Minutes – Executive Policy Committee – September 21, 2021

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – September 15, 2021

Item No. 3 Cost Sharing Agreement between The City of Winnipeg, Maple Leaf Foods Inc, and Canadian National Railway Company for Sidewalk and Railway Warning System Improvements along Marion Street

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That the receipt of funding from Maple Leaf Foods Inc. for sidewalk installation and railway warning system improvements along Marion Street, costing an estimated as $264,789.00, be approved.

2. That the City enter into, execute and deliver a cost-sharing agreement with Maple Leaf Foods Inc., and CN Rail, and such other agreements as determined necessary by the City Solicitor/ Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

3. That authority be delegated to the Chief Financial Officer to negotiate and approve the terms and conditions of the cost-sharing agreement with Maple Leaf Foods Inc. and CN Rail and the Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City.

4. That the 2021 TEIP budget be increased by up to $264,789.00 to be funded by Developer Funding from Maple Leaf Foods Inc., and that, subject to final costing and invoicing, the 2021 TEIP budget be adjusted as required to the actual amount of funding earned for the sidewalk installation and railway warning system improvements.

5. 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 – September 15, 2021

DECISION MAKING HISTORY:

Moved by Councillor Allard,

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 four business days preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Allard,

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

Yea:	Bowman, Allard, Browaty, Gillingham, Gilroy, Mayes, Rollins	7
Nay:		0

Carried

STANDING COMMITTEE RECOMMENDATION:

On September 15, 2021, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Cost Sharing Agreement between The City of Winnipeg, Maple Leaf Foods Inc, and Canadian National Railway Company for Sidewalk and Railway Warning System Improvements along Marion Street

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

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Patman, P. Eng.	J. Berezowsky	L. Pablo, Acting CFO	M. Jack

EXECUTIVE SUMMARY

The Winnipeg Public Service requests Council approval to enter into a cost sharing agreement with Maple Leaf Foods Inc., and the Canadian National Railway Company (CN Rail) for sidewalk and railway warning system improvements along Marion Street.

Maple Leaf Foods Inc. is expanding their plant at 870 Lagimodiere Boulevard and leasing a new property west of the plant along Marion Street to use for additional parking space. To connect the two properties, a new sidewalk will be constructed from 1032 Marion Street to the Maple Leaf Foods Inc. plant at 870 Lagimodiere Boulevard. The sidewalk will cross CN Rail tracks, requiring improvements to the railway warning system. The class 3 sidewalk installation costs are estimated to be $80,000.00 and will be 100% funded by Maple Leaf Foods Inc. The railway warning system improvements are estimated to be $184,789.00 and will be 100% funded by Maple Leaf Foods Inc.

Approval of this report will increase the Traffic Engineering Improvement Program (TEIP) budget by an estimated total of $264,789 for sidewalk and railway warning system improvements along Marion Street.

RECOMMENDATIONS

1. That the receipt of funding from Maple Leaf Foods Inc. for sidewalk installation and railway warning system improvements along Marion Street, costing an estimated as $264,789.00, be approved.

2. That the City enter into, execute and deliver a cost-sharing agreement with Maple Leaf Foods Inc., and CN Rail, and such other agreements as determined necessary by the City Solicitor/ Director of Legal Services to implement the intent of the foregoing (the “Ancillary Agreements”).

3. That authority be delegated to the Chief Financial Officer to negotiate and approve the terms and conditions of the cost-sharing agreement with Maple Leaf Foods Inc. and CN Rail and the Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City.

4. That the 2021 TEIP budget be increased by up to $264,789.00 to be funded by Developer Funding from Maple Leaf Foods Inc., and that, subject to final costing and invoicing, the 2021 TEIP budget be adjusted as required to the actual amount of funding earned for the sidewalk installation and railway warning system improvements.

5. 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

Council approval is required for the City to enter into the cost-sharing agreement with Maple Leaf Foods Inc. and CN Rail.

Council approval is required to authorize the budget increase to the 2021 TEIP for the sidewalk and railway warning system improvements along Marion Street

The cost-sharing agreement must be signed and returned in order to receive the funds from Maple Leaf Foods Inc.

IMPLICATIONS OF THE RECOMMENDATIONS

The 2021 TEIP will be increased by actual amount of funding earned, estimated to be $264,789.00.

HISTORY/DISCUSSION

Maple Leaf Foods Inc. is expanding their plant at 870 Lagimodiere Boulevard and leasing a new property west of the plant along Marion Street to use for additional parking space. To connect the two properties, a new sidewalk will be constructed from 1032 Marion Street to the Maple Leaf Foods Inc. plant at 870 Lagimodiere Boulevard. The sidewalk will cross Marion Street Crossing Mile 0.33 of the Symington Yard Subdivision of the Canadian National Railway and will require improvements to the railway warning system. The sidewalk installation costs are estimated to be $80,000.00 and will be 100% funded by Maple Leaf Foods Inc. The railway warning system improvements are estimated to be $184,789.00 and will also be 100% funded by Maple Leaf Foods Inc.

FINANCIAL IMPACT

Financial Impact Statement

Date: August 4, 2021

Project Name:

First Year of Program **2021**

Cost Sharing Agreement between The City of Winnipeg and Maple Leaf Foods Inc. for Sidewalk and Railway Warning System Improvements along Marion Street

	2021	2022	2023	2024	2025
Capital					
Capital Expenditures Required	$ 264,789	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ 264,789	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Cost Sharing Maple Leaf Foods Agreement	264,789	-	-	-	-
Total Funding	$ 264,789	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	8,411	-	-	-	-
Net Cost/(Benefit)	$ (8,411)	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	(8,411)	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Capital expenditures of $264,789 are estimated to provide rail crossing improvements and construct a sidewalk at 1032 Marion Street, to be funded by the Traffic Engineering Program (TEIP) until funding is received under the agreement. The proposed agreement with Maple Leaf Foods and Canadian National Railway Company will result in Maple Leaf Foods contributing 100% of actual costs required to deliver the project. Recoveries represent departmental and corporate overheads charged on project expenditures.

"signed by J. Ruby, CPA, CA"

J. Ruby CPA, CA

Manager of Finance and Administration

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

The Sustainable Transportation Direction Strategy developed as part of OurWinnipeg forms the policy framework for the Transportation Master Plan (TMP). Sustainable Transportation identified a vision and five Key Strategic Goals which are critical to achieving a balanced and sustainable transportation system for Winnipeg. These goals form the basis for the TMP and the directions and strategies contained within it:

1. A transportation system that is dynamically integrated with land use;
2. A transportation system that supports active, accessible and healthy lifestyle options;
3. A safe, efficient and equitable transportation system for people, goods and services;
4. Transportation infrastructure that is well maintained
5. A transportation system that is financially sustainable

The recommendations within this report are consistent with the Key Strategic Goals.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

SUBMITTED BY

Department: Public Works
Division: Transportation
Prepared by: Keenan Patmore, M.Sc., P.Eng., Regional Traffic Engineer
Date: August 6, 2021