Minutes – Executive Policy Committee – May 25, 2012

REPORTS

Minute No. 265 Sponsorship Agreements – Exclusive Rights for Commercial Transactions in Streets and other Public Places – Delegated Authority to Chief Administrative Officer

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommends to Council:

1. That the Chief Administrative Officer be delegated authority to approve sponsorship agreements which allow for exclusive rights within streets, the Rapid Transit Corridor, walkways throughout the City including the skywalk system or any other public spaces under the authority of the City of Winnipeg, for the purposes of engaging in commercial transactions.

2. That notwithstanding the above recommendation, that the Office of the Chief Administrative Officer ensure the necessary review processes are completed to facilitate compliance with all City by-laws for each sponsorship opportunity under consideration by the City, prior to the final review and approval by the Chief Administrative Officer.

3. That an amending by-law be enacted (Schedule A) that will implement Recommendations 1 and 2.

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

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DECISION MAKING HISTORY:

Moved by Councillor Havixbeck,

That the recommendation of the Winnipeg Public Service be concurred in and forwarded to Council.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 18, 2012, the Executive Policy Committee laid the matter over for 30 days.

ADMINISTRATIVE REPORT

Title: Delegated Authority to the CAO; to approve Sponsorship Agreements which allow for Exclusive Rights for Commercial Transactions in Street and other public places under the jurisdiction of the City, including where restricted by by-law

Critical Path: EPC - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
Maureen Purdy	Deepak Joshi	n/a	D Joshi COO

RECOMMENDATIONS

- That Council delegate to the Chief Administrative Officer authority to approve sponsorship agreements which allow for exclusive rights within streets, the Rapid Transit Corridor, walkways throughout the City including the skywalk system or any other public spaces under the authority of the City of Winnipeg, for the purposes of engaging in commercial transactions.

- Notwithstanding the above recommendation, that the Office of the Chief Administrative Officer ensure the necessary review processes are completed to facilitate compliance with all City bylaws for each sponsorship opportunity under consideration by the City, prior to the final review and approval by the Chief Administrative Officer.

- That Council enact an amending by-law (draft by-law attached as Schedule A) that will implement Recommendations 1 and 2.

- That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

The granting of delegated authority to the Chief Administrative Officer requires Council approval.

IMPLICATIONS OF THE RECOMMENDATIONS

General Implications

This recommendation would address future sponsorship agreements where the sponsor has agreed to provide a sponsorship to the City in exchange for exclusive rights within City streets, the Rapid Transit Corridor, walkways or public spaces for the purposes of engaging in commercial transactions, such as placement of newspaper vending devices.

Financial Implications

There are no financial implications associated with this report.

HISTORY

- On November 21, 2007, Council approved the City of Winnipeg Sponsorship policy. The policy requires that Council approve the sale of naming rights to any civic facility or asset. All other sponsorships require only the approval of the Chief Administrative Officer.

- Certain by-laws restrict the issuance of a permit giving a person the exclusive rights to use all or part of a street for the purposes of engaging in commercial transactions and therefore Council approval for the above-mentioned delegation is being requested for future sponsorships that provide for exclusive rights within City streets, the Rapid Transit Corridor, walkways throughout the City including the skywalk system or any other public spaces under the authority of the City of Winnipeg, for the purposes of engaging in commercial transactions.

FINANCIAL IMPACT

	2012	2013	2014	2015	2016
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Annual Savings in Advertising					
Direct Costs (commission)					
Less: Incremental Revenue					
Net Cost/(Benefit)	$ -	$ -	$ -		$ -
Less: Existing Budget Amounts					
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: There are no financial implications associated with this report.

Orginal signed by:

Radhika Abeysekera
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

In preparing this report there was consultation with:
Legal Services (as to legal issues)
Corporate Finance (Campus)
Materials Management
Public Works
Transit

SUBMITTED BY

Department: Office of the CAO
Prepared by: Maureen Purdy
Date: April 2, 2012

Schedule A

THE CITY OF WINNIPEG

BY-LAW NO.

A By-law of THE CITY OF WINNIPEG to accommodate the Chief Administrative Officer's delegated authority to approve sponsorship agreements that allow for the exclusive right to engage in commercial transactions in public spaces under the authority of the City of Winnipeg

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

Streets By-law amended

1 Subsection 4.02.03 of the Streets By-law No 1481/77 is amended by striking out "*A designated employee*" and substituting "*Unless it is done pursuant to the authority delegated to the Chief Administrative Officer to approve sponsorship agreements which allow for exclusive rights to engage in commercial transactions, a designated employee*".

Parks By-law

2 The Parks By-law No. 85/2009 is amended by renumbering section 30 as subsection 30(1) and adding the following after it:

> ***30(2)*** *In addition to his or her authority under subsection 7(1) to authorize a person to use a park as a place of business or to carry on commercial activities within a park, the Chief Administrative Officer is authorized to utilize his or her delegated authority to approve sponsorship agreements which allow for exclusive rights within parks for the purposes of engaging in commercial transactions.*

DONE AND PASSED, this day of , 2012.

_____
Mayor

_____
City Clerk

Approved as to content:

_____
Chief Administrative Officer

Approved as to form:

_____
For Director of Legal Services/City Solicitor