

STAFF REPORT TO COUNCIL

1100 Patricia Blvd. | Prince George, BC, Canada V2L 3V9 | www.princegeorge.ca

DATE: January 2, 2024

TO: MAYOR AND COUNCIL

NAME AND TITLE: WALTER BABICZ, CITY MANAGER

SUBJECT: Release of Council Resolutions from the December 4, 2023 Closed Council Meeting regarding RCMP Investigation into Missing Gravel

ATTACHMENTS: None

RECOMMENDATION:

That Council RECEIVES FOR INFORMATION the report dated January 2, 2024 from the City Manager titled “Release of Council Resolutions from the December 4, 2023 Closed Council Meeting regarding RCMP Investigation into Missing Gravel.”

PURPOSE:

This report is provided in response to Council’s direction to release information from a closed council meeting.

POLICY / REGULATORY ANALYSIS:

In accordance with the “City of Prince George Council procedures Bylaw No. 8388, 2011” and provisions within the *Community Charter*, a council meeting may be closed to the public if the subject matter being considered relates to one or more of the reasons listed under section 90 of the *Community Charter*. Information from a closed council meeting may be released publicly by a resolution of Council specifying the information to be released.

DISCUSSION:

At the December 4, 2023 closed Council meeting, Council resolved to release certain motions of Council made at that meeting and directed administration to provide background information and a summary from the City’s legal counsel of advice provided to Council regarding a Royal Canadian Mounted Police (RCMP) investigation into City-owned gravel that had gone missing.

In September 2023, City staff discovered that a significant quantity of City-owned gravel being stored near the south-east corner of London Street and 3rd Avenue for City operational use was missing and had possibly been spread over nearby property. As no one with the authority at the City authorized the removal of the gravel, the matter was reported to the RCMP as a potential theft. The City was advised by the RCMP, following the conclusion of their investigation, that evidence sufficient to support a criminal charge was not found, and that it was not definitively determined who removed the gravel, nor under whose authority (if any) they were acting.

The following is a summary of the advice provided by the City’s legal counsel:

While Council does not have the authority to direct the RCMP to re-open or continue a criminal investigation, this case involved loss of City property and if Council wished to pursue the matter it would not be inappropriate to ask the RCMP questions about the investigation and their conclusions. If the RCMP maintain the evidence does not support a criminal charge, the City could consider hiring a private investigator and pursuing a civil remedy.

The motions authorized by Council to be released from the December 4, 2023 closed council meeting are as follows:

Moved By Councillor Sampson
Seconded By Councillor Ramsay

That Council DIRECTS Administration to formally request the RCMP reopen the investigation to pursue this theft and misappropriated use of City Property. Should the RCMP decline, it be further requested that the RCMP respond in writing to Council followed by a verbal explanation from/to the OIC. If declined, staff would bring back options for Council to consider pursuing this matter further, including the potential for private investigation, etc. We do not take theft of City property and resources lightly.

Moved By Councillor Sampson
Seconded By Councillor Ramsay

That Council AMENDS the main motion by deleting it in its entirety and replacing it with "That Council DIRECTS Administration to invite the RCMP to provide a status report regarding the theft of the missing gravel and following receipt of that report, Council may inquire if the RCMP is willing to reopen the investigation, and if so, that that be done."

Defeated

Mayor Yu and Councillors Bennett, Klassen, Polillo, Scott, and Skakun opposed.

Main Motion.

Defeated

Mayor Yu and Councillors Frizzell, Klassen, Polillo, and Skakun opposed.

SUMMARY AND CONCLUSION:

This report has been submitted in accordance with Council's direction.

RESPECTFULLY SUBMITTED:

Walter Babicz, City Manager

Meeting Date: 2024/01/08