Minute No. 168
Report – Executive Policy Committee – January 20, 2021

Item No. 2 Downtown Business Improvement Zone – Grant Agreement for Street Furniture

COUNCIL DECISION:

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

1. That $20,000 from the 2019 Downtown Enhancement Capital Program be approved as a grant to the Downtown BIZ for the repair and purchase of street furniture, subject to the following conditions:

   A. Approval of the design and location by the Director of Planning, Property and Development or delegate.

   B. The BIZ accepting full responsibility and liability for carrying out the work in accordance with the approved design.

   C. The BIZ accepting full responsibility and liability for maintenance of the project after the work has been completed.

   D. The BIZ submitting invoices for the work completed with the understanding that no funding will flow to the BIZ after two years have elapsed since the agreement was executed.

   E. The City being entitled to terminate the agreement upon the provision of notice to the BIZ.

   F. The City entering into, executing and delivering grant agreements with the BIZ for the above-noted Streetscaping Projects and such other agreements as determined necessary by the Director of Legal Services and City Solicitor to implement the intent of the foregoing (the "Ancillary Agreements").

2. That the authority be delegated to the Chief Financial Officer to negotiate and approve the terms and conditions of the grant agreements with the BIZs and the Ancillary Agreements, in accordance with this report and 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):

3. 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 January 20, 2021, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

ADMINISTRATIVE REPORT

Title: Downtown Business Improvement Zone – Grant Agreement for Street Furniture

Critical Path: Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Jopling	J. Kiernan	P. Olafson, Interim CFO	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

The Public Service is seeking Council approval to enter into a grant agreement with the Downtown Business Improvement Zone (BIZ) for the repair and purchase of street furniture. The funding for this agreement will come from the 2019 Downtown Enhancement Capital Program budget.

RECOMMENDATIONS

1. That $20,000 from the 2019 Downtown Enhancement Capital Program be approved as a grant to the Downtown BIZ for the repair and purchase of street furniture, subject to the following conditions:

    A. Approval of the design and location by the Director of Planning, Property and Development or delegate;
    B. The BIZ accepting full responsibility and liability for carrying out the work in accordance with the approved design;
    C. The BIZ accepting full responsibility and liability for maintenance of the project after the work has been completed;
    D. The BIZ submitting invoices for the work completed with the understanding that no funding will flow to the BIZ after two years have elapsed since the agreement was executed;
    E. The City being entitled to terminate the agreement upon the provision of notice to the BIZ;
    F. The City entering into, executing and delivering grant agreements with the BIZ for the above-noted Streetscaping Projects and such other agreements as determined necessary by the City Solicitor/ Director of Legal Services to implement the intent of the foregoing (the “Ancillary Agreements”);

2. That the authority be delegated to the Chief Financial Officer to negotiate and approve the terms and conditions of the grant agreements with the BIZs and the Ancillary

Agreements, in accordance with this report 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 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 grant agreements with the respective BIZs.

IMPLICATIONS OF THE RECOMMENDATIONS

Funding will be approved for street furniture as outlined from the 2019 Downtown Enhancement Capital Program Budget.

A standard agreement which has been employed for similar grants to BIZs in the past, will again be utilized and will include standard provisions that protect the City. The agreements will provide 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. Any issues of liability for these streetscape elements are covered through the Risk Management Branch and therefore there is coverage for replacement value if damage is caused 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 outlined in the Business Improvement Zone Procedures By-law No. 8111/2002 (the “By-law”). The By-law provides for the following:

Objects of a board

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 included in BIZ budgets adopted by the BIZ membership and then submitted to City Council for approval. In addition, BIZs apply for other grants, complementary funding and sponsorship dollars to deliver their programs and capital projects.

The Downtown BIZ will use the $20,000 for the repair of existing benches, and the installation of new benches and other street furniture throughout the downtown, based on needs, project plans, and requests from neighbouring businesses.

The BIZ recently conducted a survey of the condition of site furniture in the downtown and found a very high number of wooden benches in disrepair. The benches will be replaced with a more robust model.

FINANCIAL IMPACT

Financial Impact Statement

Date: December 10, 2020

Project Name:

First Year of Program 2021

Downtown Business Improvement Zone – Grant Agreement for Street Furniture

	2021	2022	2023	2024	2025
Capital					
Capital Expenditures Required	$ 20,650	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	20,650	-	-	-	-
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	650	-	-	-	-
Net Cost/(Benefit)	$ (650)	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	(650)	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Capital expenditures consist of the $20,000 grant and $650 in short-term financing charges and corporate admin fees. The latter amount is offset by an equal recovery in the current budget of the Corporate Finance Department.

Mike McGinn December 10, 2020

Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

- The Downtown Winnipeg BIZ

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.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

n/a

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Urban Planning and Design Division
Prepared by: Marsha Christiuk
Date: December 14, 2020
File No: N/A