Report of the Executive Policy Committee dated January 15, 1992

Policy - Use of the Name - The City of Winnipeg File GC-10

390 - 11. The City Auditor, in a report dated October 17th, 1990, to the Committee on Finance and Administration, dealing with the lease of land at the corner of St. Mary's Road and Carriere Avenue and the operation of a recycling project, suggested that a policy should be adopted by City Council concerning:-

1. Circumstances under which the name "City of Winnipeg" may be used by City Councillors on signs for fund raising or any other purpose.

2. Accountability for funds raised from projects where the name of The City of Winnipeg is used.

3. Authority for individual Councillors to allocate the funds raised, to individual organizations or persons.

4. Which Committee would be responsible to authorize these types of projects.

On November 6th, 1990, the Committee on Finance and Administration laid over consideration of the report from the City Auditor, dated October 17th, 1990, pending receipt of further information.

On May 14th, 1991, the Committee on Finance and Administration received the Acting City Auditor's preliminary report of May 13th, 1991.

In light of that action, the City Solicitor was instructed to examine and make recommendations on the policy issues raised by the Acting City Auditor.

On September 11th, 1991, your Executive Policy Committee considered and approved the following recommendation from the Chief Commissioner:-

> "That Council adopt a policy providing that anyone wishing to use the City's name, logo or property for fund raising or other purposes, first obtain approval of the Executive Policy Committee."

In considering the above recommendation, your Executive Policy Committee requested the Board of Commissioners to report back on the following:-

1. Accountability for funds raised from projects where the name of The City of Winnipeg is used.

2. Authority for individual Councillors to allocate the funds raised, to individual organizations or persons.

3. Which Committee would be responsible to authorize these types of projects.

On September 25th, 1991, Council adopted the above recommendation providing that anyone wishing to use the City's name, logo or property for fund raising or other purposes, first obtain approval of the Executive Policy Committee.

As a result of the policy adopted by Council on September 25th, 1991, concern has been expressed that the Executive Policy Committee may be faced with considering numerous requests from individuals or organizations wishing to use the City's name, logo or property for fund raising or other purposes.

There has also been concern expressed that there are a number of established practices affected

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by the policy adopted by Council on September 25th, 1991.

On March 21st, 1973, Council passed a policy which reads as follows:-

> ".... that His Worship the Mayor be authorized, where he considers it in the interests of the City to do so, to grant permission to any person to use the City's Coat of Arms and Crest in conjunction with the name of the City of Winnipeg for souvenir purposes on such brochures and other articles as he may consider appropriate for the purpose."

Therefore, requests to use the City's logo in conjunction with the name of the City of Winnipeg have in the past been processed through the Mayor's office.

The Mayor's office also makes arrangements to accommodate functions at City Hall dealing with numerous volunteer groups who use portions of the grounds or the Council Building.

Some organizations obtain permission through the Committee on Finance and Administration for special parking arrangements, thereby using City property for fund raising purposes.

Local Community Committees allow the use of their Committee meeting locations for various non-profit organizations and/or volunteer groups usage. Many are utilized for fund raising and other purposes.

The policy as adopted by Council on September 25th, 1991, requires that all such requests be considered by your Executive Policy Committee. Due to the number and the undue work this will create for your Executive Policy Committee, it is felt that past-practice with respect to the use of City property by private individuals and organizations should be retained. However, it is felt that a separate policy should be established dealing with such requests from elected officials. Due to the importance of credibility and public trust, elected officials must avoid even the appearance of impropriety.

Mr. Justice Goodearle in dealing with a conflict of interest situation commented as follows:-

> ".... any municipally elected official must exercise a level of constraint much greater than that of the average citizen, exercising what has often been described as reasonable care to duty."

Your Executive Policy Committee recommends:-

1. That the policy adopted by Council on September 25th, 1991, providing that anyone wishing to use the City's name, logo or property for fund raising or other purposes first obtain approval of the Executive Policy Committee, be rescinded.

2. That the policy adopted by Council on March 21st, 1973, authorizing the Mayor "to grant permission to any person to use the City's Coat of Arms and Crest in conjunction with the name of the City of Winnipeg for souvenir purposes on such brochures and other articles as he may consider appropriate for the purpose", be amended:-

    a) to restrict the granting of permission to private individuals, organizations, corporations, etc.
    b) to expand the purpose to include fund raising or other purposes.

3. That Council hereby adopt a policy to provide that Councillors wishing to use the City's name, logo or property for fund raising or other purposes, first obtain approval of your Executive Policy Committee.

4. In conjunction with recommendation 3. and to ensure accountability for funds raised from projects and an understanding of how The City of Winnipeg name will be used, the

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Councillors making application to Executive Policy Committee must submit a business plan which discloses:-

a) The manner in which the City of Winnipeg name will be used.

b) Time frame of the project.
c) The manner in which funds will be raised.
d) The intended use of the funds raised.
e) A pro forma income and expense statement.
f) Name and addresses of all the principals involved in the project.

Your Executive Policy Committee further recommends that the allocation of the funds raised to individual organizations or persons by a Councillor shall be clearly identified in the business plan submitted to and approved by the Executive Policy Committee and will be public information. An audited financial statement submitted subsequent to the project shall confirm the allocation of funds.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.