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July 2, 2014

Chair and Members
Executive Policy Committee
The City of Winnipeg
510 Main Street
Winnipeg MB

Re: Executive Policy Committee – 11:00 a.m. Wednesday, July 2, 2014

Reports:

1. Winnipeg Committee for Safety – 2013 Report to the Community
2. Access Advisory Committee – 2013 Annual Report
5. OurWinnipeg Report to the Community – 2014 Annual Report
8. Inclusion on the 2014 Civic Election Ballot – Use of One Percent PST towards Fixing Roads and Bridges

Standing Policy Committee on Finance - June 19, 2014

1. Request to Amend the Building Canada Fund Eligibility Criteria
2. Request to Amend the Manitoba Winnipeg Infrastructure Agreement (MWIA)

My name is David Sanders and I am appearing as a private citizen to comment on the above listed agenda items.

1. Winnipeg Committee for Safety – 2013 Report to the Community

I have reviewed the annual report of the Winnipeg Committee for Safety, chaired by Councillor Harvey Smith, and I have scanned the minutes of the Committee's meetings during the past year.

I believe that the personal safety and security of our citizens is a major responsibility of civic government. It requires effective policing, fire protection, paramedics and the emergency measures organization, but it requires much more than that.

The Committee for Safety has drawn attention to, and supported, such varied initiatives as:

a) Crime Prevention through Environmental Design
b) The revitalization of a pedestrian-friendly downtown
c) Community development in individual neighbourhoods
d) Innovative youth-centred activities and empowerment, such as provided by the Broadway Neighbourhood Centre and Just TV; and
e) The need to update the City's "Safety Toolkit."

Representatives of the Community Services Department and the Winnipeg Police Service do assist the Committee for Safety.

However, it seems to me that ensuring our citizens' safety deserves our highest priority as a community, and should be a prime consideration in everything we do, from filling potholes, to timely snow-clearing, to filtering our water, to accommodating cyclists, to maintaining our infrastructure, to designing defensible spaces with eyes on the street, to providing healthy activities for young and old, and to catching people doing things right.

There are a lot of very good things happening in this City, a great many of them described in the OurWinnipeg Report to the Community 2014, later on your agenda this morning. They include the Safety and Crime Prevention initiatives of the Winnipeg Police Service and the Community Services Department, and some very significant advances in Fire Suppression and Rescue, Medical Response and Fire Prevention. I would point out just one extraordinary statistic – in 2013, the Winnipeg Fire and Paramedic Service responded to approximately 100,000 requests for emergency service.

All of these civic departments and services require coordination and informed support, by EPC and Council, and by an ethical and competent senior administration, in order that they may deliver the results we all would like to see.

2. Access Advisory Committee – 2013 Annual Report

Similarly, I have reviewed the 2013 Annual Report of the Access Advisory Committee, chaired by Councillor Ross Eadie. The Access Advisory Committee is dealing with some absolutely critical issues relating to the quality of life enjoyed by the ever growing proportion of our population which lives with one or more disabilities. These issues are important to citizens of any age, but they are particularly important for most seniors, and there are now a lot of us.

Accessibility issues include universally accessible buildings and spaces, with barrier-free design; hand-transit and low floor access public transit buses; audible pedestrian signals; yellow detectable warning surface tiles and dropped curbs; and priority sidewalk snow-clearing. Many more issues are mentioned in this report on the work of the Committee and supporting civic staff. As a regular attendee at Council meetings, I would add that I would sure appreciate having a parkade close by.

I understand that shortly the Committee will be submitting comments on the Provincial Discussion Paper on an Initial Proposed Customer Service Standard for the new *Accessibility for Manitobans Act.*

The Government's Discussion Paper states that:

> "Nearly every Manitoban has a disability, knows someone with a disability, or will acquire a disability in the coming years. By eliminating barriers, all Manitobans will benefit."

The City's Report ends with the statement that "One day… we're all going to benefit from the enhancements to accessibility." I believe that day is here now.

5. OurWinnipeg Report to the Community – 2014 Annual Report

EPC is being asked to receive as information the 2014 OurWinnipeg Report to the Community, plus a table of Urban Structure Updates, and updated Urban Structure and Employment Lands maps.

This Report is definitely worth reading, and I hope it is circulated widely in an accessible manner. There are some very positive stories, about recreation services, libraries, the reduction of vacant and derelict buildings, the identification and protection of sensitive natural areas, the diversion and recycling of waste, and the promise of a forthcoming greenhouse gas inventory.

In the discussion of our Natural Environment, the Report states that:

> "Continued collaboration and integrated planning are critical to ensuring progress on environmental issues."

I would submit that collaboration and integrated planning are critical to ensuring progress on virtually all urban issues.

There is one major issue missing from the discussion of Water Quality, and that is the discoloured water and the current measures being taken to eradicate it. I presume the 2014 Report will have something to say about the frozen waterpipes this spring.

For me, and others, the $1 billion Southwest Transitway project as presently proposed and authorized by a bare majority of the present Council, but by neither the federal nor the provincial government, is a glaring example of poor decision-making, of the sort to be discussed by Council tomorrow afternoon.

And I oppose the designation of the Parker Lands natural area as a Major Redevelopment Site, as it continues to be shown on the Urban Structure Map.

8. Inclusion on the 2014 Civic Election Ballot – Use of One Percent PST towards Fixing Roads and Bridges

I wish to oppose the motion proposed by Councillors Wyatt and Havixbeck, and ask that EPC recommend that it be defeated.

> BE IT RESOLVED THAT the following wording and one question be placed on the 2014 Civic Election Ballot:
>
> The Provincial Government increased the Provincial Sales Tax (PST) by one percent, from 7% to 8%, without a required referendum. The one percent sales tax increase collects approximately $170 million every year from sales inside Winnipeg. Yet the Provincial Government is dedicating only approximately $50 million a year for Winnipeg's roads and bridges, taking $120 million out of Winnipeg.
>
> Do you believe that all the revenues collected by the Provincial Government's one percent increase in the PST from inside the City of Winnipeg should be used towards fixing Winnipeg's existing roads and bridges?
>
> Yes _____ No _____

I believe the wording of the motion is factually incorrect:

> a) Bill 20 - *The Manitoba Building and Renewal Funding and Fiscal Management Act* amended the law requiring the holding of a referendum last year, and exercised the proper responsibility and authority of any democratically elected representative government, to raise taxes for public purposes. The Leader of the Opposition candidly admits that his current court challenge is unlikely to succeed.
>
> b) I understand that the additional 1% will raise some $275 million in a full year. The Provincial Government advised the Legislature that it required more funds for a variety of purposes besides municipal roads and bridges, including provincial infrastructure, and especially flood control works. And yet the Province now requires itself to pay one-seventh of the total 8% PST, a total of $315 million annually, in grants to municipalities and local capital projects through the Building Manitoba Fund, per section 8(b) of *The Municipal Taxation and Funding Act.*
>
> c) The Province doesn't take $120 million "out of Winnipeg." The Province spends its revenue on its priorities throughout Manitoba, including Winnipeg, and including the City's roads and bridges, but certainly not limited to roads and bridges, and not limited to Winnipeg. The Province makes huge expenditures in the City of Winnipeg, and for the citizens of Winnipeg.

There is always good reason for seeking the cooperation of the Provincial Government in addressing the problems of the City. But I don't think that promoting such a referendum is the way to go about it.

Standing Policy Committee on Finance - June 19, 2014

1. Request to Amend the Building Canada Fund Eligibility Criteria

I wish to support the recommendations of the Standing Policy Committee on Finance:
1. That the City of Winnipeg call on the Government of Canada to amend its Building Canada Fund eligibility criteria so that it truly becomes a one-third funding share program to recover the cost of selected capital projects.
2. That this matter be forwarded to the Federation of Canadian Municipalities for adoption as a national policy in order to lobby the Government of Canada on this matter.

I am enclosing a copy of the current eligibility criteria for the Building Canada Fund. Those criteria exclude all expenditures made prior to receipt of federal approval-in-principle for a project; all the costs of preparing feasibility studies, plans and business cases required to obtain that federal approval-in-principle; and all costs of land acquisition. These prior costs can be very substantial, especially if they include the preliminary and functional engineering design work required to make a project "shovel ready."

As a result, federal cost-sharing of City projects invariably falls far short of the stated target of 33 1/3 % of total project costs.

I note that the BCF contribution to Public Transit projects can be as much as 50% of total eligible costs, a much greater portion, but I also see that projects costing more than $100 million, such as the City's Transitway, may be forced to adopt a Public-Private Partnership process in order to obtain federal funding of only 33 1/3 %.

Personally, I think that in addition to opening up the criteria for eligible expenditures, the federal share should be increased substantially, to 50 or 60 %. Then we might make some real progress on the deferred maintenance, rehabilitation and expansion of our community infrastructure, throughout our nation.

2. Request to Amend the Manitoba Winnipeg Infrastructure Agreement (MWIA)

I also wish to support the complementary recommendation of the Standing Policy Committee on Finance:
1. That the City of Winnipeg request an amendment to the terms and conditions of the Manitoba Winnipeg Infrastructure Agreement (MWIA) so that all expenses related to a capital project be fully eligible for funding.

Thank you.

David M. Sanders MA LLB
River Heights-Fort Garry

DMS/bm

Infrastructure Canada

New Building Canada Fund: Provincial-Territorial Infrastructure Component, National/Regional Projects
Initial Review Guide for Proposed Projects Identified by Provinces/Territories

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ANNEX B – ELIGIBLE COSTS AND COST-SHARING PROVISIONS

Eligible expenditures will include only the following:

a. The capital costs of acquiring, constructing or renovating a tangible asset, as defined and determined according to accounting principles generally accepted in Canada;
b. Expenditures directly associated with joint federal communication activities (press releases, press conferences, translation, etc.) and with project signage recognition set out in the Communication Protocol that will form part of the federal-provincial/territorial contribution agreement;
c. All planning (including plans and specifications) and assessment costs specified in the agreement such as the costs of environmental planning, surveying, engineering, architectural supervision, testing and management consulting services. Canada will contribute no more than 15% of its contribution to this cost;
d. The costs of engineering and environmental reviews, including environmental assessments and follow-up programs as defined in the *Canadian Environmental Assessment Act 2012* and the costs of remedial activities, mitigation measures and follow-up identified in any environmental assessment;
e. Costs of project-related signage, lighting, project markings and utility adjustments;
f. Costs of Aboriginal consultation;
g. Recipient audit and evaluation costs as specified in the agreement;
h. The incremental costs of the eligible or ultimate recipient's employees or leasing of equipment may be included as eligible expenditures under the following conditions:
    - The recipient is able to demonstrate that it is not economically feasible to tender a contract;
    - The employee or equipment is engaged directly in respect of the work that would have been the subject of the contract; and
    - The arrangement is approved in advance and in writing by Canada.

i. Leasing of equipment related to the construction of the project; and
j. Other costs that, in the opinion of Canada, are considered to be direct and necessary for the successful implementation of the Project and have been approved in writing prior to being incurred.

Note that while eligible expenditures become eligible as of the date of approval- in-principle, eligible expenditures can only be reimbursed to a recipient following the signing of a contribution agreement.

The following are deemed ineligible expenditures:

a. Expenditures incurred prior to the date of approval-in-principle as indicated in a letter to the recipient, as well as any and all expenditures related to contracts signed prior to the approval-in-principle date;
b. Expenditures incurred after the project completion date with the exception of expenditures related to audit and evaluation requirements pursuant to the agreement;
c. The expenditures related to developing a business case or proposal for funding;
d. The expenditures related to purchasing land, buildings and associated real estate and other fees;
e. Financing charges and interest payments on loans;
f. Leasing land, buildings, equipment and other facilities;
g. Furnishing and non-fixed assets which are not essential for the operation of the asset/project.
h. General repairs and maintenance of a project and related structures, unless they are part of a larger capital expansion project;
i. Services or works normally provided by the recipient, incurred in the course of implementation of the project, except those specified as eligible expenditures;
j. The expenditures related to any goods and services which are received through donations or in kind;
k. Any overhead costs, including salaries and other employment benefits of any employees of the recipient, its direct or indirect operating or administrative costs of ultimate recipients, and more specifically its costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff, except in accordance with Eligible Expenditure items c) and h);
l. Taxes for which the ultimate recipient is eligible for a tax rebate and all other costs eligible for rebates;
m. Legal fees.

Cost Sharing, Stacking and Limits to Federal Contribution

For projects located in provinces, the maximum federal contribution from all federal sources will be one-third (33.33%) of the total eligible costs of a project, with the following exceptions:

- For traditionally-procured projects in the Highways and Major Roads category where the asset is provincially-owned, and those in the Public Transit category, the maximum federal contribution from all federal sources will be fifty percent (50%) of the total eligible costs; and
- For all projects that are delivered as public-private partnerships or where the recipient is from the for-profit private sector, the maximum federal contribution from all federal sources will be twenty five percent (25%) of the total eligible costs.

For projects located in the territories, the maximum federal contribution from all federal sources will be three-quarters (75%) of the total eligible costs of a project, with the following exception:

- For all projects where the recipient is from the for-profit private sector, the maximum federal contribution from all federal sources will be twenty five percent (25%) of the total eligible costs.

Contributions to for-profit, private sector bodies through the PTIC will be considered only when these projects will be for public use or benefit. All proponents will be asked to demonstrate the broader public benefits of the project.

For projects advanced by a First Nations recipient, with regard to financial support that the First Nation receives from Aboriginal Affairs and Northern Development Canada (AANDC), only funding received from the First Nations Infrastructure Fund would be counted towards the federal stacking limits for PTIC. All other sources of funds the First Nation receives from AANDC would not count towards the stacking limits.

Date modified: 2014-04-11