



## Legislation Text

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**File #:** BL-19-027, **Version:** 1

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**TAMRMS#:** B06

### **Bylaw 21/2019 North St. Albert Trail Corridor Management Borrowing Bylaw Amendment (2nd & 3rd reading)**

Presented by: Diane McMordie, Director, Finance & Assessment Department

#### **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 second time.
2. That Bylaw 21/2019 be read a third and final time

#### **PURPOSE OF REPORT**

To provide second and third reading of the amended Bylaw 21/2019 to enable the City of St. Albert to obtain debenture borrowing to support the design and construction of the North St. Albert Trail Corridor project 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 July 8, 2019 Council passed the following motions:

(BL-19-021)

That Bylaw 21/2019, being amendment 1 to the North St. Albert Trail Corridor Management Borrowing Bylaw 9/2019, be read a first time.

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.

## 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.

For this reason, this Bylaw 21/2019 was brought forward to correct this error.

As well, since this Bylaw 9/2019 was advertised as per Council Policy C-CAO-22; Administration recommended following the reduced requirements for advertising and petitioning as outlined in the MGA.

The July 20, 2019 advertisement in the St. Albert Gazette started the official 15 day petition period as defined in the MGA.

The official 15-day petition period ran from July 21, 2019 to August 4, 2019.

As of the close of the petition period on August 4, 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 accordance with the advertising requirements set out in the MGA, notification in the St. Albert Gazette regarding the proposed Bylaw took place on the following dates:

July 13, 2019

July 20, 2019

This scheduled series of notifications allowed the public 15 days for consideration of a petition.

## IMPLICATIONS OF RECOMMENDATION(S)

### Financial:

Passing of Bylaw 21/2019 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:

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 are given to Bylaw 21/2019 on August 19 2019, the Bylaw will be passed and come into effect as soon as it is signed by the Mayor and Chief Legislative Officer, which would normally occur within 2-3 days after the Council meeting.

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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Deputy Chief Administrative Officer: Kerry Hilts

Chief Administrative Officer: Kevin Scoble