



## Legislation Text

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**File #:** BL-19-013, **Version:** 1

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**TAMRMS#:** B06

### **Bylaw 18/2019 Ray Gibbon Drive - Borrowing Bylaw (2<sup>nd</sup> & 3<sup>rd</sup> reading)**

Presented by: Diane McMordie, Finance & Assessment Department

#### **RECOMMENDATION(S)**

1. That Bylaw 18/2019, being a Borrowing Bylaw to upgrade Ray Gibbon Drive, be read a second time.
2. That Bylaw 18/2019 be read a third and final time

#### **PURPOSE OF REPORT**

To provide second and third reading of Bylaw 18/2019 to enable the City of St. Albert to obtain debenture borrowing to support the design and construction of upgrading Ray Gibbon Drive in alignment with sections 251 & 254 of the *MGA*.

#### **ALIGNMENT TO PRIORITIES IN COUNCIL'S STRATEGIC PLAN**

Strategic Priority #3: Building a Transportation Network: Integrated transportation systems.

3.2 Develop the Intelligent Transportation System (ITS) strategy and recommend phased implementation, inclusive of St. Albert Trail, according to our ability to implement quickly.

3.3 Evaluate the arterials networks in St. Albert and recommend improvements.

#### **ALIGNMENT TO LEVELS OF SERVICE DELIVERY**

N/A

#### **ALIGNMENT TO COUNCIL DIRECTION OR MANDATORY STATUTORY PROVISION**

On February 25, 2019 Council passed the following motion:

AR-19-160

That Council approves a cost sharing arrangement with the Government of Alberta for the upgrading of Ray Gibbon Drive from the City's south boundary to the intersection of Fowler Road, to a 4 lane City arterial standard, on the terms and conditions set out in an agreement effective February 15, 2019 between Her Majesty the Queen in Right of Alberta and the City of St. Albert, and that Council hereby ratifies and approves the execution of the said agreement by the Mayor and the Chief Administrative Officer.

On June 17, 2019 Council passed the following motion (BL-19-012)

That Bylaw 18/2019, being a Borrowing Bylaw to upgrade Ray Gibbon Drive, be read a first time.

## **BACKGROUND AND DISCUSSION**

Ray Gibbon Drive is a main commuter road in St. Albert for traffic from the North to South end of the City. It was first built in 2006 and since that time has seen a considerable increase in traffic volume.

The City of St. Albert and the Government of Alberta reached a cost sharing agreement on February 15, 2019 to upgrade Ray Gibbon Drive to a 4 lane City arterial standard.

The August 3, 2019 advertisement in the St. Albert Gazette started the official 15 day petition period as defined in the MGA however the original notification to the public on June 22, 2019 as prescribed by Council Policy C-CAO-22 Borrowing Bylaw Advertising has allowed a full 60 days period in which the public was able to start a petition.

The official 15-day petition period ran from August 4, 2019 to August 18, 2019. As of the close of the petition period on August 18, 2019 the Chief Administrative Office had not received a valid petition and as such Council may consider second and third readings of the Bylaw.

## **STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT**

In alignment with the advertising requirements within the MGA as well as Council Policy C-CAO-22 Borrowing Bylaw Advertising, notification in the St. Albert Gazette regarding the proposed Bylaw took place on the following dates:

June 22, 2019  
July 27, 2019  
August 3, 2019

This scheduled series of notification has allowed the public a full 60 days for consideration of a petition.

## **IMPLICATIONS OF RECOMMENDATION(S)**

### Financial:

Passing of Bylaw 18/2019 authorizes Administration to secure the required financing through Alberta Capital Finance Authority (ACFA) or another authorized financial institution. Work will begin on this soon to ensure that funds are available to align with the cash flow requirements of the project.

### Legal / Risk:

In order to borrow funds, Section 254 of the Municipal Government Act states that, "No municipality may acquire, remove, or start the construction or improvement of a capital property that is to be financed in whole or in part through a borrowing unless the borrowing bylaw that authorizes the borrowing is passed."

If second and third readings of the Bylaw are passed, the Bylaw will come into effect on September 18, 2019.

Program or Service:

If the Borrowing Bylaw is not passed the City will be unable to secure the financing required to support the project. This would then require identification of other funding or the project would need to be cancelled.

Organizational:

None at this time

## **ALTERNATIVES AND IMPLICATIONS CONSIDERED**

If Council does not wish to support the recommendation, the following alternatives could be considered:

Alternative 1. Postpone the project and identify an alternate source of funding.

Alternative 2. Cancel the project.

Report Date: August 19, 2019

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Chief Administrative Officer: Kevin Scoble