Minutes – Executive Policy Committee – April 17, 2013

Minute No. 255
Report – Standing Policy Committee on Infrastructure Renewal and Public Works – April 16, 2013

Item No. 2 **Local Improvement – Lane in the block bounded by Dollard Boulevard and Bertrand Street and Rue St. Jean Baptiste and Rue Ritchot**
(St. Boniface Ward)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Infrastructure Renewal and Public Works and the Riel Community Committee and submitted the following to Council:

1. That the following Local Improvement Project proceed as part of the 2012 Local Improvement Program which is funded through the Local Improvement Float, namely:

   Concrete Lane Pavement – 16 feet wide (6 inches thick) on the lane in the block bounded by Dollard Boulevard and Bertrand Street and Rue St. Jean Baptiste and Rue Ritchot (Project #1420210112).

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 – April 16, 2013

DECISION MAKING HISTORY:

Moved by Councillor Vandal,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Vandal,

That the recommendations of the Standing Policy Committee on Infrastructure Renewal and Public Works and the Riel Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On April 16, 2013, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 11, 2013, the Riel 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 2012 Local Improvement Program which is funded through the Local Improvement Float, namely:

   Concrete Lane Pavement – 16 feet wide (6 inches thick) on the lane in the block bounded by Dollard Boulevard and Bertrand Street and Rue St. Jean Baptiste and Rue Ritchot (Project #1420210112).

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 A PROPOSED CONCRETE LANE PAVEMENT LOCAL IMPROVEMENT (PROJECT #1420210112) – OCTOBER 1, 2012 ADVERTISEMENT

Critical Path: Riel Community Committee – Standing Policy Committee on Infrastructure Renewal and Public Works – Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
T. Austin	M. Chambers	Mike Ruta, CFO	

RECOMMENDATIONS

1. That the following Local Improvement Project ***proceed*** as part of the 2012 Local Improvement Program which is funded through the Local Improvement Float, namely:

   Concrete Lane Pavement – 16 feet wide (6 inches thick) on the lane in the block bounded by Dollard Boulevard and Bertrand Street and Rue St. Jean Baptiste and Rue Ritchot (Project #1420210112).

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 Riel Community and Ward boundary, the Riel Community Committee is requested to specifically review and authorize the Administration on whether this local improvement project should proceed.

IMPLICATIONS OF THE RECOMMENDATIONS

FINANCIAL IMPLICATIONS

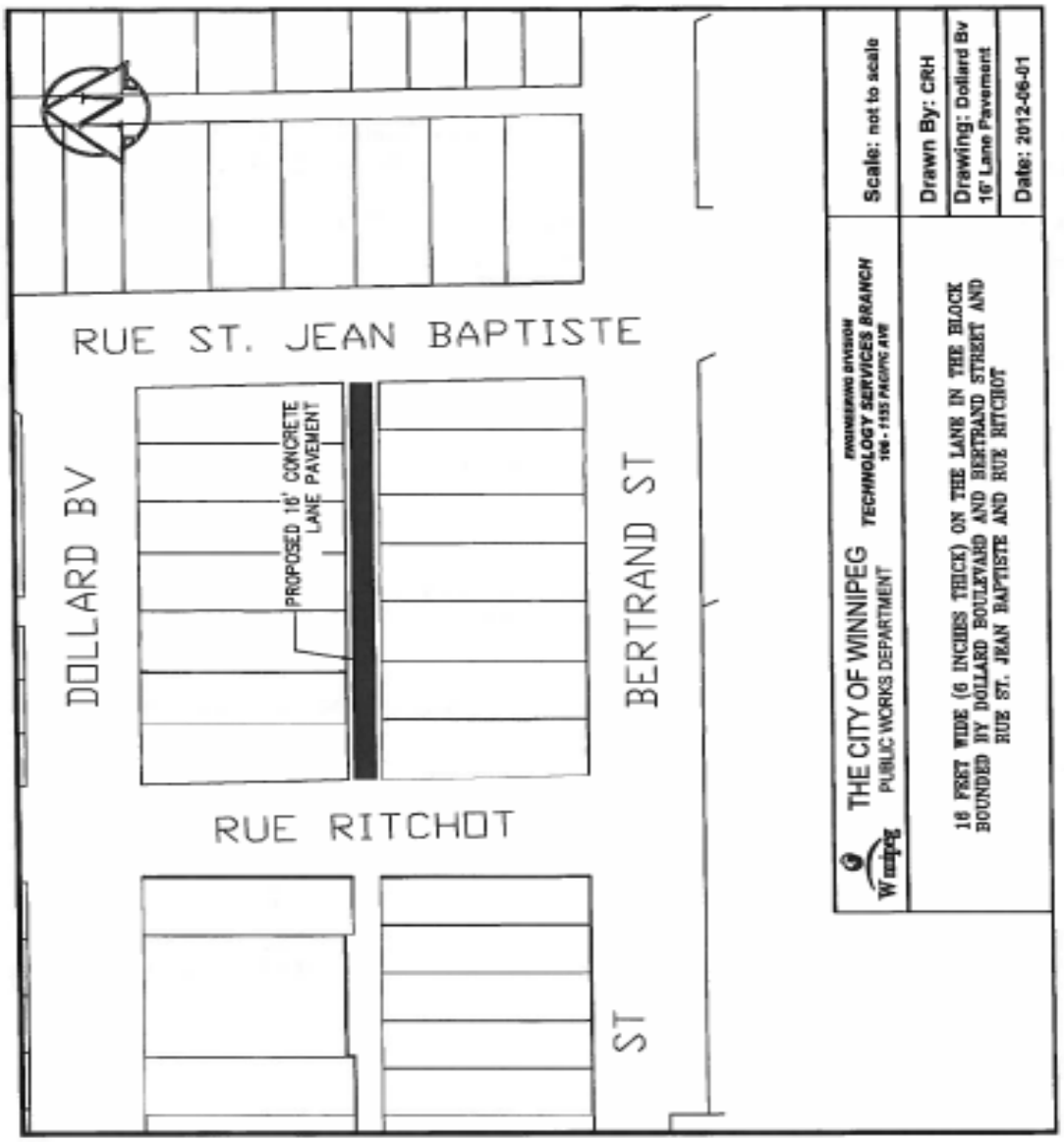
(x) Within approved Current and/or Capital Budget.

( ) 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 June 8, 2012, a *"Petition For"* form was issued to Ms. Marguerite Degagne who resides at 288 Dollard Boulevard for a proposed Concrete Lane Pavement Local Improvement Project within the Riel Community and Ward boundary which is depicted in the following drawing:



The City Clerk's Department received the signed *"Petition For"* form on July 3, 2012. On July 16, 2012, the Manager of Taxation and Finance submitted a Report to the Riel Community Committee recommending that the proposed undertaking of this local improvement project may be advertised in October 2012.

On September 10, 2012, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and authorized the Administration to advertise in October 2012 this proposed local improvement project.

On October 1, 2012, this proposed local improvement project was advertised in the *Winnipeg Free Press* newspaper. Per Section 409 of *The City of Winnipeg Charter*, objections to the proposed local improvement must be filed at least 30 days after the notice is published. A deadline of October 31, 2012 was published for this local improvement.

Subsequent to the advertisement, the City Clerk's Department received two letters of objection from registered property owners who reside on Dollard Boulevard and Bertrand Street. These letters are included (as Attachment 1 and 2) as they include additional information for the Committee to consider. Note that an official *"Notice of Objection"* form was not requested from the Assessment and Taxation Department during the period through October 31, 2012.

In compliance with Section 125 of *The City of Winnipeg 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 aforementioned letters of objection represents ***14.60%*** of the total assessable frontage, as summarized below:

Total Assessable Frontage	547.90 feet
Objectors Represent	80.00 feet
Percentage Signed	***14.60%***

Per Section 411 of *The City of Winnipeg Charter*, registered owners of at least 3/5 (60%) of the total real property benefited (assessable frontage) must object to the proposed local improvement for the local improvement not to be proceeded with. Given the unsuccessful result of 14.60%, the Winnipeg Public Service recommends that this Project proceed as part of the 2012 Local Improvement Program which is funded through the Local Improvement Float.

The total cost of the project is estimated to be $100,000 of which 98.62% is to be recovered from the registered property owners.

FINANCIAL IMPACT

Financial Impact Statement

Date: February 4, 2013

Project Name:

Concrete Lane Pavement - Dollard Boulevard

First Year of Program **2013**

	2013	2014	2015	2016	2017
Capital					
Capital Cost of Proposed Projects	$ 103,000	$ -	$ -	$ -	$ -
Less: Existing Capital Budget	103,000	-	-	-	-
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	$ -	$ 8,441	$ 8,441	$ 8,441	$ 8,441
Less: Recovery from property owners	-	9,037	9,037	9,037	9,037
Net Cost/(Benefit)	$ -	$ (596)	$ (596)	$ (596)	$ (596)
Less: Existing Budget Amounts	-	(596)	(596)	(596)	(596)
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

1. The estimated construction cost (which excludes advertising fees) is $100,000. The costs to be recovered from registered property owners is 98.62%. Note that this project has a local improvement term of 20 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 2014. Recovery from Property Owners is $9,037 per year calculated using Local Improvement Financing rates of 5.25% plus 1% Administration Fee.

2. This project is funded through the Local Improvements capital budget in the Assessment and Taxation Department.

3. Annual Debt & Finance Charges are $8,441 per year calculated at 5.25% per annum over 20 years.

4. Capital Cost of Proposed Projects includes 3% Corporate Finance Administration Charges and all applicable taxes.

[Original signed by]
Radhika Abeysekera
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

In preparing this report there was consultation with:

Internal

External

SUBMITTED BY

Department: Assessment and Taxation
Division: Taxation and Finance
Prepared by: Tim Austin, Manager
Date: February 11, 2013
File No. N/A

Attachments:

1. Letter of Objection (292 Dollard Blvd)



Attachment 1 -
Dollard Blvd LI - 292 [

2. Letter of Objection (291 Bertrand St)



Attachment 2 -
Dollard Blvd LI - 291 E

Attachment 1

RECEIVED
CITY CLERKS
WINNIPEG

12 OCT 18 A10:06

October 15, 2012

To: City of Winnipeg

Assesment and Taxation Department.

Attn: George Wladyka

Pursuant to the letter received early October regarding the paving of the lane between Dollard and Bertrand, bounded by St Jean-Baptiste and Ritchot, I wish to say that I am vehemently opposed to this plan.

During these times of economic uncertainty, it is foolish for civic bureaucrats to demand such a large increase in taxes to the property owners of the dwellings served by this lane. I have already been assessed an increase of nearly $250 on my property tax bill for 2012/2013. Whether it is called a frontage levy, a garbage collection fee, or any other type of financial request, to me, it is a cost. A further $653.60 per annum would be financially devastating. Figure that the city will now have increased my cost of ownership by nearly $900/yearly. During the latest contract negotiations, my employer, which happens to be the City of Winnipeg, imposed what amounted to be a 1.25% wage increase/year for a 4 year period. That dollar amount is roughly $600 gross per annum, or a net gain to me of approximately $400. I am behind the 8 ball to the tune of $500, and have truly received nothing of value!

To have the lane paved is of no benefit whatsoever to me. A real estate agent will tell you point blank that in Winnipeg, in these times of affordable home shortage, my home's value would not increase due to condition of the lane. This is not Tuxedo, nor an expensive new neighborhood. This is St Boniface, still affordable and close to amenities for those that cannot afford nor chose automobile travel. It does not increase the value of my property. In fact, the reality is quite the opposite. It will hamper my ability to sell. By further increasing taxes, my home becomes less appealing to prospective purchasers.

The initiator of this petition is a couple who mistakenly re-floored their garage and re-asphalted their driveway much too low for the area; essentially a few thousand dollars lost due to improper decision making. If the city were to eyeball the neighboring properties, they would see that no such problem exists for others.

I am a single father. I live on a single income. My daughter is studying medicine, my son is in first year university. Explain to me why my priorities should switch from educating my children to offer them a better life, to having a lane paved for absolutely no good reason. It is preposterous to say the least. From all levels of government, the direction is that economic prosperity will be achieved in the future by educating the next generation. This City would have me forego that in order to pave a back lane.

Furthermore, how can the City honestly request from me more moneys for a concrete lane, when it will exit out onto a short block of street named Ritchot (between Dollard and Bertrand), which in the last decade, has been left to decay to the point of logging road status.

It is beyond comprehension that myself, and two of my neighbors to the south and southwest, would find themselves squeezed for such a useless lane construction. The one neighbor is a single mom, the other an elderly woman on a limited fixed income. St Boniface is OUR home. We have the right to decide our fate. If those who want the paved lane wish to pay for it, let them present their open cheque books. If it is of such great value to them, go ahead and pay. It certainly is not of any value to me, nor is it of any benefit!

Benoit Michaud

292 Dollard Blvd.

Winnipeg, Manitoba

R2H 0N2



Attachment 2

RECEIVED
CITY CLERKS
WINNIPEG

12 OCT -9 A9:50

October 3, 2012

City Clerks Department – Council Building
Main Floor – 510 Main Street
Winnipeg, Manitoba R3B 3M2

To Whom It May Concern:

Re: Project #1420210112 on Roll Number 06071030000

This letter is to state my objection to the project mentioned above for the following reasons:

1) I am a single mother
2) I live on a limited fixed income
3) I have not had any problems with an unpaved back lane

Thank you.

Chantal Beaulieu
291 Bertrand Street
Winnipeg, Manitoba R2H 0N9
204-233-6268

Winnipeg

THE CITY OF WINNIPEG
ASSESSMENT AND TAXATION DEPARTMENT
SERVICE DE L'ÉVALUATION ET DES TAXES

George
986 2539

www.winnipegassessment.com
October 1, 2012

CHANTAL BEAULIEU
291 BERTRAND ST
WINNIPEG,MB R2H 0N9

NOTICE AND INFORMATION BULLETIN REGARDING CERTAIN PROPOSED LOCAL IMPROVEMENTS

Further to the official advertisement appearing in the Winnipeg Free Press newspaper on Monday, October 01, 2012 please take notice that the City intends to construct the local improvement works described below. The local improvement taxes for the whole or part of the cost thereof may be imposed upon the real property benefited thereby, unless the registered owners of at least 3/5 of the total real property to be benefited by the proposed local improvement object to the local improvement.

OBJECTIONS TO PROPOSED LOCAL IMPROVEMENTS

An Official Notice of Objection Form can be requested from:

Assessment and Taxation Department
Taxation and Finance Division
Main Floor - 510 Main Street
Winnipeg, Manitoba R3B 3M2
Tel: (204) 986-2539

Objections to the proposed local improvements must be filed (by mail or in person) on or before 4:30 P.M. on: Wednesday October 31, 2012 to:

City Clerk's Department
Main Floor
Council Building
510 Main Street
Winnipeg, MB R3B 1B9

Payment Options:

Estimated - Cash Cost: Some property owners may prefer to pay the cash cost of the local improvement in the first year following construction and prior to the local improvement levy being added to the realty tax statement.

Estimated - Annual Levy: The assessment will be levied in the year following construction on your realty tax statement at the prevailing rate per assessable measurement at billing.

IMPROVEMENT(S) PROPOSED for Project Number 1420210112 on Roll Number 06071030000

LI Type	Description	Term (Years)	Assessment Measurement	Est. Cost Annual	Est. Annual Levy	Est. Cost Per Measurement	Est. Cash Cost
CONCRETE LANE PAVEMENT	16 feet wide (6 inches thick) on the lane in the block bounded by Dollard Boulevard and Bertrand Street and Rue St. Jean Baptiste and Rue Ritchot.	20	40.00	$16.34	$653.60	$180.00	$7,200.00