Minute No. 432
Report – Executive Policy Committee – June 29, 2016

Item No. 5 Business Improvement Zones (BIZs), Image Routes and Neighbourhood Main Streets Funding Grant Agreements

COUNCIL DECISION:

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

1. That subject to the conditions set out below, The City of Winnipeg provide funding in the following amounts to the following Business Improvement Zones (BIZs) for streetscaping projects:
   A. St. James Village BIZ - $50,000
   B. South Osborne BIZ - $100,000
   C. Norwood Grove BIZ - $100,000
   D. West End BIZ - $100,000
   E. Corydon Avenue BIZ - $200,000

2. That the funding referred to in Recommendation No. 1 be provided in each case on the following conditions:
   A. that the final design, developed by a landscape architect, is acceptable to the Director of Planning, Property and Development or delegate;
   B. that the BIZ accepts full responsibility and liability for carrying out the work in accordance with the approved design;
   C. that the BIZ accepts full responsibility and liability for maintenance of the project after the work has been completed;
   D. that the funding flow as invoices are submitted to the City and that no funding will flow to the BIZ after two years have elapsed since the agreement was executed;
   E. that the City be entitled to terminate the agreement upon the provision of notice to the BIZ.

3. That the City enter into grant agreements for the above-noted streetscaping projects and such other agreements as are determined necessary by the Director of Legal Services and City Solicitor to implement the intent of Recommendation No. 1.

4. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the agreements referred to in Recommendation No. 3 in accordance with this Report in addition to such other terms and conditions deemed necessary by the Director of Legal Services and City Solicitor to protect the interests of the City.

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COUNCIL DECISION (continued):

5. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of all future agreements for BIZ streetscaping projects, 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.

6. 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 His Worship Mayor Bowman,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 29, 2016, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

ADMINISTRATIVE REPORT

Title: Business Improvement Zones (BIZs), Image Routes and Neighbourhood Main Streets Funding Grant Agreements

Critical Path: Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO/COO
G. Holmes	J. Kiernan	M. Ruta	M. Jack COO

RECOMMENDATIONS

1. That, subject to the conditions set out below, The City of Winnipeg provide funding in the following amounts to the following Business Improvement Zones (BIZs) for streetscaping projects:
    - St. James Village BIZ - $50,000
    - South Osborne BIZ - $100,000
    - Norwood Grove BIZ - $100,000
    - West End BIZ - $100,000
    - Corydon Avenue BIZ - $200,000

2. That the funding referred to in Recommendation #1 be provided in each case on the following conditions:
    - that the final design, developed by a landscape architect, is acceptable to the Director of Planning, Property and Development or delegate;
    - that the BIZ accepts full responsibility and liability for carrying out the work in accordance with the approved design;
    - that the BIZ accepts full responsibility and liability for maintenance of the project after the work has been completed;
    - that the funding flow as invoices are submitted to the City and that no funding will flow to the BIZ after two years have elapsed since the agreement was executed;
    - that the City be entitled to terminate the agreement upon the provision of notice to the BIZ.

3. That the City enter into grant agreements for the above-noted streetscaping projects and such other agreements as are determined necessary by the City Solicitor/ Director of Legal Services to implement the intent of Recommendation #1.

4. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the agreements referred to in Recommendation #3 in accordance with this Report in addition to such other terms and conditions deemed necessary by the City Solicitor/ Director of Legal Services to protect the interests of the City.

5. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of all future agreements for BIZ streetscaping projects, 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.

6. 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

Although funding for these agreements has been approved through the BIZs, Image Routes and Neighbourhood Main Streets Funding Grant agreements Capital Funding, and these amounts have been allocated into the 2015 and 2016 Capital Funding years (which has received Council approval), Council approval is still needed to enter into grant agreements with the respective BIZs.

EXECUTIVE SUMMARY

This report is seeking Council approval to enter into grant agreements with the listed BIZs.

This report provides the conditions to be met, funding amounts and respective BIZs to receive Capital Funding from the BIZs, Image Routes and Neighbourhood Main Streets Capital Funding.

IMPLICATIONS OF THE RECOMMENDATIONS

Funding in the amounts set out in Recommendation #1 has been allocated into the 2015 and 2016 Capital Funding years through the BIZs, Image Routes and Neighbourhood Main Streets Capital Funding Budget, and has received Council approval.

This Report proposes the use of a standard agreement which has been employed for similar grant agreements with BIZs in the past. Besides standard provisions, that protect the City legally, the agreement provides for:

- Design approval by the Director of Planning, Property and Development or delegate;
- The BIZ accepting full responsibility and liability for carrying out the work in accordance with the approved design;
- The BIZ accepting full responsibility and liability for maintenance of the project after the work has been completed;
- Funding to flow as invoices are submitted to the City and the termination of funding after two years have elapsed since the agreement was executed;
- Termination by the City upon the provision of notice to the BIZ.

The City of Winnipeg insures the BIZs within the City of Winnipeg. Any issues of liability for these streetscape elements are covered through the Risk Management Division and therefore there is coverage for replacement value if damage occurs by a third party.

HISTORY/DISCUSSION

The City of Winnipeg Charter provides for City Council to create a Business Improvement Zone (B.I.Z.) by by-law.

Business Improvement Zones are governed by a set of procedures and required processes, which are laid out within the Business Improvement Zone Procedures By-Law No. 8111/2002. This By-Law specifies the Objects of a BIZ Board (By-Law No 8111/2002; 5(1)(2)).

Those objects are:

5(2) The objects of a board are

(a) to beautify, improve and maintain real property of the City in the zone subject to the authorization by Council, and

(b) to promote improvements and economic development in the zone.

BIZs are funded by a BIZ Levy (collected through the Business Tax), which are BIZ budgets passed by the BIZ membership and then presented to City Council for Approval. As well, BIZs apply for other grants, complementary funding and Sponsorships Dollars to deliver their programs and Capital Projects. The BIZs are ready to begin carrying out their respective Streetscape Enhancement Strategy plans, which now requires grant agreements to be put into place and to have the projects move toward implementation.

FINANCIAL IMPACT

Financial Impact Statement

Date: June 8, 2016

Project Name:

Business Improvement Zones (BIZs), Image Routes and Neighbourhood Main Streets Funding Grant Agreements

First Year of Program **2016**

	2016	2017	2018	2019	2020
Capital					
Capital Expenditures Required	$ 567,875	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	567,875	-	-	-	-
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	17,875	-	-	-	-
Net Cost/(Benefit)	$ (17,875)	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	(17,875)	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Capital expenditures consist of $550,000 in grants + short-term financing charges and corporate admin fees of $17,875. The latter amount is offset by an equal recovery in the current budget of the Corporate Finance Department.

"Original signed by"
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

01- A City that Works (Direction 4): Collaborate with all public, private and community economic development agencies to advance economic advantages.
To help improve the image and attraction for a Business Improvement Zone, will in turn support a thriving and vibrant Neighbourhood Mainstreet as a Community and citywide destination.

02- A City that Works (Direction 8): Encourage Activities Beneficial to the Winnipeg Economy.
Supporting the improvement of a BIZ Zone (as a Neighbourhood Mainstreet) supports economic growth both within the community and city overall.

03- A Sustainable City (Direction 6) Plan for the sustainable development of healthy neighbourhoods based on their particular historic identity and character.
Support streetscape enhancement developments within the Business Improvement Zones, allows for the development of active, distinct, sustainable and vibrant districts.

04- Quality of Life (Direction 6): Promote cleanliness and beautification.
Reinvestment in partnered projects in Business Improvement Zone will enhance support for distinct identity, design and programs that enhance and promote the aesthetic appeal of public spaces and districts.

SUBMITTED BY

Department: Planning, Property and Development
Division: Office of the Director, Economic Development Branch
Prepared by: Martin Pasieczka, Neighbourhood Economic Development Officer & BIZ Liaison
Date: June 9, 2016

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