

Service Area:	Community and Protective Services	Policy No.:	
Department:	Planning	Approval Date:	March 30, 2009
Division:	Urban Design & Community Development	Approved By:	CR107/2009
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Subject:	Business Improvement Area (BIA) New Capital Asset Funding Allocation	Procedure Ref.:	
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1. POLICY

On an annually rotating basis among Windsor BIAs, the City of Windsor may provide a one-time specified monetary amount to one BIA each year for the purposes of new capital assets, subject to approval by Council through annual budget deliberations.

2. PURPOSE

- 2.1 Establish a budget forecasting mechanism based on comprehensive planned outcomes, avoiding singular ad hoc requests.
- 2.2 Prioritize City funding of new capital assets in BIAs based on life-cycle evaluation.
- 2.3 Establish an equitable distribution mechanism of City resources among BIAs.
- 2.4 Reduce City and BIA administrative time and expense in the approval process of new capital asset requests generated by BIAs.

3. SCOPE

- 3.1 This policy applies to all BIAs in the City of Windsor.
- 3.2 This policy only applies to City assisted funding of new capital assets in BIAs.
- 3.3 This policy only applies to new capital assets on municipal property in Business Improvement Areas.

4. RESPONSIBILITY

- 4.1** City Council is responsible for:
 - 4.1.1** Approving new capital asset funding in a prioritized BIA on 0-100% cost-share determined annually based on project merit.
 - 4.1.2** Approving all changes proposed to this policy.

- 4.2** In compliance with Section 5 below, the Planning Department is responsible for:
 - 4.2.1** Establishing procedures or forms that may be adopted to implement this policy;
 - 4.2.2** Revising this policy as directed by City Council;
 - 4.2.3** Liaising with BIAs in their preparation of new capital asset requests;
 - 4.2.4** Managing the process of receiving new capital asset requests in BIAs and vetting them through City Administration;
 - 4.2.5** Informing all BIAs at least annually of the status of all City assisted funding of new capital assets in BIAs;
 - 4.2.6** Establishing Project Review Teams composed of City Administration with the responsibility and experience appropriate to each BIA new capital asset request;
 - 4.2.7** Reviewing the effectiveness of this policy at least once during each City Council term and reporting to Council any recommended changes.

- 4.3** General Managers are responsible for ensuring their staff are:
 - 4.3.1** Participating in Project Review Teams and capital asset deterioration analyses in a timely and effective manner to not unduly delay City Administration's vetting of City assisted funding of new capital assets in BIAs;
 - 4.3.2** Implementing the BIA new capital assets approved by City Council and assigned to their service area, in accordance with normal accounting and processing of appropriate work order procedures.

- 4.4** Each BIA is responsible for preparing and submitting its requests to Administration for City assisted funding of new capital assets that meet the Governing Rules and Regulations outlined in section 5 below, on or before the specified policy and procedure deadlines.

5. **GOVERNING RULES AND REGULATIONS**

5.1 Definition of Capital Asset:

The BIA New Capital Asset Fund is to include the following streetscape elements on a new project basis:

- 5.1.1 **permanent** infrastructure beyond the City standard such as paving treatments, in-ground planters, trees, sidewalk and roadway lighting fixture, street name signs, street furnishings, water fountains and features, etc..
- 5.1.2 **affixed** elements including gateway markers, fixtures for displaying flags and banners, orientation and wayfinding signs and maps, etc...; and
- 5.1.3 **temporary**/seasonal elements such as holiday decorations, accent lighting, plantings, etc...

5.2 BIAs eligible for new capital asset funding meet the following requirements:

- 5.2.1 BIA has been in existence for more than 3 years.
- 5.2.2 BIA Board of Management approved by City Council.
- 5.2.3 A BIA Capital Asset Audit Form and BIA New Capital Asset Request Form are completed by the BIA in collaboration with City Administration and maintained/updated on an annual basis.
- 5.2.4 The BIA budget and new capital project request are discussed at a membership meeting in accordance with the provisions under the Ontario Municipal Act and approved by City Council for the year that the new capital asset funding is to be provided.
- 5.2.5 BIA has complied with the City of Windsor administrative/financial requirements and is in good standing with the City of Windsor Finance Department including the annual preparation of audited financial statements.
- 5.2.6 BIA has complied with application and evaluation timelines established by the BIA new capital asset funding allocation procedure.
- 5.2.7 Applicants will present their submission to a Project Review Team comprised of City Staff. Team will vary according to type of project.

5.3 The following criteria apply to City funding of new capital assets in BIAs:

- 5.3.1 Total project costs include interest/financing charges.
- 5.3.2 The Fund must not be used in such a way that would supersede an existing policy or capital project established by Council Resolution.

5.3.3 Administration shall report to City Council any new capital asset project which has not begun within one calendar year of its approval by Council Resolution and may request that Council reassign the BIA new capital asset funds to another BIA.

5.4 Applications to receive the BIA new capital asset funds will proceed on a two-step process as follows:

5.4.1 Step 1: Project Summary

- a) BIA submits a completed BIA New Capital Asset Request Form and completed current Capital Asset Audit, in accordance with submission deadline established by City Administration.
- b) Administration submits all completed Project Summaries and provides a recommendation to Council on three prioritized BIAs based on Evaluation Criteria outlined in section 5.5.

5.4.2 Step 2: Concept Plan

- a) Upon Council approval of BIA's new capital asset request, the BIA must provide greater project detail (project description, cost-estimate, etc...) by completing a BIA New Capital Concept Plan following meetings with City Staff to discuss project timetable, design/scope, administration/supervision, cost/financing, etc.
- b) Since the project is a City-BIA partnership funding initiative, City Administration and the BIA must sign-off on the final BIA New Capital Concept Plan in order for it to be submitted to City Council for final budget approval.
- c) The BIA New Capital Concept Plan must be completed in accordance with submission deadline established by City Administration which takes into consideration the City of Windsor's 5 year capital budgeting process.

5.5 Capital Request Evaluation/Prioritization

The Project Review Team shall evaluate new BIA capital asset requests based on the following criteria:

- 5.5.1** The request meets eligibility requirements outlined in this policy;
- 5.5.2** The project appropriately addresses the level(s) of capital asset deterioration identified in the BIA Capital Asset Audit Form;

- 5.5.3 The project is appropriate to the BIA's capacity to successfully complete its responsibilities assigned in the project;
- 5.5.4 The project will provide information or a model that is useful from the standpoint of other BIAs or the City as a whole;
- 5.5.5 The project resolves a pending liability concern to the City of Windsor and/or the BIA.

5.6 A Capital Asset Audit Form and BIA New Capital Project Request Form shall be completed by each BIA in collaboration with City Administration and updated on an annual basis. The primary purpose of the Capital Asset Audit is to determine which BIA will be granted the Capital Project funding on a priority/needs basis.

6. **RECORDS, FORMS AND ATTACHMENTS**

6.1 Forms and files created as a result of funding under this program shall be retained in accordance with normal City of Windsor procedures for record retention.

Attachments¹:
Capital Asset Audit Form
BIA New Capital Asset Request Form
BIA New Capital Concept Plan
BIA New Capital Asset Funding Allocation Procedure

¹ Forms to be provided following policy approval.