Manager

## Rosamaria Miller

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**From:** Marie Luong <mluong98@gmail.com>  
**Sent:** August 8, 2023 5:56 PM  
**To:** Rosamaria Miller  
**Subject:** Re: 741 - 3rd Avenue West

**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.

To: Ms. Rosa Miller

This letter is addressed to Ms. Rosa Miller and/or relevant parties regarding the property at 741 3rd Ave West, Prince Rupert, specifically Block 32, Section 1, District Lot 252.

I, Marie N. Luong, the property owner, wish to address your communication dated August 8th, 2023, concerning Section 77 of the Community Charter. I acknowledge my failure to adhere to the stipulated timeline for property maintenance.

While I recognize my default in timely property upkeep, I have encountered challenges in this regard. Despite reaching out to three distinct companies in Prince Rupert for cleaning services, the cost estimates provided are exorbitant.

I am fortunate to have a close acquaintance who is both a real estate investor and a skilled builder-developer. He has reviewed the quotes I received and believes them to be significantly inflated. As a result, he has offered to collaborate with me in obtaining a revised quote from the other parties in Prince Rupert. This estimate will encompass not only the cleaning of the existing location but also the potential rebuilding of the property.

Our intention is to approach the City Hall to ascertain the feasibility of reconstruction on the mentioned land. We are committed to optimizing the property's potential for return on investment, while also adhering to city regulations and securing necessary approvals.

In the interim, my financial resources are limited. To address this challenge, my friend, Peter, has graciously extended his assistance in exploring financing options. We are considering a draw mortgage to facilitate the construction process, which would subsequently allow me to remortgage the property and maintain it as a rental.

I kindly request an extension of time to fulfill the city's requirements, allowing me to execute this plan prudently and without incurring overwhelming debt. Although I am aware of the current hazards posed to the public by the property's condition, rest assured that I am committed to expediting the resolution as swiftly as possible.

I am sincerely grateful for your understanding and support during this process. Your cooperation is invaluable as I work towards resolving this matter in a responsible and efficient manner. I can also be reached at 403 397 6088. Thank you in advance for your consideration.

Wishing you all a day filled with blessings and positive outcomes.

Sincerely,  
Marie N. Luong

On Tue., Aug. 8, 2023, 3:23 p.m. Rosamaria Miller, <[Rosamaria.Miller@princerupert.ca](mailto:Rosamaria.Miller@princerupert.ca)> wrote:

Good afternoon.

August 14, 2023

Copy of PDF file by email to : Rosamaria.Miller@princerupert.ca

Dear Rosa Miller, Corporate Administer

Re: 1127 & 1133 - 2nd Ave West : Remedial Action Order

Fire do happened on Dec 28.2021 and Dec 29, 2022 (please amend)

Negotiation with Insurance company still on going.

We as property owner had initiate protective actions to the building after  
The fire and Insurance Company later also up graded the protection by adding thicker  
plywood and use special screws to secure the plywood to prevent break and entry.

FYI Fire Damages were small in comparison to pilferage done by thieves, they break in  
They make secret entries and they steal every possible way, everything movable or  
anything that can be teared off and sellable.

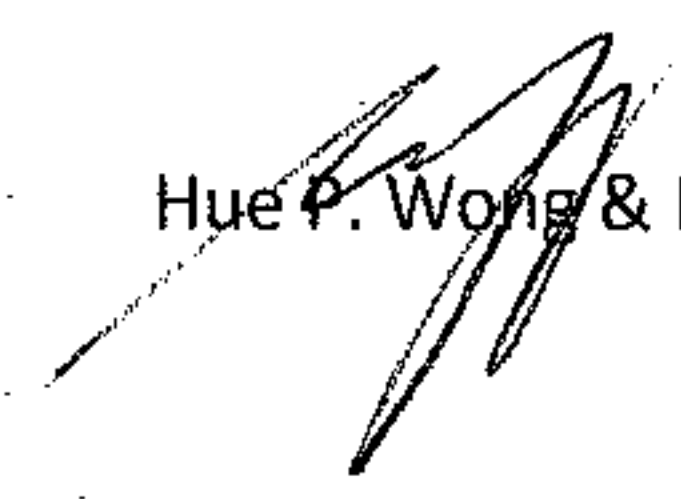
All tools and equipment's are gone, wiring, electrical panels, anything beyond your  
imagination happens.

I do find some of the H/I BEAMS of mine being stolen and sold to a building site located  
at the east end of Seal Cove circle.

Since negotiation is ongoing with Insurance, any action being taken by the City hall seems to be  
immature, and shows something is wrong with Municipal action.

Any lost to the property owners as a result of such decision shall be born by the City hall.  
As property owners we reserve all the rights to sue City hall for all losses as a result of  
There action/actions taken by the City hall.

Regards,



Hue P. Wong & Pierre K. Wong



## **CITY OF PRINCE RUPERT**

### **INFRASTRUCTURE REPLACEMENT DESIGN LOAN AUTHORIZATION BYLAW NO. 3519, 2023**

A BYLAW TO AUTHORIZE THE BORROWING OF FUNDS,  
FOR THE PURPOSE OF FUNDING INFRASTRUCTURE  
REPLACEMENT DESIGN

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WHEREAS it is deemed desirable and expedient to replace linear infrastructure in the municipality.

AND WHEREAS the estimated cost of the necessary design of such linear infrastructure replacement including expenses incidental thereto is \$5,000,000 of which the sum of \$5,000,000 is the amount of debt intended to be borrowed by this bylaw;

NOW THEREFORE, the Council of the City of Prince Rupert in open meeting assembled, enacts as follows:

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the liquid waste infrastructure replacement works and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
  - a) To borrow upon the credit of the Municipality a sum not exceeding five million dollars (\$5,000,000).
  - b) To acquire all such real property, easements, rights-of-way, licenses, leases, rights or authorities as may be requisite or desirable for or in connection with the works.

INFRASTRUCTURE REPLACEMENT DESIGN LOAN AUTHORIZATION BYLAW NO. 3519,  
2023

2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is thirty (30) years.
3. This Bylaw may be cited as **“Infrastructure Replacement Design Loan Authorization Bylaw No. 3519, 2023”**.

READ A FIRST TIME this 8th day of May, 2023.

READ A SECOND TIME this 8th day of May, 2023.

READ A THIRD TIME this 8th day of May, 2023.

RECEIVED the approval of the Inspector of Municipalities this 14th day of June, 2023.

RECEIVED the assent of the electors of City of Prince Rupert on the 14th day of August, 2023.

RECONSIDERED AND FINALLY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE ADMINISTRATOR





## **CITY OF PRINCE RUPERT**

### **LINEAR LIQUID WASTE INFRASTRUCTURE REPLACEMENT LOAN AUTHORIZATION BYLAW NO. 3520, 2023**

A BYLAW TO AUTHORIZE THE BORROWING OF FUNDS,  
FOR THE PURPOSE OF FUNDING LINEAR LIQUID  
WASTE INFRASTRUCTURE REPLACEMENT

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WHEREAS it is deemed desirable and expedient to replace linear liquid waste infrastructure in the municipality.

AND WHEREAS the estimated cost of the necessary replacement including expenses incidental thereto is \$40,000,000 of which the sum of \$40,000,000 is the amount of debt intended to be borrowed by this bylaw;

NOW THEREFORE, the Council of the City of Prince Rupert in open meeting assembled, enacts as follows:

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the liquid waste infrastructure replacement works and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
  - a) To borrow upon the credit of the Municipality a sum not exceeding forty million dollars (\$40,000,000).
  - b) To acquire all such real property, easements, rights-of-way, licenses, leases, rights or authorities as may be requisite or desirable for or in connection with the works.

LINEAR LIQUID WASTE INFRASTRUCTURE REPLACEMENT LOAN AUTHORIZATION  
BYLAW NO. 3520, 2023

2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is thirty (30) years.
3. This Bylaw may be cited as **“Linear Liquid Waste Infrastructure Replacement Loan Authorization Bylaw No. 3520, 2023”**.

READ A FIRST TIME this 8th day of May, 2023.

READ A SECOND TIME this 8th day of May, 2023.

READ A THIRD TIME this 8th day of May, 2023.

RECEIVED the approval of the Inspector of Municipalities this 14th day of June, 2023.

RECEIVED the assent of the electors of City of Prince Rupert on the 14th day of August, 2023.

RECONSIDERED AND FINALLY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE ADMINISTRATOR