Agenda – Executive Policy Committee – December 9, 2020

REPORTS

Item No. 10 Results of the September 22, 2020 Advertisement of the Proposed Asphaltic Concrete Lane Pavement Local Improvement Project (St. Boniface Ward)

COMMUNITY COMMITTEE RECOMMENDATION:

On November 20, 2020, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Executive Policy Committee:

1. That the following Local Improvement Projects proceed as part of the Local Improvement Program which is funded 50/50 through the Local Improvement Program and the Public Works Granular Roads Capital account, namely:

Local Improvement	**Location**
Asphaltic Concrete Lane Pavement	Approximately 16 feet wide (5 inches thick) on the lane in the block bounded by Highfield Street, Coniston Street, Crawford Avenue and Tache Avenue
Asphaltic Concrete Lane Pavement	Approximately 16 feet wide (5 inches thick) on the lane in the block bounded by Kirkdale Street, Highfield Street, Claremont Avenue and Ferndale Avenue

2. That City Council enact a by-law to authorize the proposed local improvement outlined in Recommendation 1 of this Report (draft by-law is attached as schedule ‘A’).

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

DECISION MAKING HISTORY:

COMMUNITY COMMITTEE RECOMMENDATION:

On November 20, 2020, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee.

ADMINISTRATIVE REPORT

Title: Results of the September 22, 2020 advertisement of the proposed Asphaltic Concrete Lane Pavement

Critical Path: Riel Community Committee – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
T. Austin	K. Shields	P. Olafson, Interim CFO	

EXECUTIVE SUMMARY

This Administrative Report provides information regarding a local improvement advertisement and subsequent objections (if any) that have been returned to the City of Winnipeg by property owners.

This report addresses the proposed local improvements and communicates the results of the local improvement advertisements to the area Councilors. The petition for the local improvement projects proposed by this report have not received sufficient objections to defeat the said local improvement projects and therefore is considered by the Public Service to be successful.

The Public Service recommends that the proposed local improvement projects proceed as part of the Local Improvement program in conjunction with the City of Winnipeg pilot project for Asphalt Lane Pavement.

RECOMMENDATIONS

1. That the following Local Improvement Projects **proceed** as part of the Local Improvement Program which is funded 50/50 through the Local Improvement Program and the Public Works Granular Roads Capital account, namely:

Local Improvement	***Location***
Asphaltic Concrete Lane Pavement	Approximately 16 feet wide (5 inches thick) on the lane in the block bounded by Highfield Street, Coniston Street, Crawford Avenue and Tache Avenue
Asphaltic Concrete Lane Pavement	Approximately 16 feet wide (5 inches thick) on the lane in the block bounded by Kirkdale Street, Highfield Street, Claremont Avenue and Ferndale Avenue

2. That City Council enact a by-law to authorize the proposed local improvement outlined in recommendation 1 of this Report (draft by-law is attached as schedule 'A').

3. 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 these proposed Local Improvement Projects are within the Riel Community, and the St Boniface ward, the Public Service requests that the Riel Community Committee review the proposed local improvement projects and provide a recommendation to Council that the local improvement can proceed as there were insufficient objections to defeat these projects.

A by-law to authorize the proposed local improvement projects is required in order for the said local improvement projects to proceed, and only Council may enact a by-law.

IMPLICATIONS OF THE RECOMMENDATIONS

Budget for the proposed local improvements is within the local improvement capital budget and the Public Works Granular Road capital account.

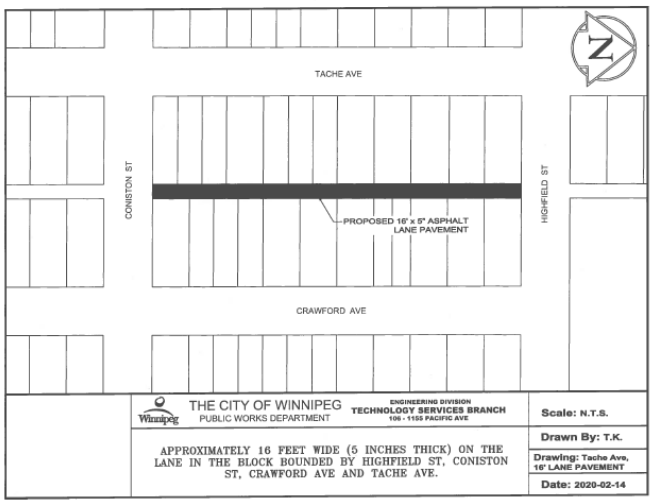
HISTORY/DISCUSSION

On July 19, 2018, City Council, adopted the recommendation that the Granular Lane Improvement program be extended for resident-initiated Local Improvements to pave granular lanes with asphaltic concrete based on a first come, first serve basis.

Council further directed that the current Local Improvement process be amended by extending the pilot project, adopted by Council on November 20, 2013, for an additional six years, expiring in 2024 whereby the City of Winnipeg will finance asphalt local improvements to the maximum of 50% of the total costs for asphaltic concrete pavement and consistent with current practice, the City will finance the cost of land drainage sewer required to implement the Local Improvement, and that the $1,000,000 Granular Lane Improvement Program Fund (2018 Adopted Capital Budget 2-23) and the $500,000 Land Drainage Sewers fund (2018 Adopted Capital Budget 2-231) continue to be utilized as a funding source for the City's share of the amended Local Improvement Program.

Asphaltic Concrete Lane Pavement 16' x 5"
Approximately 16 feet wide (5 inches thick) on the lane in the block bounded by Highfield Street, Coniston Street, Crawford Avenue and Tache Avenue

On March 4, 2020, a "Petition For" was issued to Richard P J Schaubroeck who resides at 100 Tache Avenue for a proposed Asphaltic Concrete Lane Pavement Local Improvement Project within the Riel Community and St Boniface Ward boundary which is depicted in the following drawing:



A Filing Deadline of June 2, 2020 was determined for the *"Petition For"* form to be returned to the City Clerk's Department. (90 days after the first signature is dated on the *"Petition For" form)*

The City Clerk's Department received the signed *"Petition For"* form on May 13, 2020. As the petition was signed by the registered owners representing 67.6% of the total assessable frontage, it was recommended that this project proceed to be advertised.

On, June 25, 2020, the Riel Community Committee concurred with the recommendation of the Winnipeg Public Service and authorized the advertisement of the proposed Asphaltic Concrete Lane Pavement Project.

On September 22, 2020, 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 22, 2020 was published for this proposed Local Improvement Project.

Subsequent to the advertisement, the Manager of Taxation and Finance confirmed that a "*Notice of Objection"* was not requested and there were no letters of objection received by the City Clerk's Department. Therefore, no objections were filed against this proposed local improvement project.

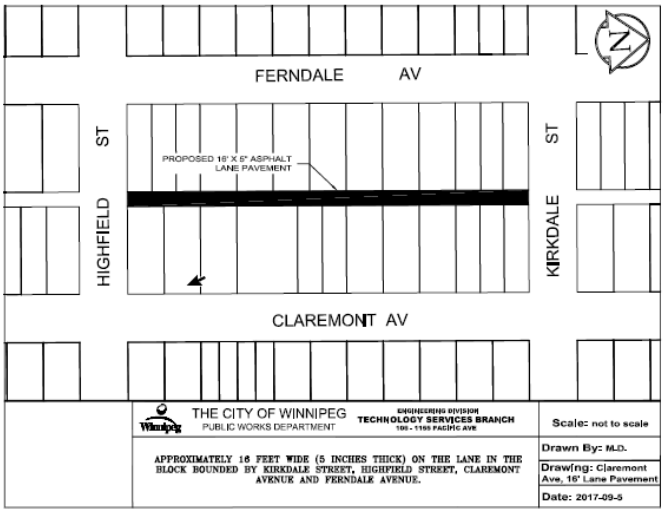
The Winnipeg Public Service advises that this project can **proceed** as part of the Local Improvement Program in conjunction with the City of Winnipeg's pilot project for Asphalt Lane Pavement. This project will be funded 50/50 through the Local Improvement Float and Public Work's Granular Roads Capital Account.

It is estimated that the total cost of the project is $240,000.00 of which 37.50% is to be recovered from the registered property owners' share.

Asphaltic Concrete Lane Pavement 16' x 5"

Approximately 16 feet wide (5 inches thick) on the lane in the block bounded by Kirkdale Street, Highfield Street, Claremont Avenue and Ferndale Avenue

On August 16, 2019, a "Petition For" was issued to Lisa P C Vermette who resides at 145 Claremont Avenue for a proposed Asphaltic Concrete Lane Pavement Local Improvement Project within the Riel Community and St Boniface Ward boundary which is depicted in the following drawing:



A Filing Deadline of November 14, 2019 was determined for the *"Petition For"* form to be returned to the City Clerk's Department. (90 days after the first signature is dated on the *"Petition For" form)*

The City Clerk's Department received the signed *"Petition For"* form on November 14, 2019. As the petition was signed by the registered owners representing 63.64% of the total assessable frontage, it was recommended that this project proceed to be advertised.

On, January 6, 2020, the Riel Community Committee concurred with the recommendation of the Winnipeg Public Service and authorized the advertisement of the proposed Asphaltic Concrete Lane Pavement Project.

On March 17, 2020, this proposed local improvement project was advertised in the Winnipeg Free Press newspaper.

On April 6, 2020 a decision was made by the City of Winnipeg to suspend the advertisement due to COVID 19. Letters were sent out to homeowners advising them of the suspension and that the project would be re-advertised in the fall and at this time there was one letter of objection received.

On September 22, 2020, this proposed local improvement project was re-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 22, 2020 was published for this proposed Local Improvement Project.

Subsequent to this 2nd advertisement, the Manager of Taxation and Finance confirmed that a "*Notice of Objection"* was not requested and there were no letters of objection received by the City Clerk's Department. Therefore, no objections were filed against this proposed local improvement project.

The Winnipeg Public Service advises that this project can **proceed** as part of the Local Improvement Program in conjunction with the City of Winnipeg's pilot project for Asphalt Lane Pavement. This project will be funded 50/50 through the Local Improvement Float and Public Work's Granular Roads Capital Account.

It is estimated that the total cost of the project is $240,000.00 of which 41.25% is to be recovered from the registered property owners' share.

FINANCIAL IMPACT

Financial Impact Statement

Date: November 9, 2020

Project Name:

First Year of Program **2021**

Results of the September 22, 2020 advertisement of the proposed Asphaltic Concrete Lane Pavement

	2021	2022	2023	2024	2025
Capital					
Capital Expenditures Required	$ 495,600	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	495,600	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Cash to Capital	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ 54,586	$ 54,586	$ 54,586	$ 54,586
Less: Incremental Revenue/Recovery	15,600	24,966	24,966	24,966	24,966
Net Cost/(Benefit)	$ (15,600)	$ 29,620	$ 29,620	$ 29,620	$ 29,620
Less: Existing Budget Amounts	(15,600)	29,620	29,620	29,620	29,620
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

1. The estimated construction cost for these local improvements (which includes $15,600 administration overhead charges but excludes advertising fees) is $495,600, funded by the 2020 Local Improvement Program and the 2020 Local Street Program.
2. The costs to be recovered from the registered property owners is 39.38%. Note that this project has a local improvement term of 10 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 2022. Recovery from property owners is $24,966 per year using the Local Improvement Financing Rates of 3.75% plus 1% administration fee. The Recovery from property owners beyond 2025 is $149,796.
2. Annual Debt & Finance Charges are calculated at 6.28% interest per annum over the term of each local improvement. The Debt & Finance charges beyond 2025 is $327,515.
3. Capital Cost of Proposed Projects includes 3.25% Corporate Finance Administration Charges and all applicable taxes.

Electronically signed by T. Yanchishyn
Tanis Yanchishyn
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services Department (as to Legal issues)

OURWINNIPEG POLICY ALIGNMENT

The Local Improvement process is generally aligned with the enabling strategies provided for in OurWinnipeg Policy 01-1a: Direction 3.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

SUBMITTED BY

Department: Assessment and Taxation Department
Division: Taxation and Finance
Prepared by: T. Austin
Date: October 28, 2020
File No:

Attachments:

Schedule A

THE CITY OF WINNIPEG

BY-LAW NO. /2020

A By-law of THE CITY OF WINNIPEG to authorize the undertaking of certain local improvements.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Definitions

1 In this By-law

"Asphalt Lane Pavement Pilot Project" means the City's pilot project approved by Council on November 20, 2013 whereby the total expenses for material and land drainage required to implement asphalt local improvements are to be funded 50% through the Granular Lane Improvement Capital Account and 50% through the Local Improvement Float;

"City" means The City of Winnipeg continued under section 8 of the Charter;

"Council" means the council of the City;

"Granular Lane Improvement Capital Account" means the amount budgeted for the City's Public Works Department's Granular Lane Improvement Program in the City's Capital Budget for the year in which the Local Improvement Projects were initiated;

"Local Improvement Project" means the following local improvement project in the Riel Community:

(a) **Asphaltic Concrete Lane Pavement** – Approximately 16 feet wide (5 inches thick) on the lane in the block bounded by Highfield Street, Coniston Street, Crawford Avenue and Tache Avenue

TOTAL ESTIMATED COST **$240,000.00**

(b) **Asphaltic Concrete Lane Pavement** – Approximately 16 feet wide (5 inches thick) on the lane in the block bounded by Kirkdale Street, Highfield Street, Claremont Avenue and Ferndale Avenue.

TOTAL ESTIMATED COST **$240,000.00**

Authorization

2 The Local Improvement Projects are hereby authorized to be undertaken.

Funding

3 The Local Improvement Projects shall be funded in accordance with the Asphalt Lane Pavement Pilot Project.

DONE AND PASSED this day of , 2020.

_____

Mayor

_____

City Clerk

Approved as to content:

_____

Director of Assessment and Taxation

and City Assessor

Legally reviewed and certified as to form:

_____

for Director of Legal Services

and City Solicitor