By-Law 2016-18

A By-Law of the City of Greater Sudbury Regarding the Healthy Community Initiative Fund

Whereas Council of the City of Greater Sudbury has determined that it is appropriate to allocate funds annually from the City budget to the Healthy Community Initiative Fund, to fund community based projects which support the City's strategic goals;

And Whereas Council wishes to ensure that the Healthy Community Initiative Fund is distributed equitably across all wards in accordance with pre-determined guidelines;

And Whereas Council wishes to delegate the authority for the administration of the Healthy Community Fund to the General Manager of Assets, Citizen and Leisure Services, subject to certain conditions;

And Whereas Council wishes to establish the guidelines for the administration of the Healthy Community Initiative Funds;

And Whereas all Grants from the Healthy Community Initiative Fund must be authorized or approved by By-law of Council, in accordance with the *Municipal Act, 2001*;

Now Therefore the Council of the City of Greater Sudbury Hereby Enacts As Follows:

Terminology

1. For the purposes of this By-law:

"City" means the municipal corporation of the City of Greater Sudbury or the geographic limits of the City of Greater Sudbury as the context requires;

"Community Group" means a non-profit group or organization which conducts its activities within the City of Greater Sudbury, and which has a bank account with a recognized financial institution;

"Community Event" is an event organized by:

(a) a Councillor or by a City department at the request of a Councillor; or

(b) jointly by any two or more of a City department, a Community Action Network, a Councillor and a Community Group.

"Council" means the Council of the City of Greater Sudbury;

"General Manager" means the person appointed by Council from time to time as the General Manager of Assets, Citizen and Leisure Services and includes his or her authorized designate;

"Grant" has the meaning in section 107 of the *Municipal Act, 2001;*

"HCI Fund" means the total amount of funds allocated by Council in the budget process in any given year for the Healthy Community Initiative Fund for expenditure in accordance with this By-law;

"HCI Process" means the process for allocation and approval of the Ward Allocations set out in Schedule "A" attached to and forming a part of this By-law;

"Ward" means one of the twelve wards into which the City is divided; and

"Ward Allocation" means one-twelfth of the amount of the HCI Fund.

Administration / Delegation

2.-(1) The administration of this By-law including the HCI Process is assigned to the General Manager who is delegated the authority to:

(a) make all decisions required to implement this By-law or specifically assigned to the General Manager under this By-law;

(b) perform all administrative functions referred to herein and those incidental to and necessary for the due administration and implementation of this By-law and achieving the goals of the HCI Fund; and

(c) establish and amend from time to time, such forms, documents, and such standards, protocols and procedures as the General Manager may determine are required to implement and administer this Bylaw.

(2) The General Manager may delegate the performance of any one or more of his or her functions under this By-law to one or more persons from time to time as the occasion requires and may impose conditions upon such delegation and may revoke any such delegation. The General Manager may continue to exercise any function delegated during the delegation.

(3) Except where Council approval is required, decisions of the General Manager are final.

Adopt HCI Process

3. Council adopts the HCI Process attached hereto as Schedule "A", which schedule is included in and forms a part of this By-law.

Receipt of Donations

4.-(1) Members of the public may donate money towards the costs of a City infrastructure initiative or project being funded in whole or in part by an expenditure from a Ward Allocation or funds which originated as part of a Ward Allocation and are entitled to a receipt for income tax purposes.

(2) Funds received pursuant to subsection 4(1) shall be used for the purpose intended and expended in accordance with the provisions of this By-law. Provided however, that in the event that the City infrastructure initiative or project does not proceed, the donated money shall be expended as part of another City infrastructure initiative or project in the Ward the donor intended to be benefitted, as determined by the General Manager.

Principles of Expenditure

5.-(1) The HCI Fund is intended to fund community based projects which support the City's strategic priorities. To achieve that goal, every expenditure from a Ward Allocation shall support at least one of the priorities in Column A of the chart below and must also positively influence at least one of the sustainable development challenges in the corresponding line in Column B of the chart below.

Column A **HCI Priorities**	**Column B** **Sustainable Priorities**
1) Human Health and Well Being	1. safety 2. health status
2) Environmental Sustainability	3. ecosystems 4. lake water quality
3) Economic Vitality	5. youth out-migration 6. employment 7. arts and culture 8. infrastructure
4) Civic Engagement and Social Capital	9. homelessness 10. poverty 11. educational achievement

(2) Expenditures may be made from the Ward Allocation for Grants in accordance with section 6 to a maximum of 25% of the Ward Allocation.

(3) Monies not expended from a Ward Allocation on Grants in accordance with subsection 5(2), may be expended on City infrastructure initiatives and projects in accordance with section 7.

(4) All or any part of a Ward Allocation not expended in a calendar year may be carried forward from year to year for the benefit of that Ward and expended on City infrastructure initiatives and projects for that Ward in accordance with section 7.

(5) Expenditures on City infrastructure initiatives and projects pursuant to subsection 5(3) shall not at any time exceed the total of:

(a) that part of the Ward Allocation not expended on Grants pursuant to subsection 5(2);

(b) any funds accumulated from unexpended Ward Allocations of prior years; and

(c) any funds donated by a member or members of the public for that purpose.

(6) No borrowing from future Ward Allocations shall be permitted.

Grants from Ward Allocation

6.-(1) Expenditures from a Ward Allocation for the purposes of a Grant may be authorized and made only if:

(a) the application for funding has been submitted and approved in accordance with the HCI Process;

(b) the activity or event to be funded in whole or in part by the Grant:

(i) will, in the opinion of the General Manager comply with the requirements of subsection 5(1);

(ii) supports a Community Group or a Community Event; and

(iii) will benefit the residents of that Ward; and

(c) the Grant:

(i) is for eligible expenditures by a Community Group or for a Community Event;

(ii) will not result in the Community Group applying for the Grant receiving a cumulative total Grant of more than $1,000 from the HCI Fund in any calendar year, unless such expenditure is first authorized by By-law of Council;

(iii) will not exceed $500, in the case of a Grant to purchase prizes for a Community Event or the donation of purchased gifts or promotional items to a Community Group or for a Community Event, unless such expenditure is first approved by By-law of Council; and

(iv) will not result in the cumulative total annual expenditure on Grants exceeding 25% of the Ward Allocation.

(2) All Grants shall be authorized or approved by By-law of Council.

(3) For clarity, nothing herein requires any expenditure from a Ward Allocation on Grants or requires 25% of the Ward Allocation to be expended on Grants.

Capital Expenditure from Ward Allocation

7.-(1) Expenditures may be made in accordance with the guidelines in subsection 7(2), on City infrastructure initiatives and projects from:

(a) that part of the Ward Allocation not expended on Grants in accordance with Section 6;

(b) funds accumulated from unspent Ward Allocations from prior years; and

(c) donations from the public.

(2) The General Manager shall ensure expenditures made on City infrastructure initiatives and projects in accordance with subsection 7(1) are expended in accordance with the following guidelines:

(a) the City infrastructure initiatives or projects to which the expenditures relate shall:

(i) comply with the requirements of subsection 5(1);

(ii) relate to City infrastructure initiatives and projects which have been identified and approved in accordance with the HCI Process; and

(iii) benefit the residents of the Ward to which the expenditure relates; and

(b) the expenditures shall:

(i) relate only to City infrastructure initiatives or projects, including without limitation: buildings or structures, playground structures, machinery or equipment, extension of utilities to or within a City property; and

(ii) have been first approved by Council in the event that:

A the expenditure in any year on a single City infrastructure initiative or project exceeds $10,000; or

B the City infrastructure initiative or project to be funded will have an impact greater than $1,000 per year on the City's operating budget.

Report to Council

8. The General Manager shall report semi-annually to Council identifying by Ward:

(a) remaining balance carried forward from prior year;

(b) Ward Allocation for the year reported;

(c) total donation revenue received in the year to date and purpose for which it was received;

(d) specifics of expenditures of Ward Allocations including:

(i) the type, date and amount of expenditure;

(ii) a description of the purpose of the expenditure and particulars of compliance with subsection 5(1); and

(iii) in the event of a Grant, the name of the benefitting Community Group or Community Event;

(e) particulars of unexpended commitments made from the Ward Allocation, including:

(i) the amount of the commitment;

(ii) the purpose of the commitment and identification of the benefitting City property or facility; and

(iii) where applicable, the By-law which authorized the commitment;

(f) particulars of year to date totals and carry forward balances; and

(g) such other particulars as the General Manager determines to be appropriate.

Interpretation

9. This By-law including the HCI Process shall be read in accordance with the following principles of interpretation:

(a) a reference to a person or thing by gender or using gender neutral language shall be read with the gender applicable to the circumstances;

(b) references to items in the plural include the singular, as applicable;

(c) the words "include", "including" and "includes" are not to be read as limiting the phrases or descriptions that precede them. Any examples provided are intended to be representative examples and not intended to be an exhaustive list;

(d) headings are inserted for ease of reference only and are not to be used as interpretation aids;

(e) any reference to periods of time, stated in numbers of days, shall be deemed applicable on the first Business Day after a Sunday or Statutory holiday if the expiration of the time period occurs on a Sunday or Statutory holiday;

(f) any Specific references to laws in the By-law are printed in italic font and are meant to refer to the current laws applicable with the Province of Ontario as at the time the By-law was enacted, as they are amended, restated or replaced from time to time; and

(g) terms with capitals shall be read with the meaning in any definition section and other words shall be given their ordinary meaning.

Repeal

10.-(1) By-law 2012-258 and any amendments thereto are hereby repealed.

(2) The repeal of By-law 2012-258 and any amendments thereto by this or any other by-law does not:

(a) affect the previous operation of any By-law so repealed; or

(b) affect any right, privilege, obligation or liability acquired, accrued, accruing, or incurred under the By-law so repealed.

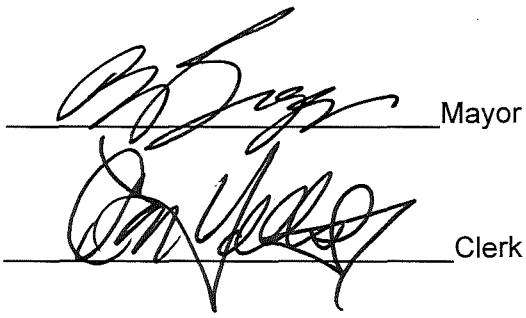
(3) Without limiting the generality of subsection 10(2), any funds previously allocated to the Healthy Community Fund under By-law 2012-258 and remaining unspent at the end of 2015 shall be carried forward for the benefit of the applicable ward, and governed by subsection 5(3).

(4) Any HCI Fund allocated for the 2016 budget year and thereafter, shall be governed by this By-law.

Effective Date

11. This By-law shall come into force and effect upon passage.

Read and Passed in Open Council this 8th day of March, 2016



Mayor

Clerk

Schedule "A"
to By-law 2016-18 of the City of Greater Sudbury

HCI Fund Application Process

Applications for all twelve (12) wards will be reviewed by Leisure Services staff to ensure they align with criteria identified below. Applicants will receive confirmation on the status of their request within 60 days of receipt.

Promoting applications for HCI Funding

- PSA to media, on the City's website, as well as social media promoting program and application deadlines.
- Landing page and dedicated URL on the City's website.
- Annual ad in print media.
- Internal circulation to all CGS departments..

Application Form – Release and Receipt

- Available on City's website including application deadline(s).
- Print copies available in Leisure Services and at Citizen Service Centres.
- Applications can be received in person, by mail, email or fax.
- Applicants will receive a confirmation of receipt either by email or letter.
- Staff from the Community Partnerships section will be available to assist with submissions.

Evaluation

- Staff from the Community Partnerships section will review and evaluate application forms.
- Eligibility of applications must be in accordance with the HCI Policy.
  Criteria:
  Grant applications must comply with the following criteria:
    - Must not be a for profit group.
    - Must support at least one of the HC priorities/development challenges.
    - Must benefit the residents of the ward.
    - Must not be receiving other CGS funding/support related to this application

  Capital applications must comply with the following criteria:
    - Must not be a for profit group.
    - Must support at least one of the HC priorities/development challenges.
    - Must benefit the residents of the ward.

Schedule "A"
to By-law 2016-18 of the City of Greater Sudbury

- Must be in line with the Parks and Open Space Master Plan.
- Must be City infrastructure/facility.
- Must have demonstrated community support.

- Granting of assistance in any one year is not to be interpreted as a commitment to future years' funding.
- Ward Councillors will be provided details of applications for their information

Notification of approval

- Successful applicants will receive confirmation of funding approval. A cheque from the City of Greater Sudbury will follow along with Terms and Conditions of the funding, if applicable.
- Unsuccessful applicants will receive a letter to inform them that their funding request has not been approved and the reasons therefor.

Use of funds

- Each ward receives $50,000 for HCI allocations.
- A maximum of $12,500 may be allocated for community grants and a minimum of $37,500 for capital projects.
- Successful capital project applications that exceed $10,000 will require Council approval.
- A maximum of $1,000 to any single community group/event will apply to grant allocations. Grant applications over $1,000 will require Council approval.
- Funds shall be used only for the purposes outlined in the original application. Any changes to the project scale or activities must be reported in writing to the Leisure Services section.
- All funding recipients are required to submit a post project report detailing how they allocated the awarded funds. This report must be submitted to the Leisure Services section by December 31st of the funding year. If a satisfactory report is not submitted by that date, the City of Greater Sudbury may require repayment of the grant and the applicant may be ineligible for subsequent City of Greater Sudbury funding.

Report to Council

- Staff from Community Partnerships and Finance will prepare reports to Council semi-annually to notify of successful applications and will seek Council approval on capital requests in excess of $10,000 and community events/grants that exceed $1,000.