Agenda - Executive Policy Committee - September 21, 2016

Report – Standing Policy Committee on Protection, Community Services and Parks – September 19, 2016

Moved by Councillor

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.

Item No. 3 Community Incentive Grant – Henteleff Park Foundation Inc. (South Winnipeg - St. Norbert Ward)

STANDING COMMITTEE RECOMMENDATION:

On September 19, 2016, the Standing Policy Committee on Protection, Community Services and Parks concurred in the recommendation of the Riel Community Committee and submitted the following to Council:

1. That the Community Incentive Grant Program eligibility requirement that "any works undertaken on property owned by the City of Winnipeg become the property of the City of Winnipeg", be waived, with respect to the Community Incentive Grant in the amount of $50,000.00 previously awarded to the Henteleff Park Foundation Inc. by the Riel Community Committee on March 10, 2014.

2. That Clause 27 of the standard form Community Incentive Grant Program Funding Agreement be struck out with respect to the Community Incentive Grant referred to in Recommendation 1.

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

Pursuant to the Voting Requirements By-law No. 126/2003, any Community Incentive Grant that does not comply with the terms contained in the Community Incentive Grant Policy requires approval by two-thirds of the Members present at Council.

Report – Standing Policy Committee on Protection, Community Services and Parks – September 19, 2016

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On September 19, 2016, the Standing Policy Committee on Protection, Community Services and Parks concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 4, 2016, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Protection, Community Services and Parks:

1. That Council waive the Community Incentive Grant Program eligibility requirement that "any works undertaken on property owned by the City of Winnipeg become the property of the City of Winnipeg" with respect to the Community Incentive Grant in the amount of $50,000.00 previously awarded to the Henteleff Park Foundation Inc. by the Riel Community Committee on March 10, 2014.

2. That Clause 27 of the standard form Community Incentive Grant Program Funding Agreement is struck out with respect to the Community Incentive Grant referred to in Recommendation 1.

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

ADMINISTRATIVE REPORT

Title: **Henteleff Park Foundation Inc.** - Community Incentive Grant Program Funding Agreement (Waiver of clause 27)

Critical Path: Riel Community Committee
Standing Policy Committee on Protection Community Services and Parks
Executive Policy Committee
Council

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Kowal	C. Wightman		

RECOMMENDATIONS

1. That Council waive the Community Incentive Grant Program eligibility requirement that *"any works undertaken on property owned by the City of Winnipeg become the property of the City of Winnipeg*" with respect to the Community Incentive Grant in the amount of $50,000.00 previously awarded to the Henteleff Park Foundation Inc. by the Riel Community Committee on March 10, 2014.

2. That Clause 27 of the standard form Community Incentive Grant Program Funding Agreement is struck out with respect to the Community Incentive Grant referred to in Recommendation 1.

3. 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 waive Community Incentive Grant Program ("CIGP") Funding Agreement eligibility requirements.

EXECUTIVE SUMMARY

Clause 27 of the standard form CIGP Funding Agreement is contrary to certain terms of the Lease Agreement between the Henteleff Park Foundation Inc. ("HPF") and the City dated August 17, 2015.

Striking clause 27 from HPF's CIGP Funding Agreement (the "Funding Agreement") will ensure that the Funding Agreement complies with the existing Lease Agreement whereby HPF will be required to remove the Interpretive Centre from the land and restore the land to a condition satisfactory to the Director of the Public Works Department.

If Clause 27 of the Funding Agreement is not waived, HPF will not be able to access the approved amount of $50,000 from the Community Incentive Grant Program.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of this report are concurred in, HPF will be allowed to access the CIGP funding in the amount of $50,000.00 which was approved by the Riel Community Committee on March 10, 2014.

HISTORY

On February 10, 2014, the Riel Community Committee requested that Community Incentive Grant Funds in the amount of $25,000.00 be allocated from the St. Norbert Ward and held in abeyance for the Henteleff Park Building Project.

On March 10, 2014, the Riel Community Committee approved a Community Incentive Grant in the amount of $50,000.00 to assist with the cost of the Henteleff Park Interpretive Centre project, subject to the following conditions:

1. Confirmation of other funding sources.
2. Approval of final plans and specifications for the project by the City of Winnipeg.
3. The applicant entering into a formal agreement with the City of Winnipeg.

On August 17, 2015, the City of Winnipeg entered into a Lease Agreement with the Henteleff Park Foundation Inc. Clause 10 of the Lease Agreement ("Clause 10") states:

> *"…HPF shall at its own expense, remove all its property and other materials, including but not limited to the Interpretive Centre, from the said land and restore the Land to a condition satisfactory to the Director."*

Pursuant to Clause 10, the project asset (the Interpretive Centre) will not be owned by the City of Winnipeg and will be removed after the lease expires in approximately 15-25 years (with renewals).

The Community Incentive Grant Program Policy provides eligibility requirements for approval, with one such requirement being that any works built on property owned by the City of Winnipeg become the property of the City. Clause 27 of the standard form CIGP Funding Agreement contradicts Clause 10, and states:

> *"In the event the project is constructed or placed in or on property owned by the City, the City shall at the completion of the project, have sole right and title, and shall own absolutely the project."*

In order to allow HPF to access the CIGP funding in the amount of $50,000.00 which was approved by the Riel Community Committee, the Winnipeg Public Service recommends that the above-referenced eligibility criteria be waived and that Clause 27 be struck from the Funding Agreement.

Please refer to the attachments.

FINANCIAL IMPACT

Financial Impact Statement **Date:** June 20, 2016

Project Name: Henteleff Park Interpretive Centre **First Year of Program** **2016**

Community Incentive Grant

Name of Organization: Henteleff Park Foundation Inc.

	2016	2017	2018	2019	2020
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	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

There are no financial implications associated with this report.

"Original Signed By"

Kelly Lemoine, CPA, CA

Manager, Finance and Administrative Services

Community Services Department

CONSULTATION

In preparing this report there was consultation with:

- **Public Works Department – Parks & Open Spaces Division**
- **Legal Services Department**

SUBMITTED BY

Department: Community Services
Division: Community Development and Recreation Services
Prepared by: M. Kowal, Recreation Technician, Community Incentive Grant Program
Date: June 27, 2016

Attachments


Disposition


Blank Copy of Funding Agreement


C.I.G.P. Policy


Copy of Lease Agreement