

CITY OF WHITEHORSE
REGULAR Council Meeting #2019-15

DATE: Monday, August 5, 2019
TIME: 5:30 p.m.

Mayor Dan Curtis
Deputy Mayor Jocelyn Curteanu
Reserve Deputy Mayor Samson Hartland

AGENDA

CALL TO ORDER 5:30 p.m.

AGENDA Adoption

PROCLAMATIONS

MINUTES Regular Council Meeting #2019-14 dated July 22, 2019

DELEGATIONS

PUBLIC HEARING

STANDING COMMITTEE REPORTS

Community Services Committee – *Councillors Stick and Curteanu*

Public Health and Safety Committee – *Councillors Curteanu and Roddick*

Development Services Committee – *Councillors Cabott and Boyd*

Corporate Services Committee – *Councillors Hartland and Cabott*

Budget Amendment and Contract Change Order – Water License Renewal

Budget Amendment and Contract Award – Water Main Improvements – Lambert Street to Sixth Avenue

Budget Amendment and Contract Award – Consulting Services for Marwell East – Tlingit Street Reconstruction Project

City Planning Committee – *Councillors Roddick and Stick*

City Operations Committee – *Councillors Boyd and Hartland*

Contract Award – Alexander Street Landscaping

Contract Award – Waste Management Facility Water Monitoring Program

NEW AND UNFINISHED BUSINESS

BYLAWS

ADJOURNMENT

MINUTES of **REGULAR** Meeting #2019-14 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, July 22, 2019, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis
Deputy Mayor Laura Cabott
Councillors Dan Boyd
Jocelyn Curteanu
Samson Hartland
Stephen Roddick
Jan Stick

ALSO PRESENT: Acting City Manager Valerie Braga
Director of Community and Recreation Services Jeff O'Farrell
Acting Director of Corporate Services Lindsay Schneider
Director of Development Services Mike Gau
Director of Infrastructure and Operations Peter O'Blenes
Manager of Legislative Services Catherine Constable
Manager of Strategic Communications Myles Dolphin

Mayor Curtis called the meeting to order at 5:30 p.m.

CALL TO ORDER

2019-14-01

It was duly moved and seconded
THAT the agenda be adopted as presented.

AGENDA

Carried Unanimously

2019-14-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated July 8, 2019 be adopted as amended to address the words "it was acknowledged" in the discussion notes regarding the Council and Administration Roundtable Policy.

MINUTES
July 8, 2019

Carried Unanimously

COMMITTEE REPORTS

Community Services Committee

Leighann Chalykoff advised that the Yukon Imagination Library is an independent non-profit society that provides books for Yukon children between the ages of one and five years. She presented a brief history of the organization and noted that the society is currently conducting a registration drive in an effort to ensure that all Yukon children in this age range are included in the program. She invited Council members and all Yukoners to participate in the registration drive.

YUKON IMAGINATION
LIBRARY
For Information Only

2019-14-03

It was duly moved and seconded THAT administration be authorized to award the contract for the Takhini Arena Dasher Board Upgrades project to Global Sport Resources Ltd. for a net cost to the City of \$123,000 plus GST.

CONTRACT AWARD
TAKHINI ARENA DASHER
BOARD UPGRADES

Carried Unanimously

In response to a question raised by a Committee member, administration advised that letters have been sent to participants and community associations with responses to concerns raised at the Town Hall meetings held this spring. Since many of the City's neighbourhoods have similar issues, the letters were not sent until after all the Town Hall meetings had been completed and the questions and concerns were categorized. Copies of the responses will be provided to council members.

FOLLOW-UP ON TOWN
HALL MEETINGS
For Information Only

Public Health and Safety Committee

In response to a query from a council member, administration advised that the assessment of the trolley track crossings has been completed and repair work is scheduled to begin shortly. The Government of Yukon plans to begin work on the highest priority repairs this week. However, if paving of the crossings is deemed to be the best method, it may take longer than a week to complete the required repairs at all crossing locations.

TROLLEY TRACKS
SAFETY ISSUES
For Information Only

Administration advised that the Government of Yukon has confirmed that work on the trolley crossings is scheduled to begin on the following day and be finished by the end of the week.

Update Provided

Development Services Committee

In response to a query from a council member, administration advised that no response has been received from either Transport Canada or Nav Canada on whether or not Trans North will be able to continue to operate from their existing site. The City acknowledges that building construction does result in a number of irritations and inconveniences for adjacent properties, but there is little that can be done to mitigate these issues during the construction process.

IMPACTS OF
OPERATIONS BUILDING
CONSTRUCTION
For Information Only

Administration confirmed that the City has still not received a response from Transport Canada or Nav Canada. A council member suggested that other issues associated with construction would be mitigated by better communication with neighbouring businesses.

Update Provided

Corporate Services Committee

2019-14-04

It was duly moved and seconded
THAT the 2019 to 2022 capital expenditure program be amended by increasing the 2019 Porter Creek West Water Main project in the amount of \$200,000, funded by Gas Tax, to a total of \$1,150,000; and
THAT administration be authorized to award the contract for the Porter Creek West Water Main Project to Norcope Enterprises Ltd. for a net cost to the City of \$820,265.50 plus GST.

BUDGET AMENDMENT
AND CONTRACT AWARD
– PORTER CREEK WEST
WATER MAIN PROJECT

Carried Unanimously

2019-14-05

It was duly moved and seconded
THAT the 2019 to 2022 capital expenditure program be amended by increasing the 2019 Waste Management Facility South End Development project in the amount of \$90,000, funded from the capital reserve to cover the additional costs until an amended Gas Tax Transfer Payment Agreement is received; and
THAT administration be authorized to award the contract for the Waste Management Facility South End Development project to Cobalt Construction Inc. for a net cost to the City of \$ 355,562.40 plus GST.

BUDGET AMENDMENT
AND CONTRACT AWARD
– WASTE MANAGEMENT
FACILITY SOUTH END
DEVELOPMENT

Carried Unanimously

A member of council acknowledged that significant funding was received from the Government of Yukon for the compost facility expansion project in addition to the other funding sources cited.

COMPOST FACILITY
EXPANSION PROJECT
For Information Only

City Planning Committee

2019-14-06

It was duly moved and seconded
THAT Bylaw 2019-15, a bylaw to amend the zoning for Phase 7 of Whistle Bend, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
FOR WHISTLE BEND
PHASE 7

Carried Unanimously

2019-14-07

It was duly moved and seconded
THAT the 2019 Downtown Parking Management Plan be adopted as a guiding document.

ADOPT THE DOWNTOWN
PARKING MANAGEMENT
PLAN AS A GUIDING
DOCUMENT

Carried Unanimously

Council members discussed a number of the recommendations from the plan, particularly those respecting appropriate market rates for parking and the possible construction of a parking facility.

Questions were raised regarding the parking reserve, including the commitments made when the reserve was established.

Some members of council expressed concern about the market rates concept, including how appropriate rates would be established and how to balance costs against the desire to encourage people to come to the downtown area.

Discussion

Some members of council expressed concern about the plan's recommendation against a parking facility, citing public input stating that a structural parking facility needs to be a short-term priority.

Administration confirmed that changes proposed as a result of the recommendations in the plan will be brought forward for decisions by council before they are implemented.

Administrative Comment

City Operations Committee

2019-14-08

It was duly moved and seconded THAT administration be authorized to award the contract for the Water Use License Water Monitoring Program to Golder Associates Ltd. for a net cost to the City of \$135,823.72 plus GST, for the period from August 1, 2019 to December 31, 2020.

CONTRACT AWARD –
WATER USE LICENCE
WATER MONITORING
PROGRAM

Carried Unanimously

BYLAWS

2019-14-09

It was duly moved and seconded THAT Bylaw 2019-15, a bylaw to amend the zoning for phase 7 of the Whistle Bend Subdivision, be given second reading.

BYLAW 2019-15
ZONING AMENDMENT
Whistle Bend Phase 7
SECOND READING

Carried Unanimously

2019-14-10

It was duly moved and seconded THAT Bylaw 2019-15, a bylaw to amend the zoning for phase 7 of the Whistle Bend Subdivision, having been read a first and second time, now be given third reading.

BYLAW 2019-15
ZONING AMENDMENT
Whistle Bend Phase 7
THIRD READING

Carried Unanimously

A member of council suggested that the availability of land for housing development should not be the City's sole focus as increasing the supply is not the only answer to the issue of housing attainability.

Discussion

There being no further business, the meeting adjourned at 6:20 p.m.

ADJOURNMENT



Minutes of the meeting of the Community Services Committee

Date July 29, 2019

Location Council Chambers, City Hall

Committee Members Present Councillor Jan Stick – Chair
Councillor Jocelyn Curteanu – Vice Chair
Mayor Dan Curtis
Councillor Dan Boyd
Councillor Laura Cabott
Councillor Samson Hartland
Councillor Stephen Roddick

Staff Present Valerie Braga, Acting City Manager
Jeff O'Farrell, Director of Community and Recreation Services
Lindsay Schneider, Acting Director of Corporate Services
Mike Gau, Director of Development Services
Peter O'Blenes, Director of Infrastructure and Operations
Norma Felker, Acting Manager of Legislative Services
Myles Dolphin, Manager of Strategic Communications

Your Worship, there is no report from the Community Services Committee.



Minutes of the meeting of the Public Health and Safety Committee

Date	July 29, 2019
Location	Council Chambers, City Hall
Committee Members Present	Councillor Jocelyn Curteanu – Chair Councillor Stephen Roddick – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Laura Cabott Councillor Samson Hartland Councillor Jan Stick
Staff Present	Valerie Braga, Acting City Manager Jeff O'Farrell, Director of Community and Recreation Services Lindsay Schneider, Acting Director of Corporate Services Mike Gau, Director of Development Services Peter O'Blenes, Director of Infrastructure and Operations Norma Felker, Acting Manager of Legislative Services Myles Dolphin, Manager of Strategic Communications

Your Worship, the Public Health and Safety Committee respectfully submits the following report:

1. Lane Behind the Centre of Hope – For Information Only

Michelle Stimson addressed the Committee regarding the area around the Centre of Hope. As a resident in the neighbourhood, she stated that she is a daily witness to an ongoing social daily tragedy related to the homeless shelter.

Ms. Stimson told the Committee that when she registered as a delegate her original plan was to ask council to consider making improvements to the lane behind the building. She envisioned new gravel on the road surface and the installation of some benches and porta-potties to accommodate the constant pedestrian traffic. However, she now realizes that the issues in the area are much larger than anything that can be satisfied by a primarily cosmetic approach. She stated that a community is only as strong as its weakest link, and that this community is severely in trouble.

2. Sale of Wood Products from Fire Smart Projects – For Information Only

In response to a query from a council member, administration advised that in order to allow the sale of wood products accumulated during fire smart and wild fire mitigation projects, the Yukon government would need to submit an application to the federal government. This application process would take many months, and therefore the sale of wood products from this year's fire smart and clear cutting projects will not be possible.

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**Minutes of the meeting of the
Development Services Committee**

Date July 29, 2019

Location Council Chambers, City Hall

**Committee
Members
Present** Councillor Laura Cabott – Chair
Councillor Dan Boyd – Vice Chair
Mayor Dan Curtis
Councillor Jocelyn Curteanu
Councillor Samson Hartland
Councillor Stephen Roddick
Councillor Jan Stick

**Staff
Present** Valerie Braga, Acting City Manager
Jeff O’Farrell, Director of Community and Recreation Services
Lindsay Schneider, Acting Director of Corporate Services
Mike Gau, Director of Development Services
Peter O’Blenes, Director of Infrastructure and Operations
Norma Felker, Acting Manager of Legislative Services
Myles Dolphin, Manager of Strategic Communications

Your Worship, there is no report from the Development Services Committee.



Minutes of the meeting of the Corporate Services Committee

Date	July 29, 2019
Location	Council Chambers, City Hall
Committee Members Present	Councillor Samson Hartland – Chair Councillor Laura Cabott – Vice-Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Stephen Roddick Councillor Jan Stick
Staff Present	Valerie Braga, Acting City Manager Jeff O’Farrell, Director of Community and Recreation Services Lindsay Schneider, Acting Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Taylor Eshpeter, Manager of Engineering Services Norma Felker, Acting Manager of Legislative Services Myles Dolphin, Manager of Strategic Communications Michael Abbott, Assistant City Engineer

Your Worship, the Corporate Services Committee respectfully submits the following report:

1. Contract Award for Water Monitoring Program – For Information Only

Eri Boye addressed the Committee on behalf of Core Geoscience Services Inc. to state that his company has serious concerns regarding fair process with respect to the contract awarded for the water use licence water monitoring program. The company is bringing their concerns to council’s attention and wants to see how council responds.

Mr. Boye alleged that the bid submitted by the successful bidder did not meet the City’s specifications because an uncertified laboratory will be used for analytical testing. Mr. Boye stated that the analytical testing required by the City is a major cost driver for the total value of the contract. He alleged that the successful bidder benefitted from an unfair competitive advantage by utilizing inexpensive but inadequate analytical methods in their proposal.

Mr. Boye also alleged that the successful bidder did not provide the certification required to demonstrate that the laboratory they would be using is certified for the required testing.

Administration confirmed that all bidders submitted the required laboratory certification. However, if the successful bidder subsequently needs to contract with an additional laboratory for one of the tests required under their contract, that expense will be their responsibility.

The Senior Procurement Officer will contact Core Geoscience Services Inc. to arrange a debrief meeting regarding this tender.

2. Budget Amendment and Contract Change Order – Water Licence Renewal

Councillor Cabott declared a conflict with this item of business and left Council Chambers during discussion of the matter.

Due to the fact that the number of conditions that would be applied or information requests that would be demanded during the lengthy process for renewing the City's water licence was unknown, the amount of work that would be required to complete the water licence renewal could not be accurately estimated. Now that a significant portion of the project is complete it has been determined that the amount of the contract with the consultant is insufficient to complete the work.

The consultant has submitted a proposal detailing the work remaining to complete the renewal process that is outside the scope of their contract. Administration has reviewed the proposal and is satisfied that the additional costs are warranted and are outside the scope of the original contract.

Additional funds are now needed to complete the project proposal for submission to the Yukon Environmental and Socio-economic Assessment Board. The additional funds will also provide for the consultant to support the application through the Water Board Secretariat and the Water Board review process. Sufficient funds to cover the additional costs are available in the Water and Sewer Reserve.

The recommendation of the Corporate Services Committee is

THAT the 2019 to 2022 capital expenditure program be amended by increasing the 2019 Water License Renewal project in the amount of \$62,717.00, funded by the Water and Sewer Reserve to cover the additional costs; and

THAT the engineering services contract with Hemmera Envirochem Inc. for the water license renewal project be increased from \$149,315.30 to \$212,032.30.

Councillor Cabott returned to Council Chambers.

3. Budget Amendment and Contract Award
Water Main Improvements – Lambert Street to Sixth Avenue

The 2019 capital budget includes funding for improvements to the water main between Lambert Street and Sixth Avenue. In response to the tender issued for the project, two compliant bids were received. An internal review committee agreed that the low bidder has the knowledge and experience to complete the work successfully.

The bid price exceeds the budget for the project, but as the bid reflects current market conditions lower pricing is not foreseeable in the future.

This project is entirely funded from the Build Canada Clean Water Waste Water fund. There is sufficient funding available in the current funding agreement for the proposed budget increase.

The recommendation of the Corporate Services Committee is

THAT the 2019 to 2022 capital expenditure program be amended by increasing the 2019 Water Main Improvements Lambert Street to Sixth Avenue Project in the amount of \$125,000, funded by the Build Canada Clean Water and Waste Water Fund to cover the additional costs; and

THAT Council authorize Administration to award the contract for the 2019 Water Main Improvements Lambert Street to Sixth Avenue Project to Castle Rock Enterprises for a net cost to the City of \$660,285.00 plus GST.

4. Budget Amendment and Contract Award
Consulting Services – Tlingit Street Reconstruction Project

The Tlingit Street reconstruction project is the second phase of the Marwell East Reconstruction Program. The majority of this project is located within a Kwanlin Dün First Nation land parcel, and an easement has been granted to the City for road and utility infrastructure along Tlingit Street and Galena Road. Administration plans to review the alignment of these easements during the design phase of the project and establish a contribution agreement with the Kwanlin Dün First Nation prior to construction in 2020.

In response to a request for proposals issued for consulting services to deliver a preliminary design, stakeholder liaison services, utility coordination, detailed design and tender administration, three compliant proposals were received. The proposals were evaluated by an internal committee in accordance with the City's Consultant Services Selection Procedures Policy.

The approved 2019 budget was limited to the engineering design of the project. However, to improve efficiency and ensure that the same consultant sees the project through to completion, the request for proposals included engineering services for the entire project. A budget amendment is required to cover engineering services for the 2020 construction portion of the project. The construction portion of the project will be subject to budget and funding approvals.

In order for the design work to proceed this year, additional funding is required from the capital reserve. There is currently an approved Gas Tax Agreement for this project, and an application to increase the funding will be submitted. Administration expects to reimburse the proposed expenditure from the capital reserve with an amendment to the existing transfer payment agreement.

The recommendation of the Corporate Services Committee is

THAT the 2019 to 2022 capital expenditure program be amended by increasing the 2019 Marwell East Tlingit Street project in the amount of \$230,045.00, funded from the capital reserve to cover the additional costs until an amended Gas Tax Transfer Payment Agreement is received; and

THAT Council authorize Administration to award the contract for consulting services for the Tlingit Street Reconstruction project to Associated Engineering for a net cost to the City of \$460,045.00 plus GST.

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Minutes of the meeting of the City Planning Committee

Date	July 29, 2019
Location	Council Chambers, City Hall
Committee Members Present	Councillor Stephen Roddick – Chair Councillor Jan Stick – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Laura Cabott Councillor Samson Hartland
Staff Present	Valerie Braga, Acting City Manager Jeff O’Farrell, Director of Community and Recreation Services Lindsay Schneider, Acting Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Norma Felker, Acting Manager of Legislative Services Myles Dolphin, Manager of Strategic Communications

Your Worship, the City Planning Committee respectfully submits the following report:

1. Schwatka Lake – For Information Only

A member of council raised a concern regarding float plane uses on Schwatka Lake. In light of the recent Transport Canada announcement regarding a new initiative that will require float plane bases in populated areas to be certified and have a designated operator, it was suggested that it is in the best interests of the City to discuss the transfer of the Schwatka Lake aerodrome management to the Government of Yukon.

Administration advised that the City’s management of the Schwatka Lake area is limited to land uses such as parking, the boat launch and the Miles Canyon Road as well as the permitting of docks. The Schwatka Lake area is a major centre for all kinds of land-based and water-based activities in addition to being an aerodrome. Air traffic control and flight safety perspectives are aspects of many issues that form part of daily operations in the area.

Administration has had some discussions with the Yukon government about management issues, but direction from council will be required if there is to be a formal request to have the Government of Yukon take over management responsibilities.

The 2015 Schwatka Lake Area Plan does not suggest that the Government of Yukon be requested to take over the aerodrome.

Darryl Laliberté spoke on behalf of local members of the Canadian Owners and Pilots Association to emphasise that aircraft activity on the lake has economic impacts for the whole territory. Private aircraft are being used for a variety of tourism-oriented businesses as well as providing transportation for work crews and supplies to work camps. Mr. Laliberté stated that it makes sense for the Yukon government to become the official operator on Schwatka Lake as it already operates all other aerodromes in the territory.

Council members agreed that more research into the issue is needed and requested administration to provide additional briefing materials in order that they have the information needed to make a decision on making a request to the Government of Yukon.

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Minutes of the meeting of the City Operations Committee

Date July 29, 2019

Location Council Chambers, City Hall

Committee Members Present
Councillor Dan Boyd – Chair
Councillor Samson Hartland – Vice Chair
Mayor Dan Curtis
Councillor Laura Cabott
Councillor Jocelyn Curteanu
Councillor Stephen Roddick
Councillor Jan Stick

Staff Present
Valerie Braga, Acting City Manager
Jeff O'Farrell, Director of Community and Recreation Services
Lindsay Schneider, Acting Director of Corporate Services
Mike Gau, Director of Development Services
Peter O'Blenes, Director of Infrastructure and Operations
Taylor Eshpeter, Manager of Engineering Services
Norma Felker, Acting Manager of Legislative Services
Myles Dolphin, Manager of Strategic Communications
Michael Abbott, Assistant City Engineer

Your Worship, the City Operations Committee respectfully submits the following report:

1. Contract Award – Alexander Street Landscaping Project

Two compliant submissions were received in response to the tender issued for the supply and installation of planting beds, trees, shrubs, benches, street furniture and pavers necessary to complete the landscaping work on Alexander Street. An internal review committee agreed that the low bidder has the knowledge and experience to complete the work successfully. Sufficient funds are available in the capital budget to complete this project.

The recommendation of the City Operations Committee is

THAT Council authorize Administration to award the contract for the Alexander Street Landscaping project to Lane's Yukon Yardworks for a net cost to the City of \$152,359.00 plus GST.

2. Contract Award – Waste Management Facility Water Monitoring Program

The City retains professional services for the collection and analysis of surface and groundwater samples in and around the waste management facility in compliance with its waste management permit.

Six compliant submissions were received in response to the tender issued. An internal review committee agreed that the low bidder is familiar with the scope of work and has the knowledge and experience to complete the work successfully. Sufficient funds are available in the operating budget to complete this project.

The recommendation of the City Operations Committee is

THAT Council authorize Administration to award the contract for the Waste Management Facility Water Monitoring Program project to Hemmera Envirochem Inc. for a net cost to the City of \$167,045.72 plus GST.

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