Minutes – Executive Policy Committee - June 13, 2007

REPORTS

Minute No. 381 Grosvenor Square Business Improvement Zone - Termination
File FL-7.16

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the administrative recommendation and recommends to Council:

1. That the by-law, contained in the report dated May 22, 2007 from the Acting Director of Planning Property and Development, terminating the Grosvenor Square Business Improvement Zone be enacted.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

DECISION MAKING HISTORY:

Moved by Councillor O'Shaughnessy,

That the administrative recommendation be concurred in and forwarded to Council.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 21, 2006, the Executive Policy Committee concurred in the administrative recommendation, namely:

1. That the Administration send a registered letter to the Grosvenor Square Business Improvement Zone (BIZ):
   A. Reminding the BIZ that no Budget has been submitted for two years;
   B. Requesting that a 2007 budget be submitted to Council by December 31, 2006; and
   C. Advising the BIZ that, if a 2007 budget is not submitted by December 31, 2006, the City may enact a by-law dissolving the Grosvenor Square Business Improvement Zone.

2. That if the Grosvenor Square Business Improvement Zone fails to submit the requested budget by December 31, 2006, the Administration be authorized to prepare and present to Council a By-law dissolving the Grosvenor Square Business Improvement Zone.

RE: Grosvenor Square Business Improvement Zone

FOR SUBMISSION TO: Executive Policy Committee

ORIGINAL REPORT SIGNED BY: Director of Planning, Property and Development

REPORT DATE: May 22, 2007

RECOMMENDATION:

That Council enact the attached By-law terminating the Grosvenor Square Business Improvement Zone.

Report Summary

Key Issues:

- The Grosvenor Square Business Improvement Zone (BIZ) is one of sixteen Business Improvement Zones within the City of Winnipeg.
- The Grosvenor Square Business Improvement Zone has failed to submit budgets to City Council for three consecutive years.
- According to the Business Improvement Zone Procedural By-Law 8111/2002, if a BIZ Zone fails to submit an annual budget to Council for approval in two consecutive years, this may be a cause for termination of a zone.
- Pursuant to directions from Executive Policy Committee, the Grosvenor Square Business Improvement Zone Board was advised by registered letter dated October 25th, 2006, that if a 2007 budget approved by the Business Improvement Zone members is not submitted by December 31, 2006 the City would assume that this Board is no longer active and would proceed, by by-law, to dissolve the Grosvenor Square Business Improvement Zone.
- Termination of the Grosvenor Square BIZ would not affect the City financially because the BIZ has neither assets nor liabilities.

Implications of the Recommendation(s):

General Implications

( ) None

( ) For the organization overall and/or for other departments

(X) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s): The Grosvenor Square Business Improvement Zone will be dissolved.

Policy Implications

(X) No

( ) Yes

Comment(s):

Regulatory Implications

(X) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s):

Environmental Implications

(X) No

( ) Yes

Comment(s):

Human Resources Implications

(X) No

( ) YesComment(s):

Financial Implications

(X) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s):

Report

REASON FOR THE REPORT:

On September 21, 2006 EPC instructed the Administration to prepare a by-law dissolving the Grosvenor Square Business Improvement Zone if a 2007 budget is not received by December 31, 2006. A budget was not received.

HISTORY:

The Grosvenor Square Business Improvement Zone was established in 1998 and continued by By-Law No 8116/2002. It is one of sixteen Business Improvement Zones within the City of Winnipeg. It has not submitted proposed annual budgets to Council for approval in three consecutive years.

The Grosvenor Square BIZ is centered on the intersection of Grosvenor and Stafford and includes the surrounding commercial area. The Manitoba/Winnipeg Community Revitalization Program (MWCRP), a joint Province/Winnipeg funding program, helped with streetscaping enhancement, which solidified the formation of a BIZ in 1998.

The Grosvenor Square BIZ has always struggled to keep a unified direction among the Business Merchants. The BIZ has not submitted a proposed budget in other years due to disagreements at their Annual General Meeting. However, the BIZ usually has come back the next year to submit a proposed budget for consideration. This is the first time that the Grosvenor BIZ zone has not submitted proposed annual budgets to Council for approval in three consecutive years.

The Business Improvement Zone Procedural By-Law No. 8111/2002 provides that if a proposed budget is not submitted for two consecutive years, Council may dissolve the BIZ.

Administration has worked with the Board to see if adjusting the boundaries of the BIZ would lead to greater Board stability. For example, there are some businesses that do not support the BIZ and should perhaps withdraw. But reducing the size would reduce funding and make it difficult for the BIZ Board to function and fund its proposed programs. It was already operating on a budget of only $6,196 in 2004.

DISCUSSION:

In accordance with direction from Executive Policy Committee, the Grosvenor Square BIZ was sent a registered letter dated October 25th, 2006. The registered letter (Attachment A) asked that the BIZ Zone submit a proposed Budget before December 31, 2006. The letter noted that, if the BIZ failed to submit the requested budget by December 31, 2006, Administration would be authorized to prepare and present to Council a By-law dissolving the Grosvenor Square Business Improvement Zone.

The Grosvenor Square BIZ has not submitted a proposed budget for three consecutive years and there is no interest from the past President or Board to work at re-activating the BIZ or Board.

The Business Improvement Zone Procedure By-law No 8111/2002 provides that, upon termination, the City assumes the assets and liabilities of a Business Improvement Zone. However, the Grosvenor Square BIZ has neither assets nor liabilities and so its termination will not affect the City financially.

It is recommended that the attached By-law (Attachment B) be enacted by Council in order to terminate the Grosvenor Square BIZ.

Financial Impact Statement Date: May 10, 2007

Project Name:

Grosvenor Square Business Improvement Zone

COMMENTS:

The recommendation in this report is that Council enact the attached By-law terminating the Grosvenor Square Business Improvement Zone.

There are no financial implications associated with this recommendation.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:
Legal Services Division

External Consultation With:
N/A

THIS REPORT SUBMITTED BY:

Department Planning, Property and Development
Division Planning and Land use
Prepared by: Martin Pasieczka
PPD File No.: O:\Reports Directive\Planning and Land Use\Urban Planning Reports\2007 Reports\Grosvenor Square BIZ Dissolution.doc

'Attachment A'

In reply please refer to / Référence à rappeler : Martin Pasieczka
(204) 986-986-5247
Fax / Téléc. : (204) 986- 7524

October 25, 2006

VIA REGISTERED MAIL NO. RW 141 540 008 CA

Grosvenor Square BIZ Board of Directors
c/o 922 Grosvenor Ave
Winnipeg, MB R3M 0N4

Dear Board of Directors:

re: Grosvenor Square Business Improvement Zone
2007 BUDGET AND PROGRAM – CONTINUED EXISTENCE

The Grosvenor Square BIZ is being asked to submit a 2007 Budget and Program for the BIZ Zone. An AGM should be called with the general membership to pass the proposed Budget and Program for the Zone. If assistance is required in putting together the budget or in organizing the AGM for the Zone please contact myself.

Under the BIZ Procedures By-Law No. 8111/2002, it provides that if a proposed budget is not submitted for two years, Council may dissolve the BIZ. Administration is recommending that the BIZ be formally advised of their obligations under the BIZ procedures By-law and be given this one last time to put forward a 2007 Budget and Program to City Council. Failing that the City will then proceed to dissolve the Business Improvement Zone.

Therefore the Administration has made the following recommendations with regards to the Grosvenor Square Business Improvement Zone (BIZ):

1. That the Administration send a registered letter to the Grosvenor Square Business Improvement Zone (BIZ):
    - **a.** Reminding the BIZ that no Budget has been submitted for two years;
    - **b.** Requesting that a 2007 budget be submitted to Council by December 31, 2006; and
    - **c.** Advising the BIZ that, if a 2007 budget is not submitted by December 31, 2006, the City may enact a by-law dissolving the Grosvenor Square Business Improvement Zone.

If the BIZ fails to submit the requested budget by December 31, 2006, Administration will be authorized to prepare and present to Council a By-law dissolving the Grosvenor Square Business Improvement Zone.

The establishment of the Grosvenor Square Business Improvement Zone has had clear advantages for the local business community. It served as a tool for organizing businesses towards co-operative efforts and it acted as a key to developing a more attractive physical

environment and a more successful business area. The continued existence of the Zone would be a benefit for all. Reshaping the boundaries of the zone may help with the continued existence of the zone. If assistance is required and if it would be beneficial to go in this direction, again please do not hesitate to contact myself to assist in this matter.

Thank you to the Board members, membership and all those involved for all their efforts to date.

Yours truly,

Martin Pasieczka
Neighbourhood Economic Development Officer

Unit 15 – 30 Fort Street
Winnipeg, MB
R3C 4X5

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Fax: 986-7524
Email: mpasieczka@winnipeg.ca

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'Attachment B' (By-Law)

THE CITY OF WINNIPEG

BY-LAW NO. .

A By-law of THE CITY OF WINNIPEG to terminate the Grosvenor Square Business Improvement Zone.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. The Grosvenor Square Business Improvement Zone By-law No. 8116/2002 is hereby repealed and the Grosvenor Square Business Improvement Zone is terminated.

DONE AND PASSED, in Council assembled, this day of , 2007.

_____
Mayor

_____
City Clerk

Approved as to content:

_____
Director of Planning,
Property and Development

Approved as to form:

_____
for City Solicitor/Manager of
Legal Services