Agenda – Council – December 15, 2010

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – November 16, 2010 adjourned to November 23, 2010

Item No. 3 Local Improvement – Street Lighting on Wood Pole – Cox Boulevard from Knowles Avenue to Springfield Road (North Kildonan Ward)

STANDING COMMITTEE RECOMMENDATION:

On December 8, 2010, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Infrastructure Renewal and Public Works and the East Kildonan-Transcona Community Committee and submits the following to Council:

1. That the following Local Improvement Project proceed as part of the 2010 Local Improvement Program which is funded through the Local Improvement Float:

    A. Street Lighting on Wood Pole – On Cox Boulevard from Knowles Avenue to Springfield Road.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – November 16, 2010 adjourned to November 23, 2010

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 8, 2010, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Infrastructure Renewal and Public Works and the East Kildonan-Transcona Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 23, 2010, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 16, 2010, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and recommends to the Standing Policy Committee on Infrastructure Renewal and Public Works:

1. That the following Local Improvement Project proceed as part of the 2010 Local Improvement Program which is funded through the Local Improvement Float:

    - Street Lighting on Wood Pole – On Cox Boulevard from Knowles Avenue to Springfield Road.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

ADMINISTRATIVE REPORT

Title: **RESULTS OF THE PROPOSED STREET LIGHTING ON WOOD POLE LOCAL IMPROVEMENT - PETITION FOR (PROJECT #1420260110)**

Issue: **THE UNDERTAKING OF A PROPOSED STREET LIGHTING ON WOOD POLE LOCAL IMPROVEMENT PROJECT – ON COX BOULEVARD FROM KNOWLES AVENUE TO SPRINGFIELD ROAD – MAY PROCEED AS PART OF THE 2010 LOCAL IMPROVEMENT PROGRAM WHICH IS FUNDED THROUGH THE LOCAL IMPROVEMENT FLOAT.**

Critical Path: **East Kildonan-Transcona Community Committee – Standing Policy Committee on Infrastructure Renewal and Public Works – Executive Policy Committee – Council.**

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Cull Manager of Taxation and Finance	N. Karpa Director of Assessment and Taxation	M. Ruta Acting CAO/Chief Financial Officer	

RECOMMENDATIONS

1. That the following Local Improvement Project proceed as part of the 2010 Local Improvement Program which is funded through the Local Improvement Float.

   Street Lighting on Wood Pole – On Cox Boulevard from Knowles Avenue to Springfield Road.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

Since this proposed Local Improvement Project is within the East Kildonan-Transcona Community and Ward boundary, the East Kildonan-Transcona Community Committee is requested to specifically review and recommend to the Standing Policy Committee on Infrastructure Renewal and Public Works that the Local Improvement Project proceed as part of the 2010 Local Improvement Program which is funded through the Local Improvement Float.

IMPLICATIONS OF THE RECOMMENDATIONS

FINANCIAL IMPLICATIONS

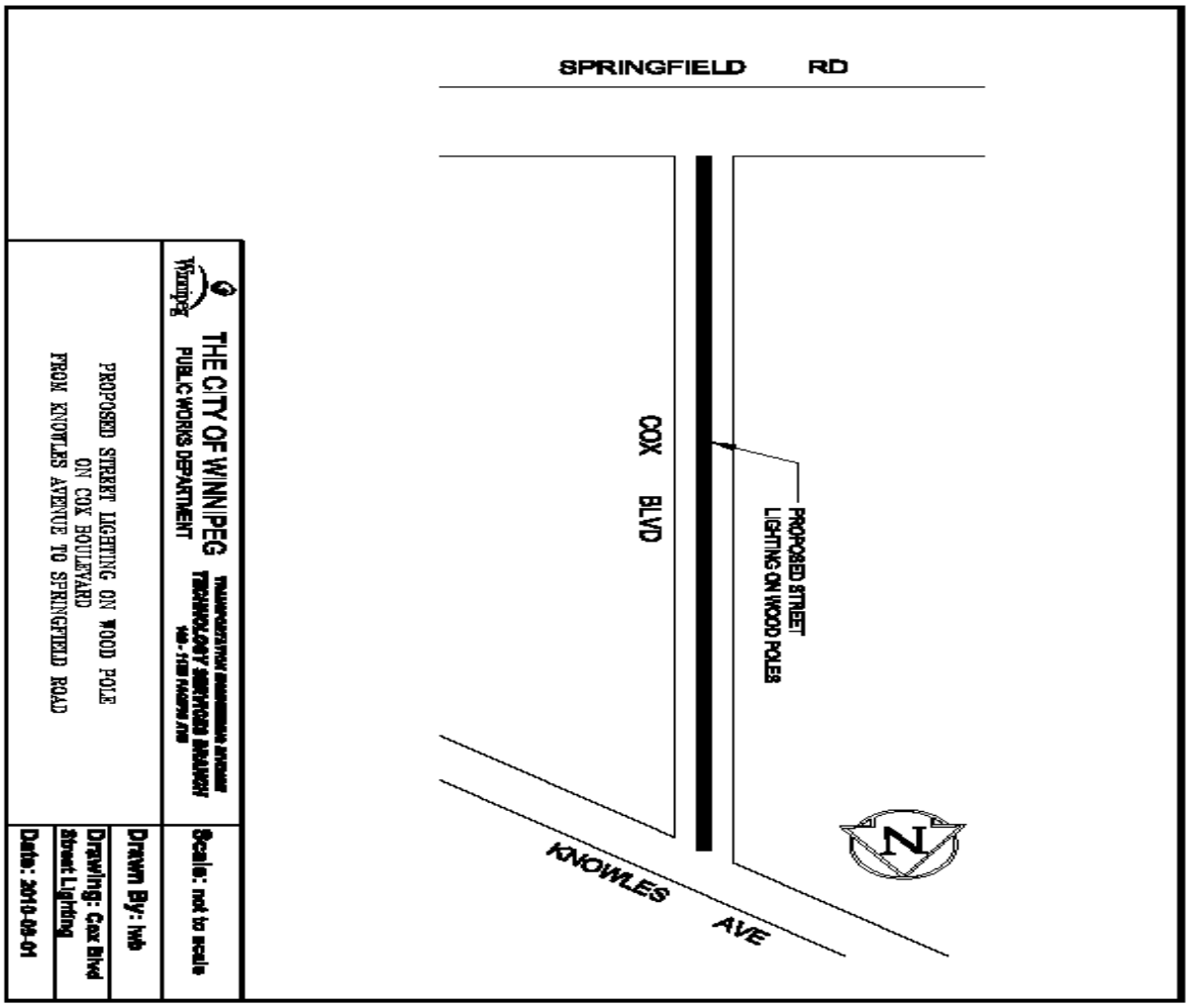
(X) Within approved Current and/or Capital Budget.

( ) Current and/or Capital Budget adjustment is required.

Comment(s): This recommendation is cost-neutral to the General Revenue Fund, as Local Improvement costs are charged to the Local Improvement Capital Budget.

HISTORY

On October 1, 2010, a "*Petition For"* was issued to Mr. Glenn Friesen of 15 Cox Boulevard for a proposed Street Lighting on Wood Pole Local Improvement Project within the East Kildonan-Transcona Community and Ward boundary which is depicted in the following drawing:



The City Clerk's Department received the signed *"Petition For"* form on October 4, 2010.

In compliance with Section 125 of *The City of Winnipeg Charter (the "Charter")*, it was ascertained and certified by the Manager of Taxation and Finance that the signatures obtained from the benefiting registered property owners on the *"Petition For"* form represent ***44.50%*** of the total assessable frontage, as summarized below:

Total Assessable Frontage (includes Flankage & City-owned property)	2,447.20 feet
Petitioners For Represent	1,088.90 feet
Percentage Signed	***44.50%***

Section 408 of the *Charter* is copied below:

> ***"Initiation of local improvement***
> ***408*** *A local improvement may be proposed*
>
> *(a) by council; or*
>
> *(b) by a petition signed by registered owners of at least 3/5 of the total real property that is to be benefited by the proposed local improvement."*

The percentage signed of 44.50% does not meet the 3/5 requirement per Section 408 of the *Charter.* However, the total assessable frontage includes a flankage allowance of 240 feet and City-owned property of 1,118.30 feet. Therefore, by excluding the flankage allowance and City-owned property amounts from the total assessable frontage, the signatures obtained from the benefiting registered property owners would then represent ***100%*** of the total assessable frontage as summarized below:

Total Assessable Frontage (includes Flankage & City-owned property)	2,447.20	feet
Less: Flankage & City-owned property	(1,358.30)	feet
Total Assessable Frontage (excludes Flankage & City-owned property)	1,088.90	feet
Petitioners For Represent	1,088.90	feet
Percentage Signed	***100%***	

The revised assessable frontage, excluding flankage and City-owned property, does meet the 3/5 requirement per Section 408 of the *Charter*. Further, given the percentage signed of 100%, Subsection 409(4) applies, copied below [with Subsection 409(1) for reference]:

> *"**Notice of proposal***
> ***409(1)*** *If a local improvement is proposed the city must*
>
> *(a) give public notice of the proposed improvement; and*
>
> *(b) send by ordinary mail a notice of the proposed improvement to each registered owner of property to be benefited by it.*
>
> **When notice and hearing not required**
> **409(4)** Subsections (1) to (3) do not apply to a local improvement proposed by a petition signed by all of the registered owners, other than the city, of the total real property to be benefited by it."

Therefore, as this petition was signed by the registered property owners representing 100% of the total assessable frontage, it will ***not*** be necessary to advertise this proposed local improvement project.

The construction cost of the project (which excludes advertising costs) is estimated to be $3,500.00 of which 38.89% is to be recovered from the registered property owners.

Also, it should be noted that the work required for this project has been confirmed as being similar to lane lighting on wood pole with the Public Work's Lighting Engineer and subsequently, the fixed rate of $1.25 represents an average cost for this type of improvement.

Therefore, since the work and costs are anticipated to be similar to "*Lane Lighting on Wood Pole"*, the project will be assessed at the fixed rate of $1.25 as recommended by Public Works.

Financial Impact Statement

Date: October 22, 2010

Project Name: **First Year of Program** **2010**

Street Lighting on Wood Pole - On Cox Boulevard from Knowles Avenue to Springfield Road (Project #1420260110)

	2010	2011	2012	2013	2014
Capital					
Capital Expenditures Required	$ 3,605	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	3,605	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Debt & Finance Charges (I/P Payments)	$ -	$ 490	$ 490	$ 490	$ 490
Less: Recovery from property owners	-	-	524	524	524
Net Cost/(Benefit)	$ -	$ 490	$ (34)	$ (34)	$ (34)
Less: Existing Budget Amounts	-	490	(34)	(34)	(34)
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

1. The estimated construction cost (which excludes advertising fees) is $3,500. The costs to be recovered from registered property owners is 38.89%. Note that this project has a local improvement term of three years and therefore the recoverable amount will be fully included on the property tax bills of the respective property owners in the year of tax imposition; expected to start in 2012. Local Improvement Financing rates will apply at estimated rates of 5% plus 1% Administration Fee.

2. This project is funded through the Local Improvements-On-going Program approved capital budget in the Assessment & Taxation Department.

3. Annual Debt & Finance Charges (I/P Payments) are calculated at 6.00% interest per annum over 10 years (interest rate as stated on Corporate Finance 2011-2013 Budget Preparation website for Cost of Capital). Debt & Finance charges beyond 2014 (2015-2020) total $2,940

4. Capital Expenditiures Required includes 3% Corporate Finance Administration Charges and all applicable taxes.

(Original signed by J. Romaniuk for)
Radhika Abeysekera
Manager of Finance - Campus Depts.
Corporate Finance Department

CONSULTATION

In preparing this report there was consultation with:

Internal:

Legal Services (as to legal matters only)

Public Works

SUBMITTED BY

Department: Assessment and Taxation
Division: Taxation and Finance
Prepared by: G. Wladyka, Senior Local Improvement Clerk
Date: October 20, 2010
File No.: N/A