Minute No. 240
Report "A" – Executive Policy Committee – March 16, 2016

Item No. 3 Agreement between The City of Winnipeg and The Winnipeg Police Museum and Historical Society Inc.

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the City of Winnipeg enter into, execute, and deliver a donation and grant agreement with The Winnipeg Police Museum and Historical Society Inc. (the "Museum"), for the purpose of establishing terms and conditions upon which the City will provide ongoing annual grant funding to the Museum and the Winnipeg Police Service will make ongoing donations of service items to the Museum.

2. That authority be delegated to the Chief Administrative Officer ("CAO") to negotiate and approve the terms and conditions of the donation and grant agreement with the Museum, 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 similar agreements with the Museum, 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.

Report "A" – Executive Policy Committee – March 16, 2016

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 16, 2016, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

WINNIPEG POLICE BOARD:

On March 11, 2016, the Winnipeg Police Board received the report as information.

ADMINISTRATIVE REPORT

Title: **Agreement between The City of Winnipeg and The Winnipeg Police Museum and Historical Society Inc.**

Critical Path: **Winnipeg Police Board – Executive Policy Committee – Council**

AUTHORIZATION

Author	Department Head	CFO	CAO/COO
Y. Pregely Sarzynski	A. Stannard Acting for D. Clunis	M. Ruta	M. Jack COO

RECOMMENDATIONS

That the Winnipeg Police Board receives this report as information.

That Council approves the following recommendations:

1. That the City of Winnipeg enter into, execute, and deliver a donation and grant agreement with The Winnipeg Police Museum and Historical Society Inc. (the "Museum"), for the purpose of establishing terms and conditions upon which the City will provide ongoing annual grant funding to the Museum and the Winnipeg Police Service will make ongoing donations of service items to the Museum.

2. That authority be delegated to the Chief Administrative Officer ("CAO") to negotiate and approve the terms and conditions of the donation and grant agreement with the Museum, 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 CAO to negotiate and approve the terms and conditions of all future similar agreements with the Museum, 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 of Winnipeg 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 a grant agreement with an outside agency.

Under section B8.1 (k) of the Materials Management Policy, the CAO has delegated authority to determine which supplies are surplus supplies.

Under section B4.3 of the Materials Management Policy, the CAO has delegated authority to approve the method of disposal of a surplus City asset without the solicitation of competitive offers where:

- it is in the City's interests to make the supply to a public sector body; or
- the cost of disposal of property is reasonably anticipated to exceed the fair market value of the property.

If these conditions are not met, or at the will of the CAO, the approval of Council may be sought.

EXECUTIVE SUMMARY

The WPS will include in its annual budget submission a recommendation to provide an annual grant to the Museum to be used for curator costs, taxes associated with the rental of storage space and in-kind accommodation costs. The Museum agrees to comply with all applicable laws and regulatory requirements, to be responsible for all incurred costs, and to preserve all required documents and records.

IMPLICATIONS OF THE RECOMMENDATIONS

An agreed upon process is established, with terms and conditions, where the Winnipeg Police Service (“WPS”) is able to make donations of service items, and for to the Museum to receive, store and display these items.

The majority of items that are donated to the Museum by the WPS are items that have little to no residual value left, such as old uniforms, or items that cannot be sold, such as WPS firearms.

The WPS will include in its annual budget submission a recommendation to provide an annual grant to the Museum. The provision and amount of the Grant is subject to approval by the City of Winnipeg Council through the City’s annual budget process and the Winnipeg Police Board.

The Museum shall continue to be fully responsible for the performance, and payment of costs, and all of the obligations assumed by the Museum.

The Agreement provides for reporting on an annual basis respecting the Museum's finances as well as details about use of the funding by the Museum.

Either party may terminate the agreement for any reason upon providing six months written notice. The City may terminate the agreement immediately if the Museum is in default of its obligations under the agreement and fails to remedy the breach within 14 days of being provided with notice of the breach, or if the Museum becomes bankrupt or insolvent, or is placed in receivership or takes the benefit of any statute relating to bankruptcy and insolvency.

HISTORY

The Museum had its beginning in 1974 after the amalgamation of all the police departments in the metropolitan area. At that time two police officers were appointed as a "Historical Committee" for the purpose of gathering and saving records and artifacts from all the former departments with the intent that a museum might be established. The committee grew into the Museum that was incorporated in 1986, and remains in existence to date.

The Museum displays many artifacts related to the history of the Winnipeg Police Service, dating from its beginning in 1874. The Museum has special exhibits which include archives dating back to the 1800's.

Service Items

Service items are any objects that have been in the possession of the WPS for the purpose of carrying out the day to day duties of law enforcement, including firearms, weapons, and vehicles including other items deemed of historical significance.

The WPS and the Museum, in consultation with each other, will follow all required processes to ensure firearm safety, including firearm deactivation, that preserves the historical aesthetics and ensure the appropriate database updates are made. Upon acceptance of a firearm, the Museum will comply with all provincial and federal legislation.

Upon receipt of a donation from the WPS, the Museum and WPS will sign off on transfer and acknowledge receipt of each donation. Both parties will receive an original executed copy of each transfer and acknowledgement receipt for their respective records.

All donations of Service Items to the Museum become the permanent property of the Museum and the Museum is solely responsible for these Service Items.

Grant Funds

The WPS will include in its annual budget submission a recommendation to provide an annual grant to the Museum to be used for:

- Curator costs totaling $18,000.00 with increases upon request when reviewed and approved by the City.
- Taxes associated with the rental of storage space by the Museum provided that the amount of taxes is reviewed and approved annually by the City in its sole discretion.
- In-kind accommodation costs, and any other costs approved, in writing, by the City Departmental Representative.

The provision and amount of the grant is subject to approval by the City of Winnipeg Council through the City's annual budget process and the Winnipeg Police Board.

The Museum shall continue to be fully responsible for the performance, and payment of costs, and all of the obligations assumed by the Museum.

In the event that the grant is approved by the Winnipeg Police Board and the City of Winnipeg Council the Museum agrees to use the grant for the specified purposes, to comply with all applicable laws and regulatory requirements, to be responsible for all incurred costs with the Museum, use reasonable effort to keep costs down, and to preserve all required documents and records.

FINANCIAL IMPACT

Financial Impact Statement

Date: September 25,2015

Project Name:
Winnipeg Police Museum

First Year of Program **2015**

	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	$ 22,700	$ 22,794	$ 22,890	$ 22,988	$ 23,087
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ 22,700	$ 22,794	$ 22,890	$ 22,988	$ 23,087
Less: Existing Budget Amounts	22,700	22,794	22,890	22,988	23,087
Net Budget Adjustment Required	$ -	$ -	$ (0)	$ (0)	$ 0

Additional Comments: The costs have been previously budgeted for many years. This agreement is just to formalize and codify the relationship that has existed throughout the years. Costs budgeted include the grant and payment for the City taxes on the storage property. Allowed for 2% increase on property taxes.

original signed by Ron Smolik Sept 25/15
Manager of Finance
Winnipeg Police Service

CONSULTATION

In preparing this report there was consultation with:

Legal Services (as to legal issues)
Winnipeg Police Board
Corporate Finance, Materials Management Division

SUBMITTED BY

Department:	Winnipeg Police Service
Division:	Organizational Development and Support, Division 32
Prepared by:	Y. Pregely Sarzynski
Date:	February 5, 2016
File No. :	15-36