

Updated Funding Strategy for the 170th Street Footbridge

Recommendation

That Executive Committee recommend to City Council:

1. That capital profile 21-20-2100 170 Street Pedestrian Bridge, as set out in Attachment 2 of the June 14, 2021, Integrated Infrastructure Services report IIS00255rev, be approved.
2. That Attachment 3 of the June 14, 2021, Integrated Infrastructure Services report IIS00255rev, remain private pursuant to sections 21 (disclosure harmful to intergovernmental relations), 24 (advice from officials), 25 (disclosure harmful to economic and other interests of a public body) and 27 (privileged information) of the *Freedom of Information and Protection of Privacy Act*.

Previous Council/Committee Action

At the December 9/11, 2020, City Council meeting, the following motion was passed:

That Administration provide a report on the updated funding strategy for the 170th Street Footbridge as part of the 2021 Spring Supplemental Capital Budget Adjustment.

At the June 7, 2021, City Council meeting, the following motion was passed:

That the May 27, 2021, Integrated Infrastructure Services report IIS00255, be referred to Administration, to provide additional information on ongoing funding discussions with stakeholders, and return to the June 14, 2021, Executive Committee meeting.

Executive Summary

Administration continues to advance the development of a replacement of the pedestrian bridge design across 170 Street NW, north of 87 Avenue NW. This project is driven by a need to restore a safe, grade separated, east-west pedestrian crossing across the busy 170 Street NW arterial roadway for adjacent communities and businesses while minimizing impacts to traffic flow along 170 Street NW.

Recent discussions with Alberta Health Services have presented a collaboration opportunity on an approach encompassing the interests of multiple City projects. In light of this approach, the previously contemplated funding strategy for the 170 Street pedestrian bridge has been adjusted.

This report outlines the revised funding strategy and requests approval of funding for the 170 Street pedestrian bridge. The project is to be jointly funded by the City of Edmonton and West Edmonton Mall, with West Edmonton Mall's portion of the funding contributed by means of a Local Improvement Bylaw.

Report

In 1985, through the development of West Edmonton Mall (WEM) on Parcel 8882 170 Street NW, a requirement for a grade separated pedestrian bridge connecting the parcels on either side of 170 Street NW was part of the Development Agreement to be maintained by WEM. However, inspections completed by the City revealed the bridge condition had deteriorated where it was required to be removed or replaced in 2018.

It was the City's priority to restore pedestrian connectivity as soon as possible, as this bridge provided important east-west pedestrian connectivity across the busy 170 Street NW arterial roadway for adjacent communities and businesses. As a result, an interim at-grade crossing was constructed in 2019 on the south side of 90 Avenue NW to provide pedestrian connectivity until a new bridge is built. A concept planning study was also completed, identifying a recommended new bridge location, between 87 Avenue NW and the former pedestrian bridge location.

Through the Fall 2019 Supplemental Capital Budget Adjustment (SCBA), this project received funding to expand the project scope beyond concept design to preliminary and detailed design, anticipated to be completed in Q2 2021.

Project Funding Status

Administration recently completed the preliminary design of the new pedestrian bridge, presented in Attachment 1. The project has reached Checkpoint 3 of the Project Development and Delivery Model (PDDM), per the Capital Project Governance Policy C591. The new pedestrian bridge is currently estimated to cost up to \$9.50 million for the delivery phase (Checkpoint 3 to 5). The complete project cost including both Planning and Design, and Delivery is estimated to cost up to \$10.26 million. The project continues to be refined through detailed design development and work is underway to refine cost estimates and seek opportunities to reduce overall project costs. As noted in the May 27, 2021, Integrated Infrastructure Services report IIS00255, the cost for Delivery from Checkpoint 3 to Checkpoint 5 was previously estimated at \$7.25 million (± 25 percent). Costs are now forecasted to be higher than previously estimated due to a more detailed understanding of the bridge design.

Administration is of the view that both the Alberta Health Services (AHS) lands and the West Edmonton Mall (WEM) lands receive benefit from the replacement pedestrian bridge and that funding the bridge through a Local Improvement Bylaw would therefore be fair and appropriate. The WEM lands, to the west, benefit from direct pedestrian connectivity to the Misericordia Hospital and the schools and residential communities to the east.

AHS Coordination

The AHS lands contain, on one parcel, the Misericordia Hospital, the CapitalCare Laurier House residence, the CapitalCare McConnell Place West residence and the Villa Caritas residence. Residents at the CapitalCare Laurier House residence have actively sought the reconstruction of a new pedestrian bridge and have been vocal advocates for replacement. Following the removal of the bridge in 2018, residents of Laurier House commenced a letter-writing campaign and petition in support of having the bridge reconstructed. Many of the residents of the aforementioned facilities experience accessibility challenges and relied on the previous footbridge to safely access the stores, services and transit connections at WEM.

Like the WEM lands, it is Administration's position that the AHS lands benefit from the construction of the pedestrian bridge. Recent discussions with AHS have resulted in the opportunity to take a collaborative approach with AHS on interests related to the 170 Street pedestrian bridge project and the Valley Line West LRT project. Originally, a tri-party local improvement (West Edmonton Mall, AHS and City of Edmonton) was contemplated. Recent discussions with AHS have presented an opportunity to collaborate on an approach encompassing the broader interests of multiple projects, an approach that eliminates the need for a local improvement to be applied to the AHS lands.

Budget/Financial Implications

The Delivery cost of the new pedestrian bridge, presently unfunded, is estimated to cost up to \$9.5 million. With the updated funding strategy outlined as a Local Improvement Bylaw, Administration will proceed with the Local Improvement Bylaw as follows.

Construction of the 170 Street Pedestrian Bridge to be financed by way of a Local Improvement Tax to be amortized over a period of 30 years. Based on this funding strategy, WEM will contribute no greater than one-third of the cost of the Local Improvement, not to exceed a total contribution of \$2.0 million. The City will fund the remainder of the construction costs; estimated at up to \$7.5 million.

This report requests approval of capital profile 21-20-2100 - 170 Street Pedestrian Bridge to allow Delivery of the pedestrian bridge to advance (Attachment 2).

The Local Improvement Bylaw associated with the contribution from West Edmonton Mall will be brought forward to Council on June 22, 2021 for first reading.

Legal Implications

Pursuant to sections 392 and 396 of the *Municipal Government Act*, the imposition of a Local Improvement Tax may be petitioned against by the owners liable to pay the tax. To stop a Local Improvement, a petition must be signed by (a) two-thirds of the owners liable to pay the tax, with the signatories amounting to (b) at least 50 percent of the assessed value of the properties assessed. City Policy C619, Local Improvements-Surface, does state that the City will choose not to proceed with a surface local improvement if a majority of owners (representing at least half of the value of assessments prepared under Part 9) petition against the local improvement within 30 days of the local improvement notice.

West Edmonton was notified of the Local Improvement; no petition was received.

Additional information is provided in Attachment 3 (Private Attachment - Legal Considerations).

Public Engagement

Stakeholder engagement was conducted to gather initial feedback on the bridge location and raise awareness of the project during the planning and design phase. The project team met with key stakeholders in the project study area, including West Meadowlark Community League, West Edmonton Mall, Alberta Health Services, and Laurier House Lynnwood.

As West Edmonton Mall is a key stakeholder of this project, the project team has maintained ongoing communication with West Edmonton Mall since the start of the project to ensure they are aware of the project timeline and status. As part of the Local Improvement process, the City issued a formal notice of the Local Improvement to West Edmonton Mall on April 15, 2021. West Edmonton Mall did not provide a petition against the Local Improvement during the petition period.

Discussions between the City and AHS related to funding contributions for the pedestrian bridge started in January 2021 and have continued through 2021. Recent discussions have identified the opportunity to coordinate multiple projects' interests with AHS.

A web page is also available to share information with the public and surrounding communities about the project.

Corporate Outcomes and Performance Management

Corporate Outcome: The City of Edmonton has sustainable and accessible infrastructure			
Outcome	Measure	Result	Target
The City of Edmonton has sustainable and accessible infrastructure	Infrastructure Density (city's population divided by the total kilometres of infrastructure)	56.5 (2017)	Increase over previous year

Risk Assessment

A risk assessment has been completed based on approving and not approving this proposed funding strategy. Currently, planning and potential future mitigation measures are also provided.

Risk Element	Risk Description	Likelihood	Impact	Risk Score (with current mitigations)	Current Mitigations	Potential Future Mitigations
<u>Risks if Approved:</u>						
Project Management	The project pricing may change due to market conditions.	3 - Possible	3 - Major	9 - Medium	Utilize understanding of current commodity and service pricing.	Update cost estimates as project development advances.
Public / Stakeholder engagement	Public perception of project and construction impacts.	3 - Possible	2 - Moderate	6 - Low	Public information sharing and engagement during planning and design where needed. Mitigate impacts through design.	Extensive information sharing during construction.
<u>Risks if Not Approved:</u>						
Public / Stakeholder engagement	The public perception that the City is not improving the accommodation active modes and motorists.	4 - Likely	4 - Severe	16 - High	Preparation of this separate request for an amendment for the capital profile.	Additional information sharing or public engagement.
Mobility System	Lost opportunity to support economic opportunities,	4 - Likely	3 - Major	12 - Medium	Preparation of this separate request for an amendment for	Explore other opportunities to enhance mobility. Take on debt in the

	equity, health and safety.				the capital profile.	future to fund this project.
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Attachments

1. 170 Street Pedestrian Bridge Preliminary Design Plan
2. 21-20-2100 - 170 Street Pedestrian Bridge - Capital Profile
3. Private Attachment - Legal Considerations

Others Reviewing this Report

- G. Cebryk, Deputy City Manager, City Operations
- M. Persson, Chief Financial Officer and Deputy City Manager, Financial and Corporate Services
- S. McCabe, Deputy City Manager, Urban Planning and Economy
- C. Owen, Deputy City Manager, Communications and Engagement
- K. Fallis-Howell, Acting City Solicitor