



**City of Kingston
Report to Council
Report Number 18-138**

To: Mayor and Members of Council
From: Jim Keech, President & CEO, Utilities Kingston
Resource Staff: Mark Van Buren, Deputy Commissioner of Transportation & Infrastructure Services - Engineering & Major Projects
Date of Meeting: April 17, 2018
Subject: Third Crossing – Grant Funding Agreements

Executive Summary:

In November 2017, City Council had provided authority to the Mayor and City Clerk to execute the necessary agreements and other documents as may be required to enter into grant funding agreements with the Province of Ontario and the Government of Canada for the final design and construction of the Third Crossing project. Staff have been working to conclude the grant funding agreements with both the provincial and federal governments. In order to conclude preparation of the final provincial agreement for signing, the province has requested passage of a bylaw that provides more specific references to the funding agreement between the Province of Ontario and the City of Kingston. It is anticipated that there may be similar requirements from the federal government for the federal agreement. Therefore this report provides draft bylaws to be approved by Council that will enable preparation of final agreements for signing with both the Province of Ontario and the Government of Canada for grant funding for the Third Crossing project.

Recommendation:

That the enabling municipal by-laws, attached as Exhibits A and B to Report Number 18-138, be presented for all three readings in order that the grant funding agreements for the Third Crossing project can be completed with both the Province of Ontario and the Government of Canada.

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Authorizing Signatures:

ORIGINAL SIGNED BY PRESIDENT & CEO, UTILITIES KINGSTON

**Jim Keech, President & CEO,
Utilities Kingston**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

Gerard Hunt, Chief Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Lanie Hurdle, Commissioner, Community Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required
Denis Leger, Commissioner, Corporate & Emergency Services	Not required

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Options/Discussion:

A resolution was passed by Kingston City Council at the regular meeting of Council on November 21, 2017 as follows:

That Council authorizes the Mayor and City Clerk to execute the necessary agreements and other documents as may be required to enter into grant funding agreements with the Province of Ontario and the Government of Canada, in a form satisfactory to the Director of Legal Services, for the final design and construction of the Third Crossing project.

In preparation for the completion of the final grant funding agreement, the Province of Ontario has requested the passage of a bylaw (see Exhibit A) that provides more specific references to the project and the grant funding program.

In anticipation of the similar requirements from the Government of Canada, staff have also provided a similar bylaw (see Exhibit B) that provides specific references to the project and the federal grant funding program.

Existing Policy/By-Law:

Not applicable

Notice Provisions:

Not applicable

Accessibility Considerations:

Not applicable

Financial Considerations:

Not applicable

Contacts:

Mark Van Buren, Deputy Commissioner, Transportation & Infrastructure Services 613-546-4291 extension 3218

Holly Wilson, Manager of Intergovernmental Relations, 613-546-4291 extension 1402

Other City of Kingston Staff Consulted:

Alan McLeod, Senior Legal Counsel & Deputy City Solicitor, Legal Services

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Exhibits Attached:

- Exhibit A Draft By-Law Number 2018-XX, "A By-Law to Authorize the Execution of an Agreement with Her Majesty the Queen in Right of the Province of Ontario as Represented by the Minister of Agriculture, Food and Rural Affairs for the Province of Ontario and the Corporation of the City of Kingston".
- Exhibit B Draft By-Law Number 2018-XX, "A By-Law to Authorize the Execution of an Agreement with Her Majesty the Queen in Right of Canada as Represented by the Minister of Infrastructure, Communities and Intergovernmental Affairs for the Government of Canada and the Corporation of the City of Kingston".

By-Law Number. 2018-XX

A By-Law to Authorize the Execution of an Agreement with Her Majesty the Queen in Right of the Province of Ontario as Represented by the Minister of Agriculture, Food and Rural Affairs for the Province of Ontario and the Corporation of the City of Kingston

Passed: April 17, 2018

Whereas it is deemed expedient to authorize the execution of an Agreement with Her Majesty the Queen in right of the Province of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs for the Province of Ontario for funding related to the Third Crossing project;

Therefore be it resolved that the Council of the Corporation of the City of Kingston hereby enacts as follows:

1. That the Mayor and Clerk are hereby authorized to execute on behalf of the City of Kingston a financial contribution agreement for the New Building Canada Fund – Provincial-Territorial Infrastructure Component for National and Regional Projects – Ontario Agreement with Her Majesty the Queen in right of the Province of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs for the Province of Ontario.
2. This By-Law shall come into force and take effect on the date of its passing.

Given all Three Readings and Passed: April 17, 2018

John Bolognone
City Clerk

Bryan Paterson
Mayor

By-Law Number. 2018-XX

A By-Law to Authorize the Execution of an Agreement with Her Majesty the Queen in Right of Canada as Represented by the Minister of Infrastructure, Communities and Intergovernmental Affairs for the Government of Canada and the Corporation of the City of Kingston

Passed: April 17, 2018

Whereas it is deemed expedient to authorize the execution of an Agreement with Her Majesty the Queen in Right of Canada as Represented by the Minister of Infrastructure, Communities and Intergovernmental Affairs for the Government of Canada for funding related to the Third Crossing project;

Therefore be it resolved that the Council of the Corporation of the City of Kingston hereby enacts as follows:

1. That the Mayor and Clerk are hereby authorized to execute on behalf of the City of Kingston a financial contribution agreement for the New Building Canada Fund – Provincial-Territorial Infrastructure Component for National and Regional Projects with Her Majesty the Queen in Right of Canada as Represented by the Minister of Infrastructure, Communities and Intergovernmental Affairs for the Government of Canada.
2. This By-Law shall come into force and take effect on the date of its passing.

Given all Three Readings and Passed: April 17, 2018

John Bolognone
City Clerk

Bryan Paterson
Mayor