Minute No. 237
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2022

Item No. 4 **Waiver of Sponsorship Policy – Lease Agreement for 50 Provencher Boulevard – Biomedical Commercialization Canada Inc. o/a Manitoba Technology Accelerator (Fort Rouge – East Fort Garry Ward)**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and adopted the following:

1. That Council waive the approval process outlined in Appendix A of the City of Winnipeg Sponsorship Policy, adopted by Council on November 21, 2007, for the lease of 50 Provencher Boulevard to Biomedical Commercialization Canada Inc. o/a Manitoba Technology Accelerator.

2. 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 Gilroy,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted.

In amendment,

Moved by Councillor Allard,
Seconded by Councillor Klein,

BE IT RESOLVED that Item 4 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated January 17, 2022 be amended by adding the following new Recommendation 2 and renumbering the remaining recommendation accordingly:

"2. That the waiver of the Sponsorship Policy will not apply to naming rights of the leased premises or for sponsorship agreements that are for a period in excess of two years"

With the concurrence of the seconder, Councillor Allard, and with the permission of Council, Councillor Klein withdrew the above motion.

In amendment,

Moved by Councillor Allard,
Seconded by Councillor Klein,

BE IT RESOLVED that Item 4 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated February 7, 2022 be amended by adding the following new Recommendation 2 and renumbering the remaining recommendation accordingly:

"2. That the waiver of the Sponsorship Policy will not apply to naming rights of the leased premises or for sponsorship agreements that are for a period in excess of two years"

The motion for the adoption of the amendment was put.

Councillor Allard called for the yeas and nays, which were as follows:

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2022

DECISION MAKING HISTORY (continued):

Yea: Councillors Allard, Klein, Mayes, Nason and Schreyer 5

Nay: His Worship Mayor Bowman Chambers, Eadie, Gillingham, Gilroy, Lukes, Orlikow, Rollins, Santos, and Sharma 10

Absent: Councillor Browaty 1

and the amendment was declared lost.

The motion for the adoption of the item was put and declared carried.

Councillor Allard asked to be recorded as having voted against the item in accordance with Rule 47(7) of the Procedure Bylaw.

Walter Kleinschmit submitted a communication, dated February 24, 2022, in opposition to the matter.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 16, 2022, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 7, 2022, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Waiver of Sponsorship Policy – Lease Agreement for 50 Provencher Boulevard – Biomedical Commercialization Canada Inc. o/a Manitoba Technology Accelerator

Critical Path: Standing Policy Committee on Property and Development, Heritage and Downtown Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	J. Kiernan	N/A	M. Jack

EXECUTIVE SUMMARY

On February 26, 2021, the City issued Request for Proposal #72-2021 (the "RFP"), which sought a proponent to lease the City-owned Property located at 50 Provencher Boulevard.

On September 14, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development approved Biomedical Commercialization Canada Inc. o/a Manitoba Technology Accelerator (MTA) as the successful proponent of the RFP. During lease negotiations, it was determined that the City of Winnipeg Sponsorship Policy (the "Sponsorship Policy"), which was approved by Council on November 21, 2007, does not align with the intent of the lease agreement. MTA plans to host a variety of sponsored events and it is impractical to seek Council approval for every new sponsor.

The Public Service recommends waiving the Sponsorship Policy in order to conclude the lease agreement with MTA. If the Sponsorship Policy is waived, the lease agreement will require the Director of Planning, Property and Development to approve individual sponsors.

RECOMMENDATIONS

1. That Council waive the approval process outlined in Appendix A of the City of Winnipeg Sponsorship Policy, adopted by Council on November 21, 2007, for the lease of 50 Provencher Boulevard to Biomedical Commercialization Canada Inc. o/a Manitoba Technology Accelerator.

2. 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

On November 21, 2007, Council approved the Sponsorship Policy. The Sponsorship Policy applies to all City programs (including equipment), services, projects, facilities, parks and park facilities, events or activities to ensure broadest possible appeal of the program.

Council approval is required to waive the Sponsorship Policy.

IMPLICATIONS OF THE RECOMMENDATIONS

Waiving the approval process of the Sponsorship Policy for Manitoba Technology Accelerator (MTA) will have the following implications:

- The City will not be involved in the legal agreements for naming rights or sponsorship;
- Naming rights and sponsorship are subject to approval of the Director of Planning, Property and Development (not to be unreasonably withheld);
- The use of proceeds from naming rights and sponsorship will be at the discretion of MTA.

HISTORY/DISCUSSION

Request for Proposal No. 72-2021, which sought a new prospective seasonal or year-round tenant to lease the Esplanade Riel pedestrian bridge space at 50 Provencher Boulevard, was issued on February 26, 2021 and closed on April 16, 2021.

The property consists of a +/- 4,000 square foot building (constructed in 2005), which was formerly occupied by various restaurant occupants, the most recent being Mon Ami Louis who vacated the building in June 2020. The building's high operating costs and seasonal use proved to be a difficult obstacle for the three previous restaurant tenants.

On September 14, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development approved MTA as the successful proponent to the RFP. During further lease negotiations, it was determined the Sponsorship Policy does not align with the tenant's business model and has been waived for other commercial tenants (e.g. Winnipeg Goldeyes). MTA plans to host a variety of events and some events might be sponsored by different organizations. It is impractical to seek Council approval for every new sponsor.

If the Sponsorship Policy is waived, the lease agreement will require the Director of Planning, Property and Development to approve individual sponsors.

FINANCIAL IMPACT

Financial Impact Statement Date: January 8, 2022

Project Name:

Sponsorship Policy for Lease Agreement – 50 Provencher Boulevard – Biomedical Commercialization Canada Inc. o/a Manitoba Technology Accelerator

COMMENTS:

Waiving the approval process of the Sponsorship Policy will result in sponsorship revenues accruing to Manitoba Technology Accelerator rather than to the City of Winnipeg. The amount of such revenue is not reasonably estimable at this time but is anticipated to be immaterial in nature. As such, there are no financial implications associated with the recommendations contained in this report.

Mike McGinn Jan. 10, 2022

Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

01-3 Direction 8 – Encourage Activities Beneficial to the Winnipeg Economy

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

4.4 Support Redevelopment of Former Commercial and Industrial Lands into Active Use

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Poverty Reduction Strategy – Goal 3

"Equity is Embedded in all City Employment and Income Opportunities."

Manitoba Technology Accelerator develops and assists start-up businesses which could result in potential employment opportunities.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: Jess Kuczera, Property Administrator
Date: January 10, 2022
File No:

Attachments: Appendix A – City of Winnipeg Sponsorship Policy

Appendix A

City of Winnipeg Sponsorship Policy

POLICY STATEMENT

In keeping with the City of Winnipeg's values, vision and mission, the City of Winnipeg welcomes sponsorships that enhance civic services and facilities.

PURPOSE

To establish a corporate sponsorship policy that supports the delivery of services to the public.

DEFINITION

A sponsorship is defined as a mutually beneficial business transaction in which an individual, business, corporation, foundation, or community group provides cash and/or in-kind services (or a combination thereof) to the City in return for access to the commercial marketing potential associated with the City service.

SCOPE

The Sponsorship Policy applies to all City programs (including equipment), services, projects, facilities, parks and park facilities, events or activities to ensure broadest possible appeal of the program

PRINCIPLES

The City of Winnipeg Sponsorship Policy is guided by the following principles:

1. **Transparency** – The City of Winnipeg Sponsorship Policy will be an open, fair and competitive process that will be managed through a Request for Sponsorship (RFS) process.
2. **Integrity** – The City of Winnipeg Sponsorship Policy will not accept sponsorships that may compromise the integrity of public services, may unduly commercialize public spaces or may promote activities which are contrary to Plan Winnipeg's vision for Winnipeg "To be a vibrant and healthy city which places its highest priority on quality of life for all its citizens."
3. **Business Case** – To ensure that the financial benefits to the City are in direct proportion to the marketing opportunity afforded to the sponsor, all sponsorships must demonstrate a mutually beneficial business case for both the City and the sponsoring partner.
4. **Effectiveness** - Sponsorship opportunities must be shown to be in accord with the public interest and to have measurable outcomes to promote the transparency and integrity of the process.

PROCESS

1. **Inventory**
   The City of Winnipeg will prepare a rolling inventory of assets, programs, services, events, activities or any other notion for which a sponsorship could be developed.

2. **Request for Sponsorships**
   In order to ensure that the City of Winnipeg Sponsorship Policy is open, fair and competitive, the City will utilize a Request for Sponsorship (RFS) process.

3. **Approvals**
   Council will approve the content of the RFS that proposes naming rights of a facility or asset prior to the release of an RFS.

The Chief Administrative Officer (or designate) will approve all other sponsorship agreements.

RESTRICTIONS

The City reserves the right to restrict sponsorships to certain services and to exclude products and industries which are inconsistent with the principles outlined in this policy.

In general, the following will not be considered for the City of Winnipeg Sponsorship Policy:

1. Companies that promote the use of tobacco and weapons or the sale of alcohol to underage youth.
2. Sponsorship or marketing concepts that stereotype or otherwise denigrate individuals or groups.
3. Sponsorship or marketing concepts that unnecessarily promote the commercialization of public space.
4. Parties involved in a lawsuit, or otherwise debarred from doing business.

EXCLUSIONS

This policy does not apply to advertising opportunities sold by, or donations to, the City.