Minutes – Executive Policy Committee – December 5, 2023

REPORTS

Item No. 17 Downtown Winnipeg Business Improvement Zone – Grant Agreement for Street Furniture

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council:

1. That $25,000 from the 2023 Downtown Enhancement Capital Program be approved for the Downtown Winnipeg BIZ for the repair and purchase of street furniture.

2. That the funding outlined in Recommendation 1 be approved, 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”).

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

3. That the authority be delegated to the Chief Financial Officer to negotiate and approve the terms and conditions of the grant agreements with the BIZ 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.

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

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

That the recommendation of the Winnipeg Public Service be concurred in and forwarded to Council.

Carried

ADMINISTRATIVE REPORT

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

Critical Path: Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Veitch (Acting)	H. Borys	C. Kloepfer	M. Jack

EXECUTIVE SUMMARY

The Public Service is seeking Council approval to enter into a grant agreement with the Downtown Winnipeg Business Improvement Zone ("BIZ") for the repair and purchase of benches and other street furniture throughout the downtown. The funding for this agreement will come from the 2023 Downtown Enhancement Capital Program budget.

RECOMMENDATIONS

1. That $25,000 from the 2023 Downtown Enhancement Capital Program be approved for the Downtown Winnipeg BIZ for the repair and purchase of street furniture.

2. That the funding outlined in Recommendation 1 be approved, 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”).

3. That the authority be delegated to the Chief Financial Officer to negotiate and approve the terms and conditions of the grant agreements with the BIZ 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.

4. 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 Business Improvement Zones.

IMPLICATIONS OF THE RECOMMENDATIONS

Funding will be approved for street furniture as outlined from the 2023 Downtown Enhancement Capital Program Budget. No new funding is required.

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 Council to create a Business Improvement Zone (“BIZ”) 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 Winnipeg BIZ will use the $25,000 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. This also includes new furniture in the Millennium Library Park.

FINANCIAL IMPACT

Financial Impact Statement

Date: October 31, 2023

Project Name:

First Year of Program 2023

Downtown Business Improvement Zone – Grant Agreement for Street Furniture

	2023	2024	2025	2026	2027
Capital					
Capital Expenditures Required	$ 25,500	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	25,500	-	-	-	-
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	500	-	-	-	-
Net Cost/(Benefit)	$ (500)	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	(500)	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Captial expenditures consist of the $25,000 grant amount + short-term financing charges of $500. The latter amount is offset by an equal recovery in the current budget of the Corporate Finance Department.

Mike McGinn Oct. 31, 2023

Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

n/a

OURWINNIPEG POLICY ALIGNMENT

Our Winnipeg 2045
Economic Prosperity - 3.6 Downtown Economic Investment. Prioritize the Downtown by leveraging private and public investments, including housing, entrepreneurship, arts, entertainment, and tourism, that advance its status as an economic driver.

Good Health and Well Being - 4.9 Inclusive Public Places. Provide and promote the amenities, and the design and maintenance standards, necessary to ensure accessible, safe and sanitary conditions in gathering spaces frequented by the public.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Community Climate Resiliency 7.3. Preserve and Manage Parks and Natural Areas to Support Climate Change Mitigation

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Poverty Reduction Strategy Implementation Plan Goal 6 (15) - Ensure parks and open spaces are designed, managed, and operated using equity-based principles, ensuring that all are made to feel welcome and that these public spaces serve the diverse needs of community members.

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Urban Planning and Design
Prepared by: Marsha Christiuk
Date: November 1, 2023

File No: UD2023-036