

Report to Council



Date: March 11, 2019
File: 1850-19
To: City Manager
From: Divisional Director, Infrastructure
Subject: Loseth Road Slope Stability – Remediation Budget

Recommendation:

THAT Council receives, for information, the report from the Divisional Director, Infrastructure dated March 11, 2019 with respect to Loseth Road Slope Stability – Remediation Budget;

AND THAT Council authorizes City staff to proceed with the procurement of services to undertake the design and construction of emergency works to mitigate the hazardous conditions at, and around, 2045 Loseth Road and 2001 Kloppenburg Court;

AND THAT the 2019 Financial Plan be amended to include the initial use of up to \$1,200,000 funded from the Insurance Deductible Reserve to support remediation works at, and around, 2045 Loseth Road and 2001 Kloppenburg Court.

Purpose:

To provide budget to cover the cost of emergency work required at 2001 Kloppenburg Court and 2045 Loseth Road to remediate the fill slopes that have been identified to be a hazardous condition.

Background:

Council has imposed a remedial action requirement in relation to a hazardous/unsafe condition of fill slopes identified within the properties located at 2001 Kloppenburg Court and 2045 Loseth Road. In the event that the current property owners are unwilling or unable to carry out the required work to remediate the hazardous condition, the City will undertake to mitigate the situation to reduce the hazard.

The extent of proposed remedial works is identified in Westrek Geotechnical Services report, "Geotechnical Investigation 2045 Loseth Road", dated January 24, 2019 and attached to the February 25, 2019 report to council: "Remedial Action Orders To Address Slope Instability & Unsafe Conditions, Loseth

Rd. above Kloppenburg Ct''. The geotechnical investigation has determined that four properties at the bottom of the slope are at immediate risk if there is a landslide, and approximately 90 properties could have access cut-off if Loseth Road is closed due to risk of failure or a slope failure incident.

The estimated costs are outlined below:

2001 Kloppenburg Court

Geosynthetic Reinforced Soil (GRS) Retaining Wall(s) and Related Earthworks	\$400,000
Engineering Consulting, Testing and Project Management	\$60,000

2045 Loseth Drive

Earthwork and Removals for Slope Modifications	\$500,000
Engineering Consulting, Testing and Project Management	\$40,000

On-Going Slope and Drainage Monitoring	\$50,000
--	----------

Contingency / Miscellaneous Additional Costs	\$150,000
--	-----------

Total Estimated Project Cost	\$1,200,000
-------------------------------------	--------------------

Additional Associated Costs:

In case there are indications of a slope failure prior to or during the work, City staff have prepared an Emergency Response Plan which includes planning for utility shutdowns, road detours and closures, as well as the preparation of a 1 km emergency access route on private property.

The City and Black Mountain Irrigation District are also considering the use of existing operational budget to design and construct trench cut-off drains outside the subject properties to reduce ground water that could be a contributing source of groundwater pressure as a means of further enhancing the overall level of safety on the slopes, in addition the required site works on the subject properties.

Geotechnical investigation work already complete is estimated at \$205,000 and has been covered by Black Mountain Irrigation District (~\$150,000) that started the investigation and City of Kelowna that took over and completed the investigation (~\$55,000).

Financial/Budgetary Considerations:

Council is asked to approve that the 2019 Financial Plan be amended to include the initial use of up to \$1,200,000 funded from the Insurance Deductible Reserve to support remediation works at, and around, 2045 Loseth Road and 2001 Kloppenburg Court.

Recovery is expected to be sought for the City's expenditure of funds to remediate the hazardous condition on private property arising from fill material placed on this site by others. Where allowable, recovery will be secured against the subject private properties. For costs not able to be secured against private property, and perhaps some that are, the City may decide later to make claims for damages against the parties responsible for creating unsafe conditions.

Considering there is uncertainty that the City will recover all associated expenses incurred as a result of correcting this unsafe condition and the timing of recovery also carries an element of uncertainty, the intention will be to replenish funds used for the associated work to the Insurance Deductible Reserve through annual surplus allocations as soon as appropriate and considering the overall needs of the City at the time of allocation. Funds recovered will be allocated to general revenue or the Insurance Deductible Reserve considering the status of the reserve at the time of recovery.

Legal/Statutory Procedural Requirements:

Property owners subject to the remedial action requirement set by council on February 25, 2019 have a period to request reconsideration and a period to present a plan and undertake the required works themselves. The City will not undertake any associated works to remediate the unsafe slope conditions until appropriate or confirmed by the property owners to be agreed to.

Internal Circulation:

A/Director of Community Safety
Financial Planning Manager
Infrastructure Administration Manager
Infrastructure Delivery Department Manager

Considerations not applicable to this report:

Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Existing Policy:
Personnel Implications:
External Agency/Public Comments:
Communications Comments:
Alternate Recommendation:

Submitted by:

Alan Newcombe, Divisional Director of Infrastructure

Approved for inclusion:



Doug Gilchrist, City Manager

cc: Divisional Director, Human Resources
Divisional Director, Financial Services
A/Director of Community Safety