



Legislation Text

File #: BL-19-021, **Version:** 1

TAMRMS#: B06

Bylaw 21/2019 - North St. Albert Trail Corridor Management Borrowing Bylaw Amendment

Presenter: Diane McMordie, Director of Finance and Assessment/CFO

RECOMMENDATION(S)

1. That Bylaw 21/2019, being amendment 1 to the North St. Albert Trail Corridor Management Borrowing Bylaw 9/2019, be read a first time.
2. That the requirement of Council Policy C-CAO-22 - Borrowing Bylaw Advertising of an extended notice and advertising period be waived and instead Administration follow the requirements as set out in the *Municipal Government Act*.

PURPOSE OF REPORT

To amend the Borrowing Bylaw 9/2019 that was approved April 1, 2019 to correctly identify the project being constructed and financed.

To follow the MGA requirement, instead of the Council Policy C-CAO-22, regarding the notice and petition time requirements.

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 January 21, 2019 Council passed the following motion
(BL-18-078)

That Bylaw 9/2019, being a Borrowing Bylaw to finance the design and construction of the North St. Albert Trail Corridor Management Implementation, be read a first time.

On April 1, 2019 Council passed the following motion
(BL-19-010)

That Bylaw 9/2019, being a Borrowing Bylaw to finance the design and construction of the North St.

Albert Trail Corridor Management Implementation, be read a second time.

That Bylaw 9/2019 be read a third and final time.

BACKGROUND AND DISCUSSION

Bylaw 9/2019 was successfully approved and passed by Council; however, it was discovered that there was an incorrect reference to a different project in one section of the actual Bylaw.

Bylaw 21/2019 is being brought forward to correct this error, and that is the only purpose of Bylaw 21/2019.

As well, since Bylaw 9/2019 was advertised as per Council Policy C-CAO-22 - Borrowing Bylaw Advertising, Administration is recommending that Bylaw 21/2019 follow the requirements for advertising and petitioning as outlined in the *Municipal Government Act* rather than the extended timelines provided for in Council Policy C-CAO-22 that have already been observed in respect of Bylaw 9/2019.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

In alignment with the advertising requirements within the MGA, notification in the St. Albert Gazette regarding the proposed Bylaw will take place on the following dates:

July 13, 2019

July 20, 2019

This scheduled series of notification will allow the public 15 days after the last advertisement date for consideration of a petition.

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

Passing of Bylaw 9/2019 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 August 19, 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: July 8, 2019

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