Minutes – Executive Policy Committee - June 13, 2007

REPORTS

Minute No. 384 Red Tape Commission Report: Recommendation 17 – Create a "Community Management Lease" Model
File FI-2.2

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the administrative recommendation, namely:

1. That the Administration proceed immediately to implement and test three administrative tools for facilitating the enhancement of City of Winnipeg assets by community groups, including:

   A. Memorandum of Understanding/ Project Agreement (Asset Improvement)
   B. Service/ Maintenance Agreement (Enhanced Service)
   C. Management Lease Agreement (Exclusive Group Use & Programming)

2. That the Administration evaluate and refine the piloted tools and agreements over the 2007 construction season and report back to Executive Policy Committee in the Fall of 2007.

3. That the Administration develop a brochure and interactive web page to assist community organizations looking to improve City of Winnipeg assets for launch in 2008.

DECISION MAKING HISTORY:

Moved by Councillor Wyatt,

That Rule 10.3 of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Wyatt,

That the administrative recommendation be concurred in.

Carried

RE: Red Tape Commission Report: Recommendation #17– Create a "Community Management Lease" Model

FOR SUBMISSION TO: Executive Policy Committee

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

REPORT DATE: May 4, 2007

RECOMMENDATION:

1. That the Administration proceeds immediately to implement and test three administrative tools for facilitating the enhancement of City of Winnipeg assets by community groups, including:

   a) Memorandum of Understanding/ Project Agreement (Asset Improvement)
   b) Service/ Maintenance Agreement (Enhanced Service)
   c) Management Lease Agreement (Exclusive Group Use & Programming)

2. That the Administration evaluate and refine the piloted tools and agreements over the 2007 construction season and report back to EPC in Fall 2007.

3. That the Administration develop a brochure and interactive web page to assist community organizations looking to improve City of Winnipeg assets for launch in 2008.

Report Summary

Key Issues:

- Each year, dozens of community initiated improvement projects take place on City of Winnipeg properties, including playground, trail and athletic field developments, community centre enhancements and neighbourhood streetscape improvements.

- The majority of community groups are concerned only with the physical improvement of City properties and facilities and have little or no interest in asset management, maintenance or program delivery.

- If improvements are to be made to City lands or facilities, the City of Winnipeg generally assumes the ownership, maintenance and all liabilities associated with the installations.

- Clear communication of City standards is required to address safety, liability and to reduce community frustration in initiating what are viewed as public improvements.

General Implications

( ) None

(X) 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): If improvements are to be made to City lands or facilities, the City of Winnipeg assumes the ownership, maintenance and liabilities associated with such improvements.

Policy Implications

(X) No

( ) Yes

Comment(s):

Regulatory Implications

(X) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s):
The proposed process improvements clarify the roles and responsibilities between community and interest groups wishing to make improvements on or to City of Winnipeg lands and assets.

Environmental Implications

(X) No

( ) Yes

Comment(s):

Human Resources Implications

(X) No

( ) Yes

Comment(s):
The recommendation may reduce staff time required in reviewing, approving and implementing projects which have public benefits.

Financial Implications

(X) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s): There are no financial implications associated with the recommendations in this report.

Report

REASON FOR THE REPORT:

At its meeting of March 22, 2006, the Executive Policy Committee directed the Chief Administrative Officer to prepare and forward reports on all remaining recommendations of the Red Tape Commission in an expedited manner, reflecting a list of priorities. One of these recommendations was Recommendation 17, namely: "*Create a 'Community Management Lease' model for alternate service delivery, reducing red tape that prevents volunteer groups from adding value to the City of Winnipeg's properties and assets*".

HISTORY:

On November 23, 2004, the Mayor officially established the Red Tape Commission to review City operations and regulations in order to improve customer service while granting administrators more freedom to innovate.

The Red Tape Commission submitted a final report dated June 28, 2005, containing 30 recommendations.

Recommendation #17of the Red Tape Commission Report states: "*Create a 'Community Management Lease' model for alternate service delivery, reducing red tape*

that prevents volunteer groups from adding value to the City of Winnipeg's properties and assets".

DISCUSSION:

Background
Over the past 20 years, volunteer community organizations have been highly effective in improving City assets through leveraging City of Winnipeg investment (Capital, CIGP, LDR) into additional funding from other levels of government and funding agencies.

Each year, dozens of community-initiated improvement projects take place on City of Winnipeg properties, including playground, trail and athletic field developments, community centre enhancements and neighbourhood streetscape improvements.

Numerous community groups have demonstrated the interest and capacity to fill the gap between a base level of municipal services provided by the City and a higher "community standard".

The majority of community groups are concerned only with the physical improvement of City properties and facilities and have no interest in asset management, maintenance or running programs. For these groups, a simple document would be sufficient to outline roles and responsibilities, approvals and insurance requirements (Memorandum of Understanding/Project Agreement).

In cases where a "community standard" is higher than the base level of service the City is able to provide, community groups can enter into Service/Maintenance Agreements to provide such service. Examples would be enhanced graffiti removal and litter pick- up in Business Improvement Zones, community centre athletic field maintenance and Adopt-a-Park programs (Service/Maintenance Agreement).

Over the past year, several new Community Management Lease agreements have been developed and initiated that allow community organizations exclusive use to improve, program and maintain City of Winnipeg properties to "community standards". These agreements can serve as a model for community groups looking to improve and manage City of Winnipeg assets (Community Management Lease Agreement).

It should be noted that if improvements are to be made to City lands or facilities, the City of Winnipeg assumes the ownership and liability for such improvements. As such, it is imperative that any proposed improvements on City lands require sign-off approvals from the relevant City departments, as well any other required permits and approvals (Development Permit, etc.)

In addition, clear communication of City standards is required to address safety, liability and process improvement issues.

Next Steps

The Administration is looking to test three agreement templates to address and facilitate the types of community-initiated improvements taking place on City of Winnipeg lands:

Agreement Type	**MOU/ Project Agreement** (Asset Improvement)	**Service/Maintenance Agreement** (Enhanced Service)	**Management Lease Agreement** (Exclusive Group Use & Programming)
Project Examples	Playgrounds Trails Tree planting Riffle Installation	BIZ Streetscaping Graffiti Removal/ Litter pick-up Athletic Field Maintenance Adopt-A-Park	Maple Grove Park Users: Football, Rugby, MODS Community Centres Buhler Park
Approval Body	Applicable Division Managers	Director of Public Works OR SPC on Public Works when additional operating budget funding is required	City Council

It is recommended that the three agreements be piloted, evaluated and refined in conjunction with community projects over the 2007 construction season and reported back in a presentation to EPC in the fall of 2007.

To assist groups in making improvements to Civic assets, a brochure and interactive website will be developed to provide contact information, project checklists, approval processes and other project resources allowing and empowering groups in seeking partnership funding for endorsed projects.

Financial Impact Statement Date: May 1, 2007

Project Name:

Red Tape Commission Recommendation #17– Create a "Community Management Lease" model for alternate service delivery

COMMENTS:

There are no direct financial implications associated with the recommendations in this report.

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

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Public Works Department

CAO Secretariat

THIS REPORT SUBMITTED BY:

Department: Planning, Property and Development
Division: Planning and Land Use

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