Minute No. 522
Report – Standing Policy Committee on Protection and Community Services – June 29, 2015

Item No. 2 Service Agreement between the Manitoba Public Insurance Corporation and the City of Winnipeg for the Winnipeg Police Service April 2015 Distracted Driving Enforcement Campaign

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and adopted the following:

1. That the City enter into an agreement with Manitoba Public Insurance Corporation (MPI), ratifying the terms and conditions under which the April 2015 Distracted Driving Enforcement Campaign will be carried out.

2. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the agreement to establish the April 2015 Distracted Driving Enforcement Campaign from April 1, 2015 to June 30, 2015, in accordance with the terms and conditions set forth herein and such other terms and conditions deemed necessary by the Director of Legal Services and City Solicitor to protect the interests of the City.

3. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of all future agreements to establish future Distracted Driving Enforcement Campaigns, in accordance with terms and conditions similar to those set forth herein and such other terms and conditions deemed necessary by the Director of Legal Services and City Solicitor to protect the interests of the City.

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 Browaty,

That the recommendation of the Standing Policy Committee on Protection and Community Services be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 8, 2015, the Standing Policy Committee on Protection and Community Services concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 29, 2015, the Standing Policy Committee on Protection and Community Services concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: **Service Agreement between the Manitoba Public Insurance Corporation and the City of Winnipeg for the Winnipeg Police Service April 2015 Distracted Driving Enforcement Campaign**

Critical Path: **Standing Policy Committee on Protection and Community Services – Executive Policy Committee – Council**

AUTHORIZATION

Author	Department Head	CFO	CAO/COO
M. Musgrove	Chief D. Clunis	B. Holsten Boyer A/CFO	M. Jack COO

RECOMMENDATIONS

1. That the City enter into an agreement with Manitoba Public Insurance Corporation (MPI), ratifying the terms and conditions under which the April 2015 Distracted Driving Enforcement Campaign will be carried out.

2. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the agreement to establish the April 2015 Distracted Driving Enforcement Campaign from April 1, 2015 to June 30, 2015**,** in accordance with the terms and conditions set forth herein and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City.

3. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of all future agreements to establish future Distracted Driving Enforcement Campaigns**,** in accordance with terms and conditions similar to those set forth herein and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City.

4. 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

Council approval is required to enter into the Service Agreement with Manitoba Public Insurance Corporation.

IMPLICATIONS OF THE RECOMMENDATIONS

MPI is funding the Winnipeg Police Service (WPS) officers required to establish the April 2015 Distracted Driving Enforcement Campaign. There is a possibility that some cost will be incurred by the WPS for this program. Approval of this Report will ratify this funding relationship.

HISTORY

In 2009, Manitoba Public Insurance, in consultation with Manitoba Law Enforcement agencies established the “Manitoba Awareness and Enforcement Integrated Calendar”. This calendar, among other things identifies key enforcement/education campaigns throughout the year. In some instances Manitoba Public Insurance funds enforcement activities that support these campaigns. The month of April is designated as a “Distracted Driving” month on this calendar.

Manitoba Public Insurance and the City, through WPS, each wish to increase public awareness of the risks and consequences of distracted driving and deter the use of hand-operated electronic devices while driving, by increasing the likelihood of being apprehended for these offences.

The parties believe that public awareness campaigns are most effective in influencing driver behavior when combined with visible enforcement and that enforcement of traffic laws is most effective in deterring unsafe or illegal driving behavior when publicized and highly visible.

An Agreement has been drafted to address the respective obligations of MPI and the WPS for the April 2015 Distracted Driving Enforcement Campaign. The term of the Agreement commenced on April 1, 2015 and continues until and including June 30, 2015.

In this Agreement, the Distracted Driving Enforcement Campaign means an organized enforcement activity coordinated by Service to detect infractions, particularly related to distracted driving offences but also other Highway Traffic Act offences, as agreed upon between the WPS and MPI.

The enforcement activity of the Project shall be conducted as follows:

a. in or at specific locations in Winnipeg set up by WPS, where a “spotter” will observe oncoming traffic for infractions, and notify the “interceptor” ahead who will be in a position to stop the offender and take enforcement action;

b. through the use of roaming officers in unmarked and marked WPS vehicles throughout Winnipeg, to allow for overt and covert enforcement operation;

c. through the use of targeted “choke point” locations throughout Winnipeg; and

d. General Patrol members being more vigilant throughout the Project.

During the term of the Agreement, the WPS will assign four off-duty police officers to perform the enforcement work described above for twenty-three days during the April and May. Shifts for these officers will be from 7:00 a.m. to 5:00 p.m. The Service will also deploy on-duty police officers to perform the enforcement work on a prescribed schedule.

The WPS will be responsible for the hourly wages of the on-duty officers. MPI will pay for the hourly wages of the off-duty officers, up to a maximum of $80,000.00 (CAD). If the total hourly wages of the off-duty officers exceeds $80,000.00, WPS shall be responsible for the excess amount above $80,000.00. MPI will not be responsible for payment of any other expenses incurred by the Service in the performance of this Agreement.

FINANCIAL IMPACT

Financial Impact Statement **Date:** May 5, 2015

Project Name: **First Year of Program** **2015**

MPI Distracted Driving

	2015	2016	2017	2018	2019
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					
Direct Costs	$ 92,256	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	80,000	-	-	-	-
Net Cost/(Benefit)	$ 12,256	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	12,256	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Total costs up to $80,000 to be covered by MPI. The Service will absorb the additional employee benefit costs of $12,256. There will be some additional revenue generated by this enforcement program, it is unknown to what dollar value this will be. It will be reflected in our general enforcement revenue.

original signed by Ron Smolik May 5/15
Manager of Finance
Winnipeg Police Service

CONSULTATION

In preparing this report there was consultation with:

Legal Services
Winnipeg Police Board

OUR WINNIPEG POLICY ALIGNMENT

SUBMITTED BY

Department:	Winnipeg Police Service
Division:	Organizational Development and Support, Division 32
Prepared by:	M. Musgrove, Research Analyst
Date:	May 26, 2015
File No.	ODS 15 - 041