

Executive Committee

Wednesday, December 4, 2019 11:45 AM

Henry Baker Hall, Main Floor, City Hall



OFFICE OF THE CITY CLERK

Public Agenda Executive Committee Wednesday, December 4, 2019

Approval of Public Agenda

Adoption of Minutes

Minutes from the meeting held on November 13, 2019

Tabled Reports

EX19-36 Benefit and Cost of Outsourced Professional Services

Recommendation

- 1. That this report be received and filed.
- 2. That item CM18-15 be removed from the List of Outstanding Items for Executive Committee.

Administration Reports

EX19-37 Buffalo Pound Water Treatment Corporation - 2019 Semi-Annual Report

Recommendation

That this report be forwarded to the December 16, 2019 City Council meeting for information.

EX19-38 2020 – Schedule of City Council Meetings

Recommendation

- 1. That City Council meetings scheduled for Wednesdays in 2020 commence at 1:30 p.m.;
- 2. That the City Solicitor be instructed to bring forward amendments to *Bylaw No. 9004*, *The Procedure Bylaw*, to:
 - a. Change the meeting start time to 1:30 p.m., with reports with delegations or reports and bylaws requiring public notice or a public hearing to be considered at 5:30 p.m.;



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- b. Revise the order of business sections to coincide with the 1:30 p.m. and 5:30 p.m. meeting times and to reflect the provisions outlined in (a);
- c. Change the dates and times for submitting delegations, presentations and submissions to Council to the Thursday afternoon of the week preceding the Council meeting;
- d. Change the public release of meeting agendas for Council and committees from Wednesday afternoon to the Friday afternoon of the week preceding the Council or committee meeting;
- e. Provide for a mandatory recess of one hour at 4:30 p.m. of the 1:30 p.m. session with the meeting to reconvene at 5:30 p.m.;
- f. Retain the mandatory 15 minute break after 2 hours and 15 minutes in the 5:30 p.m. meeting section and the mandatory adjournment at 10:00 p.m., unless otherwise approved by Council;
- g. Amend the process for establishing regularly scheduled committee meetings;
- h. Include a provision whereby:
 - i. Agenda items not dealt with in the 1:30 p.m. session, are to be dealt with at the conclusion of the 5:30 p.m. session;
 - ii. Agenda items not dealt with prior to adjournment be tabled to a meeting the following morning commencing at 9:00 a.m.
- i. Make any other additional amendments needed to accommodate the different start times and division of the meeting into two parts; and
- j. Add the Deputy City Clerk as a position that can call a special meeting where the Clerk is absent or unavailable (this is being added because of some recent amendments to *The Cities Act* that have been proposed that require that a city's procedure bylaw include this provision).
- 3. That this report be forwarded to the December 16, 2019 meeting of City Council for approval.

EX19-39 Residential Short Term Accommodation (Homestay)

Recommendation

- 1. That the following regulatory changes be approved:
 - (a) an amendment to *The Regina Zoning Bylaw*, 2019, effective January 1, 2021 to change Service Trade, Homestay from a discretionary use to a permitted use in all zones where it is currently discretionary;



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- (b) an amendment to *The Regina Zoning Bylaw*, 2019 to clarify that Service Trade, Homestay is a separate category from Residential Business;
- (c) the establishment of a licensing and regulatory regime for all residential short term accommodations as further detailed in Appendix A of this report; and
- (d) an amendment to *The Regina Appeal Board Bylaw* to enable the Regina Appeal Board, which hears appeals related to business licences, to hear licensing appeals for short term accommodation licences.
- 2. That the City Solicitor be instructed to prepare the necessary bylaws to implement the approved regulatory scheme for residential short term accommodation and bring the bylaws forward to the January 2020 meeting of City Council which would allow sufficient time for advertising of the required public notices for *The Regina Zoning Bylaw*, 2019 amendment.
- 3. That this report be forwarded to the December 16, 2019 meeting of City Council for approval.

Adjournment

AT REGINA, SASKATCHEWAN, WEDNESDAY, NOVEMBER 13, 2019

AT A MEETING OF EXECUTIVE COMMITTEE

HELD IN PUBLIC SESSION

AT 11:45 AM

These are considered a draft rendering of the official minutes. Official minutes can be obtained through the Office of the City Clerk once approved.

Present: Councillor Jerry Flegel, in the Chair

Mayor Michael Fougere Councillor Lori Bresciani Councillor Sharron Bryce Councillor John Findura Councillor Bob Hawkins Councillor Jason Mancinelli Councillor Joel Murray Councillor Mike O'Donnell Councillor Andrew Stevens Councillor Barbara Young

Also in City Clerk, Jim Nicol

Attendance: Deputy City Clerk, Amber Ackerman

City Manager, Chris Holden City Solicitor, Byron Werry

Exec. Dir., Citizen Experience, Innovation & Performance, Louise Folk

Exec. Dir., Financial Strategy & Sustainability, Barry Lacey

Exec. Dir., City Planning & Community Development, Diana Hawryluk

A/Exec. Dir., Citizen Services, Chris Warren Director, Citizen Experience, Jill Sveinson

(The meeting commenced in the absence of Councillor Mancinelli)

APPROVAL OF PUBLIC AGENDA

Councillor Sharron Bryce moved, AND IT WAS RESOLVED, that the agenda for this meeting be approved, as submitted.

ADOPTION OF MINUTES

Councillor Lori Bresciani moved, AND IT WAS RESOLVED, that the minutes for the meeting held on October 16, 2019 be adopted, as circulated.

(Councillor Mancinelli arrived at the meeting)

ADMINISTRATION REPORTS

EX19-34 2020 Council and Committee Meeting Schedule

Recommendation

- 1. That Option 1: Status Quo 2020 City Council and Committee meeting calendar as outlined in Appendix A be approved.
- 2. That this report be forwarded to the November 25, 2019 meeting of City Council for approval.

Councillor Mike O'Donnell moved that the recommendations contained in the report be concurred in.

Councillor Mike O'Donnell withdrew his motion of concurrence.

Councillor Mike O'Donnell moved:

- 1. That Wednesday meetings as outlined in Appendix D be approved;
- 2. That Council meetings commence at a specified time in the afternoon, with the understanding that delegations be heard at 5:30 p.m.;
- 3. Where a Committee of Council has a majority of citizen members, that we consult with that committee as to a meeting start time;
- 4. That the City Solicitor be instructed to amend *The Procedure Bylaw, Bylaw No, 9004*; and
- 5. That this report be forwarded to the November 25, 2019 meeting of City Council for approval.

(Councillor John Findura requested that recommendation #2 be voted on separately.)

Recommendations #1, #3, #4 and #5 were put and declared CARRIED.

Recommendation #2 was put and declared CARRIED.

EX19-35 2020 Budget Submission - Service Partners

Recommendation

That the 2020 budgets as presented from Provincial Capital Commission (PCC), Regina Exhibition Association Limited (REAL), Economic Development Regina (EDR), and the Regina Public Library (RPL) be referred to the 2020 budget process.

Sean Quinlan and Jeff Barber, representing the Regina Public Library, addressed the Committee.

The following addressed and made power-point presentations to the Committee. Copies of the presentations are on file in the Office of the City Clerk:

- Monique Goffinet Miller and Patrick Coulthard, representing Provincial Capital Commission;
- Tim Reid, David Sinclair and Sandra Masters, representing Regina Exhibition Association Limited; and
- John Lee, Kerry Michell and Mark Lang, representing Economic Development Regina

(Councillor Bryce left the meeting.)

Mayor Michael Fougere moved, AND IT WAS RESOLVED, that the recommendations contained in the report be concurred in.

EX19-36 Benefit and Cost of Outsourced Professional Services

Recommendation

The Committee recessed at 2:23 p.m.

- 1. That this report be received and filed.
- 2. That item CM18-15 be removed from the List of Outstanding Items for Executive Committee.

Councillor Michael O'Donnell moved, AND IT WAS RESOLVED, that this report be tabled to the December 4, 2019 meeting of Executive Committee.

RESOLUTION FOR PRIVATE SESSION

Councillor Bob Hawkins moved, AND IT WAS RESOLVED, that in the interest of the public, the remaining items on the agenda be considered in private.

RECESS

Councillor Bob Hawkins moved, AND IT WAS RESOLVED, that the Committee recess for fifteen minutes.

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| Chairmanaan | Comptant | |
| Chairperson | Secretary | |

November 13, 2019

To: Members

Executive Committee

Re: Benefit and Cost of Outsourced Professional Services

RECOMMENDATION

1. That this report be received and filed.

2. That item CM18-15 be removed from the List of Outstanding Items for Executive Committee.

CONCLUSION

The City's Professional Services operating budget represents services the City acquires or contracts from third parties. The Professional Services budget for 2019 is \$30.5 million. The City acquires third party services for a variety of reasons including but not limited to seeking expertise or specialized skills the City does not have internally, supplementing City resources to meet service levels during seasonal or peak periods of demand, contracting third parties to provide a City service where doing so results in a more efficient or effective delivery of that service, and when there is a strategic benefit to engage an independent third-party to gain outside perspective.

A review of the key services where the City contracts a third party to supply a City service such as paratransit, waste diversion, parking enforcement, and animal control finds that prior to entering into those contracts an analysis is typically conducted by Administration to determine the most cost effective or efficient service delivery model prior to seeking a third party to provide the service. As well, it was noted that as these contracts approach the end of their term, it is Administration's intent to review the service model on how those services are delivered prior to entering into future contracts to ensure a third party service delivery model continues to be the most efficient or effective way to deliver those services.

The review also shows the City contracts third party services where specific expertise is required that is not available within the City where such expertise is intended to inform the development of key planning documents, service reviews, or process improvement initiatives. As well, the review shows that for certain services that are seasonal in nature, or where service demand can vary (e.g., winter road maintenance), third party services are contracted to supplement City resources to ensure service levels are maintained in a more cost effective manner than retaining resources internally to meet that service level where demand will fluctuate during the year.

BACKGROUND

On December 10, 2018, City Council (Council) passed a motion (CM18-15) directing Administration to report to Executive Committee on the benefits and costs of replacing outsourced Professional Services with in-house staff and operations from a service quality and financial standpoint.

This report addresses the requirements of this motion.

DISCUSSION

The City's 2019 budget for Professional Services is \$30.5 million. In undertaking a review of the benefits and costs of replacing outsourced Professional Services, the services purchased have been broken down into thirteen categories for analysis purposes:

Waste Diversion Related Services – \$6.7M

The City has a budget of \$6.7 million for waste diversion related services provided by Emterra and Loraas. The Emterra contract is a 10-year contract ending June 30, 2023 while Loraas' contract is an eight-year contract ending June 2021 with two one-year extensions.

When the contracts approach the end of their term, Administration plans to review a range of options to determine the most appropriate path forward including continuing to deliver the service through contracts with third party service providers, bring the full service in-house, or a blended model (e.g., processing facilities operated by a contractor, collection done by City staff, etc.).

Contracted Property Management Services for Mosaic Stadium - \$4.6M

The City has contracted with Regina Exhibition Association Limited (REAL), a municipal corporation owned by the City of Regina, to operate and maintain the stadium on the City's behalf. In return the City pays REAL a minimum of \$3.6 million per year. The City also pays REAL a per event fee for the services provided during Saskatchewan Roughriders Football Club (SRFC) game days, SaskSport affiliated user group events, etc. These fees are reviewed by the City and REAL on a regular basis to determine if any adjustments to the fee(s) is required. The agreement between REAL and the City has periodic renewal terms allowing both parties to discuss and assess whether the agreement continues to be the appropriate mechanism to operate and maintain the stadium.

Paratransit Services – \$3.9M

The City contracts out the operations and maintenance of its paratransit operations to a third-party service provider. The delivery of paratransit services varies across municipalities from the operation being an in-house service to it being contracted to an external service provider. The City of Regina has chosen the external service delivery model because it offers flexibility, cost effectiveness and excellent customer service. The current contract expires in 2021. While the City believes it is receiving good value with the existing service model, the City plans to review the current service model at that time.

According to the Canadian Urban Transit Association, which provides statistics on paratransit services, the 2017 hourly cost (2018 data not available) of paratransit service excluding taxis was \$78.17 per hour in Saskatoon (in-house service) and \$64.20 per hour in Regina. This equates to a \$13.97 per hour difference. Based on the 74,000 hours of paratransit service that Regina provides, the additional cost would be at least \$1 million more using Saskatoon as a comparator.

Aside from cost efficiencies, the biggest advantage with the external service provider model is the flexibility to schedule trips and service hours around customer demand on short notice, thereby providing as many customer trips as possible. To compare, Saskatoon denied 8,377 paratransit trips requested in advance compared to 236 in Regina.

Seasonal or "As Needed" Services – \$3.3M

Approximately \$3.3 million of the Professional Services budget is spent on services that are seasonal in nature or are required on an "as needed" basis. Some of the larger budgeted services under this category include:

- Winter maintenance service contracts with a budget of \$1.3 million related to obtaining motor graders, loaders, snow blowers, skid steers, trucks, etc. to supplement the City's winter maintenance equipment inventory in order to meet the objectives and timelines outlined in the *Winter Maintenance Policy* during peak winter maintenance activity. The City uses external service providers for winter maintenance to supplement the City's equipment and workforce for a number of reasons including the unpredictability of winter weather conditions, high capital cost to own and operate (staff) equipment that is not regularly used, and the availability of professional equipment contractors in the city to supplement the City's resources when needed. As an example, the value of the contract to supply up to 20 motor graders with operators when needed has fluctuated from \$0.4 million to \$1.3 million annually over the last few years. In comparison, the upfront cost of purchasing 20 graders (without attachments or operator costs) is estimated at over \$7 million.
- Roadway crack sealing service contracts with a budget of \$0.6 million are used to seal surface cracks that have formed on pavements in order to extend the road's service life. This work is seasonal in nature as it must be completed in late summer and is completed over a short period of time (seven to ten days) typically at night-work when traffic flows are minimized in order to reduce traffic disruption and increase safety of workers. Due to the training, expertise, lack of specialized equipment, risks (night work, traffic safety, equipment safety, etc.), and very short-term nature of this work, it is more efficient and cost effective to use external service providers to perform this work.
- Sweeping and alley service contracts with a budget of approximately \$0.3 million are used to supplement the City's paved alley reconstruction and maintenance (tree pruning and pavement patching) program. Historically, internal City crews completed all paved alley reconstruction but due to some less than ideal construction seasons the planned work had fallen behind and has resulted in the contracting of some external resources to meet the program's objectives. It is expected that once the paved alley reconstruction work is caught up, this work can be managed internally.

Seasonal or services that are only needed on an "as needed" basis are generally provided on a more cost effective basis through the use of third party service contracts than delivering them in-

house due to the cost of hiring and training staff for activities that are undertaken at certain times of the year or on a periodic basis, and the related equipment costs where the equipment is used infrequently.

Humane Society Contracted Services – \$2.0M

The City has an agreement with the Regina Humane Society (RHS) to provide animal control, animal impound, and administrative and education services. RHS is an approved humane society pursuant to *The Animal Protection Act*, 1999 with facilities to manage impound services and employees that have obtained animal protection officer status pursuant to *The Animal Protection Act*, 1999.

In November 2014, Council approved the City to maintain the current animal control service level and continue to work with the RHS. The contract for these services is for 20 years and expires December 31, 2035.

Specialized Services – \$1.9M

Approximately \$1.9 million of the Professional Services budget is spent on services that are specialized in nature where it would not be efficient or appropriate for the City to invest in having that expertise in-house. Third party services acquired under this category include but are not limited to:

- Payment of veterinary fees related to bylaw enforcement and animal rescue;
- Instructor fees where the City hires instructors to perform a variety of services including land, water, and sport related fitness programs (i.e., these programs generally require a specialized skill set/certificate to instruct and most programs are of short duration 45 minutes to 1 hour);
- Inspections and testing of assets that require specialized expertise such as bridge
 inspections, railway crossing maintenance, and maintenance of some City assets that
 cannot be readily maintained internally either because of their specialized or unique
 nature; and
- Towing services.

Consulting Services – \$1.6M

Approximately \$1.6 million of the Professional Services budget is spent on consulting services which includes services related to:

- Specialized human resource consulting services such as payment of fees to the City's Employee Family Assistance Plan service provider, and support for the work being undertaken by the City's joint job evaluation committee;
- The development of master plans and other city planning related activities where outside subject matter experts help inform and resource the development of those plans (e.g., Fire Master Plan); and
- Consulting services to provide specialized expertise to support service, efficiency, and process improvement reviews where depending on the review being undertaken, different forms of expertise are required (e.g., the building permits service review).

External consulting services are used to acquire specialized expertise, where the type of expertise needed will change from year to year depending on the projects that are being undertaken. Using outside experts allows the City to access individuals or companies that are experienced, leaders in their field, and knowledgeable about changes in industry standards, best practices and technological innovations.

Financial and Third-Party Assurance Services, and Payment of Commissions – \$1.5M

Approximately \$1.5 million of the Professional Services budget is spent on services such as:

- Banking services fees including bank charges, credit card fees, etc.;
- Investment management fees related to the City's long-term and short-term investment portfolio;
- Audit and actuarial fees for independent third-party opinions such as the audit of the City's annual financial statements;
- Payment of commissions related to the collection of amusement taxes, sale of animal licenses, and the payment of commissions when surplus/retired City assets are sold through auction.

These services by their nature do not readily avail themselves to being provided in-house and should continue to be provided by third parties.

Information Technology Services – \$1.4M

Approximately \$1.4 million of the Professional Services budget is allocated to information technology third party software services. These services relate to specific or specialized software where the vendor's in-depth knowledge or management of the software is required. The Stadium SaskTel managed IT services contract is also included in this service category. The nature of these services does not readily avail themselves to be provided in-house.

Advertising and Media Services – \$1.0M

Expenditures related to advertising and media services relate mainly to the advertising and media work undertaken by the City's "agency of record". Services provided by the agency of record include development of strategic communication and marketing materials designed to ensure the City's communications are seamlessly integrated between paid digital or traditional media and social media initiatives, creative services focused on making emotional connections, improving perceptions, generating awareness and changing behavior, development of communication content, etc.

Administration is currently reviewing how it delivers and supports its Communication and Service Regina functions. Part of the review will include an assessment of whether there are opportunities to be more efficient and effective in bringing some services currently contracted out to the City's agency of record in-house. While the review may identify opportunities to reallocate some resources in-house, there will continue to be a need for an agency of record due to the flexibility such a relationship has in ensuring the City has access to necessary expertise to manage specialized/one-off needs/projects, and managing fluctuating resource requirements depending on the timing of various public communication/engagement initiatives.

Parking Enforcement Services – \$1.0M

Prior to 2012, the Regina Police Service was responsible for parking enforcement which they delivered through a third-party services contract. In 2012, the City of Regina took over parking enforcement and the existing parking enforcement services contract. In 2013, through a Request for Proposal (RFP) process, the City contracted with the Commissionaires to enforce parking bylaws. Prior to issuing that RFP, significant analysis had been undertaken to examine options on how best to delivery this service. The external service delivery model was chosen from a quality and financial perspective. Contracting this work to a third-party service provider results in cost savings as staffing costs under the contract are less than an estimated internal cost based on similar job types within the City's job/salary structure. In addition to cost savings, the external service delivery model allows more flexibility to re-direct staff to other more strategic work associated with parking.

The current contract expires May 31, 2021 and is renewable for two additional one-year terms. Prior to renewal, Administration will review and analyze its options regarding how this service should best continue to be delivered prior to issuing a Request for Proposal and/or using an inhouse solution.

<u>Mamaweyatitan Centre Operating & Maintenance Contract – \$0.5M</u>

The City is one of three partners who funds the maintenance and operating costs associated with the Mamaweyatitan Centre. These payments are budgeted and accounted for under Professional Services.

Other – \$1.0M

The budget includes numerous small budget items that total approximately \$1 million. Individually they are small from a dollar value perspective and as a result from a cost/benefit perspective were not analyzed further for the purposes of this report. In general, Administration assesses the need to seek third party services versus the ability or cost of addressing the need inhouse before acquiring the service.

RECOMMENDATION IMPLICATIONS

Financial Implications

None related to this report.

Environmental Implications

None related to this report.

Policy and/or Strategic Implications

Balancing community need and affordability across all services is one of the City's targeted strategic outcomes. Using third party service providers can be a tool in achieving this outcome. The City delivers services at affordable cost by using third party service providers where it is

efficient and effective to do so or where there is limited in-house expertise or experience. In addition, using third party service providers prevents the requirement for the City to invest in ongoing staffing and equipment costs that are only needed seasonally or on irregular basis, such as snow clearing equipment. Strategic sourcing of services from third party service providers supports the City's financial priority of achieving long-term financial viability.

Other Implications

None related to this report.

Accessibility Implications

None related to this report.

COMMUNICATIONS

None related to this report.

DELEGATED AUTHORITY

The recommendations contained within this report are within the delegated authority of Executive Committee.

8/30/2019

Respectfully Submitted,

Respectfully Submitted,

Report prepared by:

Abiye Dickson, Financial Business Partner

December 4, 2019

To: Members

Executive Committee

Re: Buffalo Pound Water Treatment Corporation - 2019 Semi-Annual Report

RECOMMENDATION

That this report be forwarded to the December 16, 2019 City Council meeting for information.

CONCLUSION

The Buffalo Pound Water Treatment Corporation (Corporation) has presented its semi-annual report attached as Appendix A. The report has been prepared based on the requirements defined in the Unanimous Membership Agreement. The report supports improved infrastructure stewardship, capital acquisition and capital reinvestments. It also supports the business plan for the Corporation.

BACKGROUND

The Buffalo Pound Water Treatment Corporation is the non-profit corporation that is responsible for the operation and maintenance of the Buffalo Pound Water Treatment Plant. The Corporation provides the Cities of Regina and Moose Jaw with a reliable and affordable supply of safe, high quality drinking water which meet the needs and expectations of consumers.

Under the terms of the Unanimous Membership Agreement (UMA), the Corporation is owned jointly by the City of Regina (74%) and the City of Moose Jaw (26%). The agreement requires the Corporation to provide the Cities with semi-annual reporting.

DISCUSSION

The Buffalo Pound Water Treatment Corporation is exclusively managed by the Board of Directors who are independent from the Cities of Regina and Moose Jaw and have the full authority to make strategic business decisions.

The semi-annual report includes the following information as required by the UMA:

- a) The strategic plan update for the Corporation
- b) Project major capital expenditures in excess of \$1 million
- c) Matters that require the approval of the cities pursuant to Article 5 of the UMA
- d) Six-month financial statement for the period ending June 30 and financial projections against budget
- e) Financial and operational performance against stated goals and objectives, including key performance indicator report

- f) Capital and operational plans and budgets for the upcoming year
- g) Reporting on performance of the Board of Directors and any updates on the required skills and experience matrix for future appointments
- h) Information that is likely to materially affect either of the cities

Key information indicated in the semi-annual report is noted below:

2019 Third Quarter Forecast

The chart below outlines the third quarter operating forecast for the Corporation.

2019 Operating Forecast Reported in \$000's

| | Annual | Annual | Annual | % of |
|-------------------------------------|--------|-----------------|----------|--------|
| | Budget | Forecast | Variance | Budget |
| Total Operating Revenue | 12,828 | 13,023 | 195 | 1.5% |
| Total Operating Expenditures | 12,542 | 11,317 | 1,225 | 9.8% |
| Net Operating Surplus/(Deficit) | 286 | 1,706 | 1,420 | 11.3% |

The water sales are projected to be \$195,000 greater than the 2019 budget due to the warm dry summer which increased the demand. The operating expenditures are forecast to be \$1.2 million under budget primarily due to a reduction in chemical usage which is reflective of the improvement in the lake water quality directly linked to the amount of water released from Diefenbaker dam. In summary, the September 30, 2019 forecast is projecting an operating surplus of \$1.7 million, 11.3% greater than budgeted.

The yearend surplus will be transferred to the Corporation's Operating Reserve. The purpose of the operating reserve is to provide a cushion for years when water sales are below the forecast. The operating reserve is projected to be \$3.6 million at the end of 2019, \$1.6 million above the target balance. The excess funds above the target balance can be transferred to the Capital Reserve by the Board of Directors.

The capital expenditures for 2019 are forecasted at \$16.5 million by year end.

2020 Budget

The 2020 Budget adopted by the Buffalo Pound Water Board of Directors includes the following increases:

- Water Rate \$355.00/ML no increase
- Capital Water Rate \$215.00/ML 14.36% increase
- Electrical Rate \$0.11799/kWh 6.4% increase

Capital

There are no new or unidentified major capital expenditures in excess of \$1 million commencing in 2020. The current ongoing projects that exceed \$1 million are:

- 1. The remainder of the Electrical Capital Upgrade Project which consists of the Main Plant Redundant Power Supply; Lake Pump Station Transmission Line Replacement and the Lake Pump Station Pumping Upgrades and Power Supply for \$40.4 million;
- 2. The Supervisory Control and Data Acquisition (SCADA) upgrade for \$6 million. The budget was increased for 2020 based on a higher level of cost estimate with the completion of the predesign phase. This project was placed on hold pending the outcome of the Plant Renewal Project RFP award; and,
- 3. The Plant Renewal Project (PRP), encompassing over 30 smaller projects with a total cost in the range of \$127 to \$224 million, is required to ensure the long-term viability of the treatment plant. A budget of \$140 million was set as a placeholder in the budget until such time as the design is advanced which is expected in Q1 2020. The project contemplates using grant funds from other levels of government should they be approved to help offset any required financing for the project.

Included in the 2020 Budget is \$3 million for the ongoing principle and interest payments for the \$45 million loan obtained in 2017 for the Electrical Capital Upgrades Project.

RECOMMENDATION IMPLICATIONS

Financial Implications

The Corporation provided the required financial information in accordance to the agreement. The September 30 forecast is projecting a surplus of \$1.7 million to be transferred to their operating reserve at the end of the year. The 2019 Capital budget is progressing as planned. The 2020 water, capital and electrical rates have been established and are presented as information.

Environmental Implications

None with respect to this report.

Policy and/or Strategic Implications

None with respect to this report.

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

None with respect to this report.

DELEGATED AUTHORITY

The Buffalo Pound Board of Directors has the authority to make strategic business decisions, including approval of the operating and capital budgets for the Corporation and it is presented to City Council as information.

11/18/2019 Barry Lacey, Exec. Dir

Respectfully submitted,

Respectfully submitted,

Report prepared by: Abiodun Akindele, Financial Management Analyst

APPENDIX A







TO Cities of Regina and Moose Jaw

FROM Dale Schoffer, Chair, Buffalo Pound Water Board of Directors

DATE October 31, 2019

SUBJECT 2019 Semi-Annual Report

V

PURPOSE:

The purpose of this report is to submit an executive summary of the Board's activities in 2019 to the Cities of Regina and Moose Jaw in order to satisfy the conditions prescribed in Section 7.1 of the Unanimous Membership Agreement.

BACKGROUND:

Section 7.1 of the Unanimous Membership Agreement (UMA) states as follows:

- 7.1 Semi-Annual Reports. On or before October 31st of each year, the Board of Directors shall prepare a semi-annual report which shall be submitted to each of the Cities, who shall bring the matter forward to their respective elected officials as an information item for the Regina Council and Moose Jaw Council. The semi-annual reports will include, in respect of the immediately preceding semi-annual fiscal period:
- (a) the strategic plan update for the Corporation;
- (b) projected major capital expenditures in excess of \$1 million;
- (c) any matters that require the approval of the Cities pursuant to Article 5 of this Agreement;
- (d) six month financial statements for the period ending June 30 and financial projections against budget;
- (e) financial and operational performance against stated goals and objectives, including a key performance indicator report;
- (f) capital and operational plans and budgets for the upcoming year;

- (g) reporting on performance of the Board of Directors and any updates on the required skills and experience matrix for future appointments; and
- (h) information that is likely to materially affect either of the Cities.

DISCUSSION:

In accordance with Section 7.1 of the UMA, the semi-annual report is comprised of the following matters:

1.0 Strategic Plan

The Board of Directors, at its meeting held on September 27, 2017, adopted the 2018 - 2020 Strategic Plan.

The 2018-2020 Strategic Plan was presented to the Cities at the October 26, 2017 Mid-Year Meeting with both Cities supporting Plan.

The 2018 · 2020 Strategic Plan was implemented on January 1, 2018.

There have been no changes to the Strategic Plan since its adoption.

2.0 Plant Performance

The Plant's Performance for 2019 is comprised of the 2017 National Water and Wastewater Benchmarking Initiative (NWWBI) results and the current 2018 - 2020 Strategic Plan Balanced Scorecard.

<u>NWWBI</u>

The NWWBI has a lag of 2 years for reporting purposes based on the time to obtain the data from all the participants.

Overall Radar Chart Dashboard

Given that there are numerous individual performance measures in the system, the Radar charts are developed to graph total goal attainment against five specific set of goals.

The Overall Radar Chart Dashboard shows the Plant performance against 5 categories of Goals; Ensure Adequate Capacity, Protect the Environment, Provide Safe and Productive Workplace, Protect Public Health and Provide Reliable Service/Infrastructure. In total the dashboard is made up from 13 rolled up measures that are measured in the NWWBI system for water treatment plants. The chart also contains a Quartile Chart of O&M Cost/ML Treated.

The 2017 Plant ratings on these 5 goals were:

| Sufficient Capacity | 100 % |
|---------------------------|--------|
| Environmental Stewardship | 82.5 % |
| Workplace | 95.1 % |
| Protect Public Health | 100 % |
| System Reliability | 98.3 % |

The goal of the Plant is to continuously improve its environmental stewardship. The environmental stewardship goal is made up of two measures i.e. percentage of wasted water and the GHG emissions from the energy consumed. The Plant's amount of wasted water is high but not statistically different from the other utilities.

The ageing filters which require frequent backwashing is one of the contributing factors of higher wasted water. The residuals created by the Green House Gas (GHG) generated was higher due to the amount of electrical energy used to bring the water to the Plant from the lake, which has an elevation difference of approximately 83 m, and the amount of natural gas used to regenerate the granular activated carbon. Most water treatment plants do not contend with either of these issues in their treatment systems which makes the Plant an outlier. The calculation of GHG emissions also factors in the Province in which the energy originates. As SaskPower utilizes a lot of coal in power generation, the Provincial Factor is very high. Whereas BC, Ontario and Manitoba have a much lower factor as they use significantly more hydro in their electrical power generation as less coal

The System Reliability goal improved significantly from 2016 (73.4%) due to reduction in reactive maintenance hours and improvements in average capital reinvestment rate.

The Plant scored well on its O&M cost as compared to other participants, which included Cities, Private Utilities, Regional Systems and Water Commissions representing other water treatment plants across Canada, which puts it in the lower 25-50% Quartile at \$266.42/ML

The Min - Max Trend Graphs

These graphs provide an easy visual comparison of a number of plant performance measures for overall improvement and performance gaps within a comparable group. Although these graphs are very informative for trending purposes and provide a high level overview of where the BPWTP compares to the median, maximum and minimum of the other plants, the graphs do not show if the BPWTP performance measures are statistically different from the other plants. For determining the statistical significance, the NWWBI has started performing the statistical analysis on 22 performance categories, which the system measures for the participating plants. The only measures that are noteworthy, or statistically different, are the following:

1. Capital Reinvestment

Due to the ongoing capital projects, the capital reinvestment rate has been increasing steadily for the past few years. In 2017, the capital reinvestment rate was above the NWWBI group median. The investment rate of 1.6% approximately equates to system replacement on a 50-year life cycle basis.

2. Reactive Maintenance Hours

Despite the ageing assets, the Plant's reactive maintenance hours have been decreasing for the past few years demonstrating the strength of our preventative maintenance program.

3. Energy Consumed in kWH/ML Treated

The higher energy consumption compared to the NWWBI group median is a result of having the carbon regeneration facility and the elevation difference between the Lake Pump Station and the Main Plant. In 2017, the Plant consumed more energy than 2016 but increased sales in 2017 resulted in lower cost/ML.

4. Chemical Cost

The favorable trend in the chemical cost is reflective of the improvement in the lake water quality, as fewer chemicals are required to treat the water. Raw water quality is highly dependent on the amount of water released from Diefenbaker dam. Adequate release of water helps improve water quality at Buffalo Pound Lake.

5. Total Overtime O&M Hours/Total Paid O&M hours

The Plant overtime is not statistically different from the other similar plants. Much of the overtime in 2017 was incurred during the commissioning and tie in of the UV system to the existing Plant.

6. # of Sick Days taken per O&M Employee

The Plant sick time has been improving and was not statistically different from the group median in 2017. There are employees at the Plant who require periodic sick time due to their ongoing medical issues. Our ageing work force is also a contributing factor for higher sick time as they are more prone to age related degenerative diseases.

7. % of Water Wasted During Treatment Process

The bulk of the wasted water is due to the aged filters which require frequent backwashing. The revitalization of the filters is included in the Plant renewal project. However, the Plant is exploring various options to renew the filter medium to extend the filter run time and reduce the wasted water due to frequent backwash.

2019 STRATEGIC PLAN BALANCED SCORECARD

The Plant's KPIs use targets that are set by the Board through the Strategic Plan's Balanced Scorecard. These are reviewed by the Board and the targets adjusted accordingly at the Annual Retreat.

The status of the KPIs, as of October 4, 2019, are outlined in the attached Balanced Scorecard spreadsheet.

All items on the Balanced Scorecard are on track or have been completed with the exception of:

- (i) There were 2 unexpected service interruptions of 4.5 hours due to thermal gradients in July and 14 hours with loss of power in September.
- (ii) The Board developed a draft Financing Strategy and obtained input from the Cities' Finance Directors.

The decision was to delay approving the Financing Strategy (Pre-Approval) until greater cost certainty was done by advancing the Plant Renewal Project to the 30% design and obtain a Class 3-4 Estimate. This should commence in Q1 2020.

(iii) The Customer Service Agreements between the Corporation and Cities should be completed in early 2020.

3.0 Q3 2019 Year-End Forecast

The Cities only require the Q2 2019 mid-year operating and capital budget forecast and statement for June 30. However, the Q3 2019, September 30 statement and forecast are available which provides for more accurate data and has been used in place of the June 30 data.

Operating Budget

The water sales are projected to be \$0.195 million over the 2019 forecast due to the early warm dry summer which increased the demand for water. This changed in midsummer as precipitation increased and remained above normal in to the fall. The revenues are estimated at \$13.023 million by year end.

The operating expenditures for 2019 are forecasting an under-expenditure of approximately \$1.225 million from the 2019 budget. The largest savings are due to the reduction in chemical usage with the continued improvement in the raw water quality of the lake.

There are some maintenance expenses which are forecasted to be below budget as some activities were deferred, or cancelled, but the associated expenses will not be carried forward. Expenditures are estimated at \$11.317 million by year end.

The amount of operating funds to be transferred to the Operating Reserve at year end could be as high as \$1.706 million. The remaining surplus of funds will be utilized to provide a cushion for years where the water sales are below the forecast. Excess funds in the Operating Reserve can be transferred to the Capital Reserve to be used in the progression and development of the Plant Renewal Project.

Capital Budget

The water sales allocated to the Capital Budget are projected to be \$0.095 million over the 2019 forecast. The revenues are estimated at \$14.888 million by year end which include the transfer of some PTIC-NRP Grant funds.

The capital expenditures for 2019 are forecasted at \$16.462 million by year end. There is the risk that the expenditures will be much lower based on the amount of work the contractors can deliver for the Electrical Capital Upgrades by year end. There is also some risk that the PTIC-NRP Grant credit may be reduced based on the timing the claims are submitted. In both cases, any work or claims that miss the December 31, 2019 deadline will occur in 2020.

All of the Capital projects are either in progress, have been completed or cancelled with remaining funds placed in the Capital Reserve.

The Capital Reserve at year end is estimated at \$53.759 million but could be impacted by the risks identified above.

4.0 2019 Budget

At its September 25, 2019 meeting the Buffalo Pound Water Board of Directors adopted the 2020 Budget.

The water and electrical rates were established as follows:

| Water Rate | Cities of Regina and Moose Jaw Sask Water Provincial Park | \$355.00/ML \$355.00/ML \$447.62/ML |
|--------------------|---|---|
| Capital Water Rate | Cities of Regina and Moose Jaw Sask Water | \$215.00/ML \$311.39/ML |
| Electrical Rate | Cities of Regina and Moose Jaw Sask Water | \$0.11799/kW.h \$0.12979/kW.h |

This represented a Water Rate increase of 0.0% and a Capital Water Rate increase of 14.36% or an overall blended rate increase of 4.97% to the Cities over 2019. The electrical rate increased 6.40% from 2019.

The capital rate and electrical rate for SaskWater was calculated based on the January 14, 2009 agreement. The water rate for the Buffalo Pound Provincial Park was calculated based on the January 1, 2009 agreement.

5.0 Major Capital Expenditures in Excess of \$1 Million

There are no new or unidentified major capital expenditures in excess of \$1 million commencing in 2020. All projects continuing in 2020 have been previously identified and reported in previous years. The current ongoing projects that exceed \$1 million are:

- 1. The remainder of the Electrical Capital Upgrades Project which consists of the Main Plant Redundant Power Supply; Lake Pump Station Transmission Line Replacement and the Lake Pump Station Pumping Upgrades and Power Supply for approximately \$40.4 million.
- 2. The Supervisory Control and Data Acquisition (SCADA) upgrade for approximately \$6.0 million. The budget was increased for 2020 based on a higher level of cost estimate with the completion of the predesign phase. This Project was placed on hold pending the outcome of the Plant Renewal Project RFP award.
- 3. The Plant Renewal Project (PRP) is to ensure the long term viability of the Buffalo Pound Water Treatment Plant and to ensure that it will be able to meet its mandate as a going concern into the future.

It has been nearly 30 years since the last rehabilitation or upgrades to the Plant have occurred and major components within the facility are at, or near, the end of life phase.

The PRP encompasses over 30 smaller projects which had been identified since 2005 and reviewed in technical studies. These have all been included under the program of work for the PRP. The project's cost range is \$127.2 to \$224.0 million at a Class 5 level of estimate.

A budget of ~\$140 million was set as a placeholder in the financial budget model until such time as the design is advanced with a higher class of estimate which is expected in Q1 2020, at which time the estimates will be revised.

The Project contemplates utilizing any grants funds that are received to offset any required financing, while borrowing an unknown amount of funds to execute the Construction Contract at the Guaranteed Maximum Price stage in early Q1 2021.

4. Ongoing principle and interest payments, for the \$45 million loan that was obtained at the end of 2017 for the Electrical Capital Upgrades Project, estimated at \$3.0 million in 2020.

6.0 Board Performance and Skills and Experience Matrix

In April, the Board reappointed both members whose terms expired in 2019; those being Dale Schoffer and Judy May; with terms of office expiring in 2022.

| Buffalo Pound Water Board of Directors | Position | Term of Office Expires | Sub- Committees |
|--|------------|------------------------------|--|
| Ben Boots | Member | April, 2020 | Capital Projects Committee; HR Committee (Chair) |
| Daryl Posehn | Member | April, 2020 | Capital Projects Committee |
| Dave Richards | Member | April, 2021 | Capital Projects Committee (Chair) |
| Grant Ring | Member | April, 2021 | Finance & Audit Committee; HR Committee; Governance & Nominations |
| Dale Schoffer | Chair | April, 2022 | Governance & Nominations; Ex-Officio on all Committees |
| Judy May | Vice-Chair | April, 2022 | Finance & Audit Committee (Chair) |

Up to the end of Q3 2019, there were: five (5) regular Board meetings; five (5) Finance & Audit Committee meetings and four (4) Capital Projects Committee meetings. The Board also attended a one (1) day retreat in June.

The Board continues to work very well together and has accomplished a number of initiatives over the past year. The synergies with the diverse skill set continually improve the discussions at Board meetings resulting in more effective leadership and direction

In September, 2019, the Board of Directors adopted the Board Diversity/Recruitment Policy with the objective of comprising a Board that will appropriately represent the interests of the Corporation and stakeholders and will reflect diversity by recruiting members with Board governance or senior administration experience while taking into consideration, gender, ethnicity, orientation, occupation and physical disabilities.

Also in September, 2019, the Board approved a motion to permit increasing the membership of the Board by one (1) member if that increase would facilitate the appointment of a qualified diversity candidate to the Board.

For purposes of recruitment, the Corporation utilized a targeted social media recruitment platform for obtaining a pool of interested candidates for the Board. The application process opened on October 18 and closed on November 1. Forty-four (44) applications were received; 15 of which appeared to be diverse candidates.

Two Board member's terms will expire in April, 2020. Both members, Mr. Ben Boots and Mr. Daryl Posehn, have indicated they are desirous of being reappointed to the Board for a subsequent three (3) year term.

The Skills and Experience Matrix, developed and updated by the Board, will continue to be utilized in recruiting future Board members.

7.0 Matters Requiring Approval of Cities Pursuant to Article 5 of the UMA

There were no items that require approval of the Cities as per Article 5 of the UMA at this time.

8.0 Other Information that is Likely to Materially Affect Either of the Cities

Electrical Capital Upgrade Project

The Electrical Capital Upgrade Project (ECUP) is to address several of the most critical risks affecting the Corporation. The Plant's electrical system, and lack of backup power, is its Achilles heel.

The Plant does not have any secondary electrical feeds from SaskPower nor does it operate duel drive motors and is only served by a single transmission line that runs 17 kms from the PQ3 Substation south of Highway #1.

This work was accelerated to address the numerous electrical failures that occurred in 2011, 2013, 2015 and 2018 from ageing infrastructure. This work, once completed, will ensure both the long-term viability of the Buffalo Pound Water Treatment Plant and its obligation to meet its mandate as a reliable going concern.

The ECUP was comprised of 3 distinct elements which were developed into 3 RFPs as tender packages.

- RFP Package #1 Main Plant Backup Generators
- RFP Package #2 3 km 138 kV Transmission Line from the Main Plant to the Lake Pump Station (LPS)
- RFP Package #3 LPS Electrical Upgrades, Backup Generators and Pump Upgrades

The estimated ECUP cost was \$40.422 million.

In 2017, an application was made to obtain grant funding for all 3 RFP packages under the Clean Water Wastewater Fund (CWWF). However, the application was not successful.

The Board obtained a loan for \$45 million to complete the necessary works. Any remaining funds would be used towards the Plant Renewal Project.

As the work was urgent, the designs proceeded. RFP package #1 was issued in late 2017 and awarded in early 2018. The design advanced on the other 2 packages.

In early 2018, the Corporation obtained approval to make application under the Provincial Territorial Infrastructure Component – National Regional Project (PTIC-NRP) Program. As RFP package #1 had already been awarded, it was not eligible for grant funding. The Board released RFP package #2 but there were no compliant submissions, resulting in the process being cancelled and reworked. The Board held RFP packages #2 and #3 in abeyance pending a decision from the Provincial and Federal governments.

The Corporation was successful with its PTIC-NRP application for funding of ~\$20.6 million to perform the work in RFP packages #2 and #3.

RFP package #2 had been released on two occasions but was unsuccessful in obtaining a general contractor. The work was then split into 3 smaller distinct components to reduce the risk that the general contractors previously had concerns with. As of October 30, 2019, all these components have been awarded.

RFP package #3 was released in Q4 2018 and approved in January 2019.

NEXT STEPS

Construction of RFP package #2 should be completed by February 26, 2020. At this point the Plant should be able to produce 25% of its capacity with a power outage.

Construction of RFP package #3 is expected to be completed in Q3 2020. After this work is done the Plant will be able to produce 50% of its capacity with a power outage.

Lastly, when the Cities upgrade their pumps to variable frequency drive pumps, the Plant will be able to double its production with the generators and be able to run at 100% of its capacity.

The final completion will be ahead of schedule for the PTIC-NRP grant funding requirements and the project is on budget.

Once this work is complete, it will significantly reduce the Corporation's risk of not being able to meet its mandate by having less internal electrical failures and will have the ability to operate when there is a Sask Power failure.

Plant Renewal Project

The Plant Renewal Project (PRP) is to ensure the long-term viability of the Buffalo Pound Water Treatment Plant as well as being able to meet its mandate as a reliable going concern.

This PRP started with the gap analysis and Business Case in 2016 which was completed in 2017. The Board formally approved the project to proceed in 2017. CH2M Hill, now known as Jacobs, was selected from a public competition as the Owner's Advocate/Engineer in late 2017.

In 2018, the Corporation procured a legal advisor, Aird & Berlis, to provide legal advice and to develop the Design Build Agreement. The Fairness Advisor, RFP Solutions Inc., was selected to provide oversight for the Request for Proposal (RFP) evaluation and confidential meetings with the design build teams. Jacobs has held several workshops on the PRP for the RFP development and had invited the Cities to participate in the Design Build Agreement development session.

The Cities' Senior Administrators had met to discuss the PRP, the Progressive Design Build (PDB) procurement method and the next steps to advance the PRP. The Cities' Directors of Finance had met to discuss the Financing Strategy.

The Board hosted a Joint City Council Meeting on September 17, 2018 to provide information on the PRP and to have open dialogue with questions and answers with the Cities prior to releasing the Request for Qualifications (RFQ).

The RFQ was developed by Jacobs and issued to the public on October 1, 2018. The RFQ closed on November 9, 2018 with four proponents responding. On March 27, 2019, the following three were selected; those being:

Alberici Bird Management Group (ABMG) - Joint Venture

- Alberici Western Constructors Ltd.
- Bird Construction Industrial Services Ltd.

Prairie Water Partners – Joint Venture

- Maple Reinders Constructors Ltd.
- AECOM
- Westridge Construction Ltd.

Joint Venture between:

- Graham Infrastructure, Inc.
- AECON Water Infrastructure, Inc.
- Stantec Consulting Ltd.
- Associated Engineering (Sask) Ltd.

The RFP was released to the three shortlisted design teams on May 6, 2019. There have been several technical memorandums developed for many aspects of the project. The Plant will be sized for a Firm Capacity of 220 ML and a Total Capacity of 250 ML to allow for growth for the Plant to reach its next renewal anticipated in 2050.

There have been three commercial confidential meetings with the proponents; 43 Requests for Information with their design concepts progressing very well. The RFP submissions are due on December 20, 2019.

NEXT STEPS

The proposals will be evaluated in late December and early January and it is anticipated that the Board will approve the award to a design team at the end of January. The Corporation has the funds to pay for the entire design and does not require any financing from the Cities for this phase of the work.

After the award of the RFP to one design team, the scope of work will be better defined and the cost estimates will be at a higher level. The Corporation's Financing Strategy will be adjusted based on new information and discussions with the Cities' Administrations on the best approach to obtain the financing as financing will be required in order for the Corporation to execute a Guaranteed Maximum Price (GMP) which will commence the construction phase of the work. The financing will require both City Council's approval according to the Unanimous Membership Agreement.

It is anticipated that the design will advance from the 20-30% completion at the time of the RFP award to the GMP phase with a design around 60% completion which is anticipated early 2021. Should additional time be required to finalize the financing, the design can be extended up to 100% to obtain the GMP and extend the requirement to the middle of 2021.

Once this project has been completed, it ensures that the Corporation will be able to deliver on its mandate as a reliable going concern for the next 25 years.

Future Grant Applications

The Corporation submitted an Expression of Interest (EOI) for the Plant Renewal Project for the Investing in Canada Infrastructure Program (ICIP) grant for the maximum eligible amount of \$215.4 million in April.

As this was only an EOI there was no approval required by the City Councils at the time. There have been a lot of discussions with the Province and Federal Governments on the grant but at this time there have not been any decisions made public on the status of the project funding. Several smaller projects in the Province have been approved for their ICIP funding.

The Province recently indicated that they are working on a second intake for the ICIP and details will be made available in the near future.

The impact of grant funding can be simplified by this statement; for every \$50 million of grant funding the Corporation receives, it reduces the Capital Cost to make the Principle & Interest Payments for the next 25 years by \$100 per million liters sold or \$0.10 per cubic metre.

With the complexity of the Plant Renewal Project and its Progressive Design Build procurement method, there may be issues related to the eligibility for funding of the Plant Renewal Project once the RFP has been awarded. The Corporation will manage this risk to the best of its ability but will look for some flexibility from the Federal and Provincial Governments with their eligibility requirements provided that there is a political desire to support the project.

The Board will continue to monitor the eligibility requirements for any and all grant opportunities and work with all parties in advance to be as successful as possible for the Plant Renewal Project.

ATTACHMENTS:

- 1. 2018-2020 Strategic Plan.
- 2. 2017 NWWBI Buffalo Pound Water Treatment Plant Overall Radar Chart.
- 2017 Buffalo Pound Water Treatment Plant NWWBI Statistical Analysis Summary
 2019 Balanced Scorecard spreadsheet.
- 4. Q3 2019, September 30 Unaudited Financial Statements and Forecast Operating and Capital Budget.
- 5. Board Skills and Experience Matrix.

Respectfully submitted,

Dale Schoffer

Chair

Buffalo Pound Water Board of Directors

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attachments



BUFFALO POUND WATER 2018 – 2020 STRATEGIC PLAN

MISSION (Why We Exist): To provide for the Cities of Regina and Moose Jaw, a reliable and affordable supply of safe, high-

quality drinking water which meets the needs and expectations of consumers.

VALUES (How we operate): SAFETY | TEAM CULTURE | ACCOUNTABILITY | PROCESS-DRIVEN | INNOVATION | CONTINUOUS IMPROVEMENT

VISION (Where We Are Going): BPW is an expertly operated, independent, and trusted entity, that will be positioned to provide sustainable and reliable

water as a critical service for generations to come.

3-YEAR BUSINESS PLAN 2018 - 2020

Deliver on the Mission, and by 2020, Renewal construction begins.

CORE SERVICES

WATER QUALITY
Regulatory Requirements and Customer
Expectations Met 100% of the Time

WATER QUANTITY
Meet Customer Demand 100% of the Time

PROJECTS

RENEWAL PROJECT

2018 Renewal Vision is Clear | 2018 Funding
Pre-approval

CRITICAL PROJECTS

• Electrical Project | SCADA Project | Chlorine
Project | CMMS Project

PEOPLE

SAFETY CULTURE

Plant-wide Safety Management System PEOPLE DEVELOPMENT & PERFORMANCE

Performance Plans, Learning Plans, Plant-wide and Department Goals COMMUNICATION & MANAGING CHANGE

Internal Communication to Create One Team, Successful Change Implementation, Evolution of Project Management

BOARD GOVERNANCE

Bylaws, Policies, Customer Services Agreement, Asset Transfer, Board Education & On-boarding

FINANCIAL & RISK MANAGEMENT

FUNDING SOURCES

Grants, Loans, Research New Lines of Business FINANCIAL OPERATING PERFORMANCE

Budget Variance

RISK MANAGEMENT

Risk Registry & QMS Framework

ASSET LIFECYCLE MANAGEMENT

Asset Maintenance Plan



Select your plant →



Buffalo Pound WTP

Water Treatment Plants - Conventional Filtration

Overall Radar Chart System Reliability 100% 98.3% → 2017 City Results **Quartile Chart O&M Cost / ML Treated** *6*0% \$266.42 40% Protect Public Health Sufficient Capacity Max 20% 100.0% 100.0% 75% 0% 50% 25% Min

Quartile Charts show in which quarter your utility falls

Data Labels for 2017 City Results

Goals

95.1%

Workplace

Provide Reliable Service and Infrastructure

- ☑ 5 year Average Capital Reinvestment / Replacement Value
- ☑ Nr of Unplanned Hours that Plant Could Not Operate at Rated Capacity
- ☑ Unplanned Maintenance Hours / Total Maintenance Hours

Protect the Environment

- ☑ % of Water Wasted During Treatment Process
- ☑ GHG Emissions from Energy Consumed/ ML Treated

Protect Public Health

- # of days over Group Target for Turbidity
- # of days with Total Coliforms

Ensure Adequate Capacity

- ☑ ADD / Existing Licence Capacity
- ☑ Nr of Days Plant Operated at >90% Capacity

Provide Safe and Productive Workplace

Environmental

82.5% Stewardship



Buffalo Pound WTP NWWBI Statistical Analysis Summary - 2017

| Plant Category | Goal | КРІ | Favourable if Result is Higher or Lower | Data Distribution | Other Plants' Mean | Buffalo Pound Value | Percentile | Is the Data Significant? |
|-------------------------|------|--|---|----------------------|-----------------------|------------------------|------------|-----------------------------|
| | G1 | Capital Reinvestment / Replacement Value | Higher | Lognormal | 0.012 | 0.016 | 65.1 | FALSE |
| ဖွာ | G1 | # of Unplanned Hours that plant could not operate at rated capacity) | Lower | Weibull | 4.606 | 10.250 | 93.9 | FALSE |
| Ţ | G1 | Reactive Maintenance Hours / Total Maintenance Hours | Lower | Lognormal | 0.069 | 0.033 | 33.4 | FALSE |
| All WTPs | G5 | # O&M Accidents with Lost Time / 1000 O&M Labour Hours | Lower | Gamma | 0.021 | 0.000 | 33.3 | FALSE |
| | G5 | # Sick Days taken per O&M Employee | Lower | Gamma | 8.164 | 8.430 | 59.7 | FALSE |
| | G5 | Total Overtime Hours / Total Paid O&M Hours | Lower | Gamma | 0.046 | 0.041 | 48.8 | FALSE |
| | G1 | Unit Filter Run Volume (m3/m2) | N/A | Weibull | 304.710 | 245.000 | 33.1 | FALSE |
| | G2 | # Days Plant Operated over 90% of Capacity | Lower | NA | NA | NA | NA | NA |
| | G3 | Total FTEs / 1000 ML Treated (Hrs) | N/A | Lognormal | 1.505 | 0.864 | 34.4 | FALSE |
| | G3 | Total O&M Cost / ML Treated | Lower | Lognormal | 288.482 | 266.423 | 51.6 | FALSE |
| | G3 | (O&M Cost + Capital Reinvestment Cost)/ ML Treated | N/A | Lognormal | 385.591 | 352.812 | 51 | FALSE |
| | G3 | Total Energy Consumed in kWh / ML Treated | Lower | Lognormal | 596.889 | 906.232 | 98.5 | TRUE |
| tion | G3 | Chemical Cost / ML Treated | Lower | Weibull | 57.622 | 53.604 | 56 | FALSE |
| Filtra | G4 | % of Water Wasted During Treatment Process (% Residuals) | Lower | Gamma | 0.067 | 0.068 | 58.7 | FALSE |
| nal | G4 | % of Backwash Waste Treated | N/A | Lognormal | 0.846 | 1.000 | 65.9 | FALSE |
| ntio | G6 | Average Annual Treated Water Turbidty (NTU) | Lower | Lognormal | 0.074 | 0.090 | 66.3 | FALSE |
| Conventional Filtration | G6 | # of Coliform Occurrences in Treated Water (CFU/1000 mL) | Lower | Exponential | 0.053 | 0.000 | 48.1 | FALSE |
| O | G6 | Treated Water Nitrates Average Value (mg/L) | Lower | Lognormal | 0.636 | 0.060 | 23.7 | FALSE |
| | G6 | Raw Water Total Organic Carbon Average Value (mg/L) | Lower | Lognormal | 4.705 | 10.300 | 90 | FALSE |
| | G6 | Treated Water Total Organic Carbon Average Value(mg/L) | Lower | Lognormal | 2.409 | 4.900 | 91.3 | FALSE |
| | G6 | Raw Water Dissolved Organic Carbon Average Value (mg/L) | Lower | Weibull | 5.781 | 10.200 | 85.8 | FALSE |
| | G6 | Treated Water Dissolved Organic Carbon Average Value (mg/L) | Lower | Lognormal | 3.053 | 4.900 | 87.8 | FALSE |

| Goal Lege | nd: | Legend: | Statistically significant - not favourable |
|-----------|---|---------|--|
| G1 | Provide Reliable Service and Infrastructure | | Statistically significant - positive |
| G2 | Ensure Adequate Capacity | | |

Meet Service Requirements with Economic Efficiency

G4 Protect the Environment

G5 Provide a Safe and Productive Workplace

G6 Protect Public Health and Safety

Values within the 2.5 to 97.5 percentile range are considered to be statistically similar

BALANCED SCORECARD (BSC): CORE SERVICES

| OBJECTIVES | MEASURES (Core Outcomes of Strategy) | 2018 | 2019 | Status at October 4, 2019 | 2020 | INITIATIVES (RACI) |
|---|---|---|-----------------------|--|-----------------------|---|
| Water Quality: Objective – Meets regulatory requirements and customer expectations 100% of the time | Regulatory requirements met, Taste and odor quality met | 100% | 100% | 100% | 100% | Quality & Quantity: SOPs documented & followed (Lead measure by all Operations, Maintenance, Lab) Quality: (a) ensure regulatory monitoring according to Permit to Operate; annual report appendix 1 (Lab) (b)Taste and odor of water leaving the Plant less than 8-10 TON (Threshold Odor Number) (Operations and Lab) |
| Water Quantity: Objective - To deliver water that meets customer demand 100% of the time | Parent: Customer demand met without compromising Quantity | 100% | 100% | 99.79% July 8/9 Plant Shut Down for 4.5 hours due to thermal gradients September 29/30 Plant Shut Down Loss of SPC Power for 14 hours | 100% | Quantity: Reliability (Operations, Maintenance) including e.g. immediate reporting of failure of critical assets (see notes page) Maintenance |
| Renewal Project: Objective – Successful achievement of all aspects of this massive undertaking to transform the plant's ability to deliver, meeting its mission and vision | On-budget | Project Charter & Plan (Including: Vision, owner's engineer resource, and funding pre-approval) | (Project reporting) | Charter completed Financing Strategy completed Funding pre-approval on hold pending direction of Cities for financing RRQ Awarded RFP released in May, 2019 Project progressing very well | (Project reporting) | (Major Capital Projects Committee, Ryan, Rudi, Harry) |
| Critical Projects: Objective – Critical projects are delivered (see initiatives) | Individual project deliverables: On-time On-budget Scope management | Electrical phase construction begins | | Phase 1 - Main Plant Electrical completed Phase 2 - 138kV Trans Line broken into smaller packages, piles and poles awarded, remaining RFP out to market Phase 3 - LPS construction commenced in June. | | 1. Electrical Project: Phase 1 (Main Plant) Completed - 2019, Phase 2 (Transmission Line) Completed 2020, Phase 3 (LPS Electrical Upgrades) Completed 2020, complete (R=Rudi) 2. SCADA Project (R=Rudi) 3. Chlorine Project (R=Gene) 4. CMMS Project (R=Harry) |
| | | SCADA Begins Chlorine Project Complete | | SCADA RFP released for equipment pre-selection. SNC working on drawings. Project on hold pending PRP RFP Award. Chlorine is now just in time delivery of chlorine | | |
| | | CMMS Implementation | CMMS Completion | gas and the Scrubber in progress with AE. CMMS Phase 1 Asset Management completed, Phases 2 Work Management completed, Phases 3 Inventory Management start implementation for end of October, added SiteDocs and Criticality Assessment in November 14/15 | | |
| Safety Culture: Objective – To operationalize plant-wide a Safety Management System | a. # of Injuries | a. 0 | a. 0 | 0 lost time/0 first aid/0 near misses 1 property damage-contractor | a. 0 | R=Keith (lead) A=Operations, Maintenance, Lab |
| | b. Audit | b. Pass | b. Pass | 2019 internal audit (passed bronze level) | b. Pass | |
| People Development & Performance: Objective – To design, implement, and | a. % out of scope employees with individual performance plans and learning plans | 100% | 100% | 100% Completed | 100% | Succession Plans update and communicate (Ryan) Best practices research to design a reward system based on Plant and individual performance (R=Ryan; A=Managers) |
| monitor people development and performance processes plant-wide. | b. Department Goals cascaded from Strategic Plan | 100% | 100% | 100% Completed | 100% | |
| | c. % in scope employees with individual performance plans and learning plans (managers) | 100% | 100% | In-Scope under development by managers and HR consultant, release January 2020 | | |
| Communication & Managing Change: Objective – To evolve all communication and project management processes | Added 2019 Monitor HR Issues a. Employee Engagement Survey | N/A Design survey & set baseline | N/A Annual 100% | 2019 HR Issues (Ongoing O/Complete 1) 2018 completed, analysis and implementation plan presented to the Board, plan is currently being implemented, next survey will be mid 2020 | N/A Annual 100% | Internal Communication: Meetings (daily toolbox, Operations hand off; monthly staff meetings recorded); Plant wide e-mails; F2F conversations (Management Team & all staff); Successful change implementations; adopt Org. |

| plant-wide | b. Organizational Change Management plans for projects with significant process changes | Design/adopt model | Complete | Completed 2018 | , | Change Management model (Mgmt. Team) Project management evolution: RACI, Charters, Major Project Committee (Rudi & Harry) |
|---|---|---|--|---|--|---|
| Board Governance: Objective – To continue to evolve board governance effectiveness (Ryan, Laurie, Board) | | Policies: Annual review Customer Services Agreement | Annual review | | | Policies: Ongoing review and updates (Customer Service Agreement; Asset Transfer; Board Education & Onboarding) |
| | | Board Education | | Training Module for New Members on WT Completed. | Board Education | |
| Funding Sources: | % of critical projects funded | 100% | 100% | 100% | | Grants Loans |
| Objective – Establish funding sources into the corporation | % of O&M budget funded | 100% | 100% | 100% | | Research new lines of business: business & economic development funding partners (defer to 2021) |
| | Sum of O&M budget under management control within 5% | 5% | 5% | -4.9% | 5% | Approximately \$12M budget (Mgmt. Team) |
| Risk Management: | Initiative milestones | RR Annual Review | RR Annual Review | Updated quarterly - Board Annual Done | RR Annual Review | Risk Registry (Mgmt. Team, Board) based on RACI |
| Objective – To manage risk and take | Reporting | QMS Framework Completed | | 2 proposals for the GAP analysis received, award in October | QMS fully implemented | QMS (Keith and Mgmt. Team) |
| Asset Management: Objective – To adopt a formal asset lifecycle management approach | Project milestones | Working on CMMS Project | Complete asset criticality analysis | | Start developing the asset management plan | Asset Management Plan (Harry) |

Revenues and Expenditures September 30, 2019



| | Current Month Actuals | YTD Actuals | Previous YTD Actuals | 2018 YEAR-END ACTUALS | Approved Budget | 2019 FORECAST | Variance From Budget | Budget Less Actual | % Budget Remaining | Notes |
|--|-----------------------|----------------|-------------------------|--------------------------|--------------------|------------------|-------------------------|-----------------------|-----------------------|--|
| REVENUES | | (B) | | | (D) | (E) | (E-D) | (D-B) | (D-B)/D | |
| NEVEROLES . | | | | | | | | | | |
| TOTAL REVENUES | 1,015,923.65 | 10,301,508.98 | 10,716,990.69 | 13,607,577.30 | 12,828,300.00 | 13,023,500.00 | 195,200.00 | 2,526,791.02 | 19.7% | Water sales slightly higher than historical 2 year lag forecast |
| | | | | | | | | | | |
| EXPENSES | | | | | | | | | | |
| Total Wage & Benefit Expenses | 314,004.10 | 3,016,225.94 | 2,807,457.05 | 3,995,614.59 | 4,147,400.00 | 4,138,111.63 | -9,288.37 | 1,131,174.06 | 27.3% | |
| Total Administration Expenses | 10,501.65 | 329,444.96 | 304,091.86 | 514,834.36 | 556,000.00 | 553,364.00 | -2,636.00 | 226,555.04 | 40.7% | |
| Total Maintenance Expenses | 87,106.89 | 966,694.66 | 1,004,042.45 | 2,404,546.17 | 2,519,000.00 | 2,088,924.24 | -430,075.76 | 1,552,305.34 | 61.6% | Deferal of some maintenance work and only hauling half the sludge to landfill and storing half for additional drying |
| Total Chemical Expenses | 290,177.53 | 1,683,399.04 | 1,465,183.70 | 2,194,722.49 | 2,790,000.00 | 2,082,000.00 | -708,000.00 | 1,106,600.96 | 39.7% | Raw Water Quality of Lake is Very Good, reduced chemcial requirements |
| Total Laboratory and Research Expenses | 19,485.56 | 193,653.82 | 150,976.27 | 239,786.56 | 355,000.00 | 305,000.00 | -50,000.00 | 161,346.18 | 45.4% | Developing Research Strategy to focus research |
| Total Utility Expenses | 205,739.56 | 1,466,728.50 | 1,448,160.01 | 2,155,269.28 | 2,175,000.00 | 2,150,000.00 | -25,000.00 | 708,271.50 | 32.6% | |
| TOTAL EXPENDITURES | 927,015.29 | 7,656,146.92 | 7,179,911.34 | 11,504,773.45 | 12,542,400.00 | 11,317,399.87 | -1,225,000.13 | 4,886,253.08 | 39.0% | |

| December 31, 2018 OPERATING RESERVE | 1,905,124.62 |
|---|---------------|
| | |
| September 30, 2019 Forecasted Operating Revenue at YE | 13,023,500.00 |
| | |
| September 30, 2019 Forecasted Operating Expenditure at YE | 11,317,399.87 |
| | |
| September 30, 2019 Forecasted Operating Reserve at YE | 3,611,224.75 |
| | |
| Target Balance for Operating Reserve | 2,000,000.00 |

BUFFALO POUND WATER BOARD OF DIRECTORS



Buffalo Pound Capital Projects - September 30, 2019

| WATER BOARD OF DIRECTORS | | | 08-Oct-19 | | | | | | | | | |
|---|-------------------------------|---------------------------------|--------------------|--------------------------|------------------------|-----------------------------|----------------------------------|----------------------|-------------------------------|--|---------|--|
| | Previous Year Month Actual | Current Month Actuals (A) | YTD Actuals (B) | Previous YTD Actuals (C) | Approved Budget (D) | Budget Less Actual (D-B) | % Budget Remaining (D-B)/D | 2019 FORECAST (E) | Variance From Budget (E-D) | | Comment | |
| TOTAL CAPITAL REVENUES | 0.00 | 512,674.40 | 5,853,470.35 | | 19,126,200.00 | 13,272,729.65 | 69% | 14,888,400.00 | -4,237,800.00 | | | |
| December 31, 2018 CAPITAL RESERVE | 55,333,145.83 Note \$2 m | nillion was transferred from | the Operative F | eserve Decembe | er 31, 2018. | | | | | | | |
| September, 2019 Total Capital Revenue | 5,853,470.35 | | | | | | | | | | | |
| September, 2019 Capital Expenditure | 5,785,424.39 | | | | | | | | | | | |
| September, 2019 Total Capital Reserve | 55,401,191.79 | | | | | | | | | | | |
| December 31, 2019 FORECASTED CAPITAL REVENUES | 14,888,400.00 | | | | | | | | | | | |
| December 31, 2019 FORECASTED CAPITAL EXPENDITURES | 16,462,530.43 | | | | | | | | | | | |
| December 31, 2019 FORECASTED CAPITAL RESERVE | 53,759,015.40 | | | | | | | | | | | |

| | | | | lr | ndivid | ual A | ttribu | tes | | | | Skills and Experience | | | | | | | Di | versit | y/ Lead | dership | | | |
|----------------------------------|----------------|-----------|-------------------|-------------------|----------------------------------|-----------------|----------------|----------------------|--------------------|-------------|---|----------------------------|-----------------|-------------------|-------|---------------|-------------------------------------|--------------------------------------|----------------------|------------|-----------------|-----------|-----------------------|---------------------------|-----------------------------------|
| Director's Name | Director Since | Integrity | Mature Leadership | Strategic Thinker | Good Communicator, influencer | Business Acumen | Fiduciary Duty | Independence of Mind | Active Participant | Team Player | Water Utility Operations Engineering | Capital Project Management | Risk Management | Finance and Audit | Legal | Environmental | Govt Relations/Policy/ Community | Public Health & Safety/Regulatory | Executive Leadership | Governance | Human Resources | Geography | Board Chair Potential | Committee Chair Potential | Self Declared Diversity Status |
| | | | | | | | | | | | 7 | 7 | 9 | 10 | 5 | 5 | 9 | 8 | 9 | 10 | 8 | | | | Yes/No |
| | | | | | | | | | | | 5 | 8 | 9 | 6 | 1 | 5 | 7 | 7 | 8 | 8 | 8 | | | | Yes/No |
| | | | | | | | | | | | 8 | 7 | 7 | 3 | 2 | 8 | 8 | 7 | 6 | 7 | 5 | | | | Yes/No |
| Term expiring. Up for reappt. | | | | | | | | | | | 5 | 8 | 8 | 6 | 6 | 6 | 8 | 7 | 8 | 7 | 7 | | | | Yes/No |
| Term expiring. Up for reappt. | | | | | | | | | | | 10 | 8 | 8 | 7 | 3 | 8 | 7 | 8 | 8 | 8 | 7 | | | | Yes/No |
| | | | | | | | | | | | 4 | 8 | 9 | 10 | 7 | 6 | 8 | 8 | 9 | 9 | 8 | | | | Yes/No |
| TARGET | | | | | | | | | | | | | | | | | | | | | | | | | |
| CURRENT | | | | | | | | | | | | | | | | | | | | | | | | | |
| NEEDS | | | | | | | | | | | | | | | | | | | | | | | | | |

Self Declared Diversity Status: "Yes" denotes one or more of: Gender (female); Orientation; Aboriginal; Visible Minority; Disability.

PERSONAL ATTRIBUTES: DEFINITIONS

| Category | Criteria | | | | | | | | |
|----------------------------------|--|--|--|--|--|--|--|--|--|
| Integrity | An innate adherence to ethical conduct and values. | | | | | | | | |
| Mature Leadership | Experience driven perspective and self-awareness of emotional patterns and triggers. | | | | | | | | |
| Strategic Thinker | Generates and applies unique business insights to challenges and opportunities, ability to challenge conventional thinking. | | | | | | | | |
| Good Communicator and Influencer | Expresses thoughts and ideas clearly and with respect for the views of others and listens actively. Has credibility with nanagement and other directors. | | | | | | | | |
| Business Acumen | Track record of wise business judgment. | | | | | | | | |
| Fiduciary Duty | Strong understanding of fiduciary responsibility to the long term sustainability of the organization. | | | | | | | | |
| Independence of Mind | Unfettered from speaking his or her mind honestly on all issues. | | | | | | | | |
| Active Participant | Comes to meetings fully prepared and listens and speaks up. | | | | | | | | |
| Team Player | Committed to the role of the Board as a whole, works to resolve issues, treats others in a respectful and supportive manner, is flexible in arriving at solutions. | | | | | | | | |

SKILLS AND EXPERIENCE: DEFINITIONS

| Category | Criteria |
|--|---|
| Water Utility/Operations Engineering | Involved with the producing, treating, disinfecting and storage of water for delivery to the public. |
| Capital Project Management | The management of high level corporate capital projects (ie. millions of dollars). |
| Risk Management | The identification, assessment, and prioritization of risks and the coordinated and economical application of resources to minimize, monitor, and control the probability of those risks. |
| Finance and Audit | The provision of sound financial advice or information in support of the operations of the organization. |
| Legal | Knowledge of the Canadian legal system and its application thereof. |
| Environmental | Knowledge of the environment and its relationship to water treatment facilities. |
| Government Relations/Policy/Community | Dealing with government affairs or public administration at all levels of government and the ability to interpret legislation and policy as it relates to the organization. |
| Public Health & Safety/Regulatory | Knowledge of Occupational Health & Safety training and resources to reduce workplace risks and reduce workplace injuries and illnesses. Adherence to laws, regulations, guidelines and specifications relevant to the organization. |
| Executive Leadership | Provision of leadership to colleagues, ie. plans; sharing of visions; taking charge; inspiring others through examples. |
| Governance | Dealing with government, control and authority within the organization. |

DIVERSITY: GOALS/NEEDS

| Category | Goals/Needs |
|-----------|---|
| Geography | Being from different locations (ie. cities, towns) to bring a different perspective to the Board. |

LEADERSHIP: POTENTIAL BOARD LEADERSHIP

| Category | Goals/Needs |
|---------------------------|--|
| Board Chair | Well qualified individual with the skills, experience, time and motivation to dedicate to the job. Focus on tasks at hand as well as long term strategic issues. Accurately report on B oard activities. One who holds himself/herself accountable. |
| Committee Chair (specify) | Same as above. |
| | |

December 4, 2019

To: Members

Executive Committee

Re: 2020 – Schedule of City Council Meetings

RECOMMENDATION

1. That City Council meetings scheduled for Wednesdays in 2020 commence at 1:30 p.m.;

- 2. That the City Solicitor be instructed to bring forward amendments to *Bylaw No. 9004*, *The Procedure Bylaw*, to:
 - a. Change the meeting start time to 1:30 p.m., with reports with delegations or reports and bylaws requiring public notice or a public hearing to be considered at 5:30 p.m.;
 - b. Revise the order of business sections to coincide with the 1:30 p.m. and 5:30 p.m. meeting times and to reflect the provisions outlined in (a);
 - c. Change the dates and times for submitting delegations, presentations and submissions to Council to the Thursday afternoon of the week preceding the Council meeting;
 - d. Change the public release of meeting agendas for Council and committees from Wednesday afternoon to the Friday afternoon of the week preceding the Council or committee meeting;
 - e. Provide for a mandatory recess of one hour at 4:30 p.m. of the 1:30 p.m. session with the meeting to reconvene at 5:30 p.m.;
 - f. Retain the mandatory 15 minute break after 2 hours and 15 minutes in the 5:30 p.m. meeting section and the mandatory adjournment at 10:00 p.m., unless otherwise approved by Council;
 - g. Amend the process for establishing regularly scheduled committee meetings;
 - h. Include a provision whereby:
 - i. Agenda items not dealt with in the 1:30 p.m. session, are to be dealt with at the conclusion of the 5:30 p.m. session;
 - ii. Agenda items not dealt with prior to adjournment be tabled to a meeting the following morning commencing at 9:00 a.m.
 - i. Make any other additional amendments needed to accommodate the different start times and division of the meeting into two parts; and
 - j. Add the Deputy City Clerk as a position that can call a special meeting where the Clerk is absent or unavailable (this is being added because of some recent amendments to *The Cities Act* that have been proposed that require that a city's procedure bylaw include this provision).
- 3. That this report be forwarded to the December 16, 2019 meeting of City Council for approval.

CONCLUSION

To establish the start time for meetings of City Council in 2020 that will take place on Wednesdays and to make other amendments to *Bylaw No. 9004, The Procedure Bylaw* arising from changes to Council and Committee meeting dates and times.

BACKGROUND

City Council approved the 2020 meeting schedule for City Council and the main committees on November 25, 2019. CR19-101 directed that "Council meetings commence at a specified time in the afternoon, with the understanding that delegations be heard at 5:30 p.m."

DISCUSSION

During deliberations at the November 13, 2019 meeting of the Executive Committee, there was considerable discussion about the preferred time for meetings of City Council to commence, given the tendency for meetings to run long and Council's interest in facilitating the public's ability to attend. There was considerable discussion respecting the implications of splitting the meeting into two parts, with delegations and related reports being discussed beginning at 5:30 p.m., and the remainder of agenda items being discussed earlier that afternoon beginning at 2:00 p.m. Other discussion focused on dealing with the entire agenda starting at 1:00 p.m. and continuing until completion while a third perspective suggested that the meeting agenda remain unchanged with all reports dealt with beginning at 5:30 p.m.

Three options were reviewed:

Option 1 - Reports with Delegations discussed at 5:30 p.m., all other reports considered beginning at 1:30 p.m. and a break from 4:30 - 5:30 p.m. (Recommended Option)

Implications:

- There would be no change to public delegations as they would remain part of the 5:30 p.m. agenda; however, continuing to have delegations appear in the early evening may make it difficult for members of the public who do not work a traditional 8 a.m. 5:00 p.m. job to appear as a delegation
- The "heaviest" part of the vast majority of City Council meetings typically deals with issues that have drawn a lot of public interest as shown by delegations appearing before Council;
- Meetings will begin at 1:30 p.m., with a one hour recess at 4:30 p.m., for dinner
- In those instances where the meeting recesses early, members of Council will have time available to address other matters
- Where the agenda is not completed prior to the 4:30 p.m. recess, remaining items will be considered at the conclusion of the 5:30 p.m. session

Option 2 - Meetings begin at 1:30 p.m. and continue until conclusion or adjournment

Implications:

- This would be a significant change from past practice of holding evening meetings; it is unclear as to the impact this would have on the interest and attendance of the public appearing as a delegation
- Depending on the agenda and the number of delegations, meetings would still have the possibility of running long, well into the early evening
- Dealing with the meeting agenda as part of one uninterrupted meeting minimizes the disruption of Council members' time
- Reports with delegations or reports and bylaws requiring public notice or a public hearing would be considered at the beginning of the agenda

Option 3 - Status Quo - Meetings begin at 5:30 p.m., with reports with delegations or reports and bylaws requiring public notice or a public hearing considered at the beginning of the agenda

Implications:

- This option results in the least amount of change to the current system
- While meetings still have the possibility of running long, this eliminates the possibility of devoting an "entire day" to Council business as per Option 2
- As outlined previously, the "heaviest" part of the vast majority of City Council meetings typically deals with issues that have drawn a lot of public interest as shown by delegations appearing before Council

Note: under all of the options, it is recommended that *Bylaw No. 9004*, *The Procedure Bylaw* be amended to outline the immediate scheduling of a meeting that is adjourned because of a lengthy agenda.

RECOMMENDATION IMPLICATIONS

Financial Implications

None with respect to this report.

Environmental Implications

None with respect to this report.

Policy and/or Strategic Implications

The establishment of a regular meeting schedule for City Council provides members of Council, the public and media with advance knowledge of the meeting schedule and assists in planning for other obligations that arise during the year. It also assists Administration and the Office of the City Clerk in facilitating an orderly flow and process of reports going to committee and Council.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

Amendments to *Bylaw No. 9004*, *The Procedure Bylaw* require public notice. Public notice of this report and the proposed bylaw was advertised in the Leader Post, on the City's public notice board and website on November 23, 2019.

Pending approval by City Council, the 2020 meeting schedule will be released publicly and will be available on regina.ca.

DELEGATED AUTHORITY

This recommendation requires the approval of City Council.

Respectfully submitted,

Respectfully submitted,

Report prepared by: Jim Nicol, City Clerk

December 4, 2019

To: Members

Executive Committee

Re: Residential Short Term Accommodation (Homestay)

RECOMMENDATION

1. That the following regulatory changes be approved:

- (a) an amendment to *The Regina Zoning Bylaw*, 2019, effective January 1, 2021 to change Service Trade, Homestay from a discretionary use to a permitted use in all zones where it is currently discretionary;
- (b) an amendment to *The Regina Zoning Bylaw*, 2019 to clarify that Service Trade, Homestay is a separate category from Residential Business;
- (c) the establishment of a licensing and regulatory regime for all residential short term accommodations as further detailed in Appendix A of this report; and
- (d) an amendment to *The Regina Appeal Board Bylaw* to enable the Regina Appeal Board, which hears appeals related to business licences, to hear licensing appeals for short term accommodation licences.
- 2. That the City Solicitor be instructed to prepare the necessary bylaws to implement the approved regulatory scheme for residential short term accommodation and bring the bylaws forward to the January 2020 meeting of City Council which would allow sufficient time for advertising of the required public notices for *The Regina Zoning Bylaw*, 2019 amendment.
- 3. That this report be forwarded to the December 16, 2019 meeting of City Council for approval.

CONCLUSION

At its meeting of September 24, 2018, Council passed a resolution requesting that Administration consult with interested parties to explore regulating the residential homestay industry.

In response to the resolution, Administration conducted an online survey, requested feedback from interested parties, completed a jurisdictional review, interviewed internal staff and analyzed market data. This work revealed a desire of survey respondents to offer short term accommodation in their homes, a high incidence of non-compliance with the current discretionary use process and an interest in licencing residential short term accommodation.

Based on this work, Administration recommends moving from the current discretionary use approval process to a licensing process where short term accommodations are a permitted use in residential zones.

Upon approval of the recommendations, the Administration will bring forward bylaw amendments to the January 2020 meeting of City Council.

BACKGROUND

With increasing numbers of residential short term accommodation (STA), Council requested that Administration explore regulating the residential homestay industry. Below is a review of Regina's current regulations, a discussion of the STA market in Regina, a jurisdictional review and information on the consultation undertaken by Administration.

Regina's Current Regulatory Environment

Zoning. The City regulates STA through *The Regina Zoning Bylaw, 2019* under the classification "Service Trade, Homestay". A Homestay is a dwelling unit where short term accommodation is provided. Short term accommodation is defined as the provision of sleeping and bathing quarters for a period of less than 30 days where a daily or weekly rate is charged. Homestay is a discretionary use in all Residential Zones and a permitted use in several other zones as indicated in the map in Appendix B.

For reference, Homestay includes the former land uses "Residential Homestay" and "Bed and Breakfast Homestay" from the previous Zoning Bylaw 9250.

Licensing. The Licensing Bylaw requires businesses that operate from a residential premise to obtain a resident business license. Where a residential premise is the subject of a business (i.e. a rental property), a resident business license is not required for that location.

Taxes. The property tax classification of a property as residential, commercial or otherwise, is determined by the assessor in accordance with The Cities Act and regulations. A residential building being used as a short term accommodation will in most cases be classified as residential in accordance with the provincial legislation. The City does not have the authority to amend property classifications by bylaw.

Some other jurisdictions levy an accommodation tax or tourism fee on all short term accommodations (including hotels). Regina does not collect any accommodation or tourism taxes. *The Cities Act* does not include any authority to impose such a tax.

Health and Safety. All dwelling units must comply with *The Uniform Building and Accessibility Standards Act*, National Building Code and *The Building Bylaw* at the time of construction, alteration or change in use. They must also meet the Fire Code and *The Regina Fire Bylaw*, 2018. The Regina Fire Bylaw, 2018 contains additional requirements specifically for buildings not occupied by the owner, buildings with more than one dwelling unit and buildings where lodging is provided for a fee (excluding hotels). These requirements are:

- hard wired smoke alarms with battery backup
- inspection and testing by owner once every six months and with each new occupancy
- records required of each inspection/test where not owner occupied

All properties in Regina are being required to meet the maintenance requirements of *The Community Standards Bylaw*.

Current Regina STA Market

Administration obtained third-party data for historical listings for Airbnb and VRBO (which is estimated to capture 95 per cent of the STA market). Many hotels, motels and traditional bed and breakfasts are listed on both platforms but were not included in the following analysis. The data indicates that there were 947 listings in the last twelve months. A listing can be for all or part of a dwelling. Of the listings, 530 (56%) were for an entire dwelling while 417 (44%) were for a room in a dwelling.

Of the 947 listings:

- 431 (46%) were never rented
- 185 (20%) were rented for less than 30 nights
- 161 (17%) were rented between 31 and 90 nights
- 108 (11%) were rented between 91 and 180 nights
- 62 (7%) were rented for more than 180 nights
- 178 (19%) were apartment units
- 20 (11%) of apartment units were rented for more than 90 nights

Information on number of listings per host was also analyzed. Only the Airbnb data allowed us to categorize by host. There was a total of 575 hosts with 883 listings on Airbnb.

Of the 575 hosts:

- 448 (78%) had only one listing (house, room or apartment unit)
- 52 (9%) had multiple listings of entire houses (153 houses)
- 12 (2%) had multiple listings of apartment units (59 units)

Jurisdictional Review

Administration reviewed the regulatory approach of five Canadian cities that have recently reconsidered their approach to STA: Vancouver, Toronto, Ottawa, Calgary and Saskatoon. Of these cities, Vancouver is the only one whose bylaw is currently being applied. Toronto's bylaw came into effect just this month. Saskatoon, Ottawa and Calgary are at approximately the same

stage of review as Regina with reports to their respective Councils expected before the end of 2019.

A detailed breakdown of each city's approach is contained in Appendix C. Themes revealed in the jurisdictional review of these five cities are as follows:

- A license is required for all types of STA operator
- All differentiate between primary residence/secondary property in some way, with Toronto, Ottawa and Vancouver prohibiting STA in secondary properties due to long term rental shortages
- Toronto and Ottawa require the online platform to obtain a license
- No cities cap the number of nights available
- No cities use a discretionary use process, although Saskatoon is considering it for secondary properties
- License fees for primary residences are reduced in order to limit barriers to obtaining a licence, with fees typically \$50 to \$100
- Except in Ottawa, hotels and motels are exempt
- Enforcement is enhanced by requiring operators to post their business license number in any advertisement, allowing cities to spot non-compliant advertisements and to work with the Airbnb platform to request that unlicensed applicants be denied listings or that listings be removed
- Requirements focus on obtaining a license and complying with health safety legislation through a system of random audits

Further study of other jurisdictions shows that a major focus is overcoming enforcement challenges (and costs) by creating a scheme that is effective yet simple to comply with (low cost, online registration).

Public Consultation

The City undertook consultation through an online survey and by requesting feedback from identified interested parties. In addition, Administration reviewed service requests received by the City over the past two years. All persons who contacted the City, including the identified interested parties, were invited to appear as a delegation upon Committee and Council's consideration of this report.

Survey. Attached as Appendix D are the online survey results. A total of 1,801 participants responded to the survey, providing the following information:

- A. Respondents indicated agreement that residents should be able to operate short term accommodations:
 - 77% of respondents agreed that residents should be able to rent out their primary homes on a short term basis (15% disagreed)

- 77% of respondents agreed that residents should be able to rent rooms in their primary home on a short term basis (15% disagreed)
- 60% of respondents agreed that this is an important source of income (21% disagreed)
- B. A majority of residents (61%) agreed that residents should be allowed to operate an STA in a secondary property (27% disagreed).
- C. There is some concern about disruption of neighbourhoods with 31% of respondents agreeing that STA led to noise and increased traffic (51% disagreed);
- D. Residents were split on whether or not the City should license STA with 33% of respondents in favour of licensing all, 31% of respondents in favour of licensing when it is not your primary residence and 31% in favour of not requiring a license.

Interested Parties. Written feedback was requested from the Regina Hotel Association, Regina Chamber of Commerce, Tourism Regina, the Saskatchewan Bed and Breakfast Association, Airbnb, Regina Downtown Business Improvement District and Regina Warehouse Business Improvement District. Feedback was received from three organizations and is attached as Appendix E and summarized below:

- The Saskatchewan Bed and Breakfast Association requested that all residential short term accommodations be treated the same and that the owner be required to reside in the home. The Association identified that it believes Bed and Breakfasts have worked hard to comply with City bylaws and that it is not fair that other residential short term accommodations have not complied.
- The Regina Hotel Association stated that it supports home-sharing in an owner's principal residence but desires that accommodation outside of an owner's principal residence be taxed and regulated, and that rental listing companies like Airbnb and Homeaway be required to obtain a business license.
- Airbnb did not suggest a specific approach but suggested Regina consider its own
 circumstances surrounding travel trends and vacancy rates rather than follow what other
 cities have done. Their submission provided some explanation of measures their platform
 uses to facilitate the receipt of complaints from operators, guests and neighbours.

Service Requests. During the 22-month period from January 1, 2018 to November 1, 2019, the City received 33 service requests mentioning "Airbnb," "homestay," or "short term rental". The service requests were analyzed to determine the nature of the call:

| Service Requests by Topic 2018 and 2019 | | | |
|---|----|--|--|
| Inquiry about Approval Process | 19 | | |
| Complaints about suspected STA | 14 | | |
| TOTAL | 33 | | |

In comparison to the 13,887 bylaw related service requests the City received during the same time frame, the number of complaints specific to suspected STA was very small (0.24%). The 14 STA complaints did not indicate concerns unique to a short term rental. The types of complaints included things, such as a parked out of province vehicle, noise, furniture on the lawn, people coming and going.

DISCUSSION

The above information was used to establish five key objectives for proceeding with STA regulations:

- 1. Allow residents to rent out all or part of their home on a short-term basis
- 2. Increase inspections for health and safety requirements imposed by other legislation
- 3. Encourage compliance and reduce enforcement costs by minimizing barriers
- 4. Improve regulatory equity amongst short term accommodation providers
- 5. Address concerns about nuisances in neighbourhoods

The following table summarizes the options considered by Administration:

| | Option 1 | Option 2 | Option 3 | Option 4 | |
|---------------------------|--|---|---|--|--|
| Description | Move STA from discretionary use to permitted use and implement licensing | Retain discretionary use process for secondary properties only | (status quo) Discretionary use approval required in residential areas | Move STA from discretionary use to permitted use without any licensing requirements | |
| Zoning Implications | Permitted use in Residential Zones; Permitted use in Mixed Use Zones | Permitted in Residential Zones if primary residence; Discretionary Use if secondary, Permitted in Mixed Use Zones | Discretionary use in Residential Zones, Permitted in Mixed Use Zones | Permitted use in Residential Zones | |
| Licensing Implications | All STA properties require license | All STA properties require license | Resident Business License if applicable | No license required | |
| *all are cost recovery | \$50 primary residence \$225 secondary property | \$50 primary residence \$225 + \$2500 secondary property | \$2500 for discretionary use application where required; \$225 for resident business license if required | \$0 | |

Licensing Requirements

- All licensees required to submit to an inspection upon request of the City;
- Fire inspection for licensees in secondary properties in the first year and every three years thereafter;
- Licensee must be in compliance with all applicable laws, including: Fire Code, *The Regina Fire Bylaw, 2018*, Building Code, *The Regina Zoning Bylaw;*
- Proof of Permission of landlord for tenants wishing to operate an STA;
- License number required to be included in all advertising and listings;
- Cannot offer STA in accessory building, temporary building, vehicle or recreational trailer;
- Offence for platform to fail to remove non-compliant listing upon request of the City;
- Fines of \$1000 for failure to license or advertising without a valid license number;
- License renewal one year from date of issuance;
- License is non-transferrable;
- License may be suspended or revoked for violations of other laws as determined by the License Inspector.

The options are discussed in more detail below.

Option 1. Move from discretionary use process to licensing (Recommended Option)

Administration recommends a licensing scheme that takes into account Regina's market conditions. We have focussed on a simple approach in an effort to achieve compliance and reduce implementation and enforcement costs. Since Regina is not experiencing a long term rental crisis as in larger cities with high rates of tourism, we do not recommend prohibiting the rental of secondary properties.

In order to meet the identified objectives, Administration recommends moving away from the current discretionary use approval process and establishing a licencing scheme with a lower license fee if the operator is a resident renting out their own home (Option 1).

This option best accomplishes the objectives identified in Administration's review. Moving from discretionary to permitted use supports the desire of residents to operate STA and facilitates increased compliance through the substitution of a simpler and more affordable licensing process. The licensing requirement addresses regulatory equity by treating STA as a resident business, facilitates inspections and allows the City to keep better statistics on incidence of complaints and the ability to suspend or revoke a license when persistent or serious infractions occur.

This recommended approach focuses on licensing the operator rather than the international company/platform. This is preferred because the operator has more control over the property. The proposed licensing bylaw would include a requirement that host platforms remove listings upon request of the City and failing to do so would be an offence under the bylaw.

Option 2. Retain discretionary use process for secondary properties only, licensing for all STA

This option differs from Option 1 only in requiring a discretionary use approval if the proposed STA is to be operated outside the primary residence of the operator. Council may wish to choose this option if it desires to exercise discretion on the basis of land use development.

This option is not recommended because it does not support fully the objective of allowing residents to operate short term accommodation and due to the potential number of applications, Council would have to hear should all operators apply. Should all of the operators with more than one whole home (house or apartment unit) listing come forward for discretionary use approval, this could see Council considering upwards of 244 discretionary use applications. This estimate assumes all persons with multiple listings have also listed their own home (which was not included in the estimate) and does not include anyone who has one listing for a secondary property which would not be caught by the multiple listings analysis.

Option 3. Status Quo

Maintaining status quo does not meet any of the objectives in an effective way due to the high incidence of non-compliance with the discretionary use approval process. In the past 27 years, only 14 properties have been approved as a residential or bed and breakfast homestay, and none are currently licensed as residential businesses.

Operating an STA in most residential areas requires a discretionary use approval. Given that the data suggests most people are renting all or part of their homes on a part-time basis, the cost (\$2,500), delay and uncertainty of obtaining a discretionary use approval would likely be seen as prohibitive. This means most people may choose not to operate an STA or do so without complying with City bylaws. Data collected shows that 45 per cent of operators that list their property never actually rent it and that 20 per cent rent it for less than 30 days. Therefore, the majority of applicants may never recover the costs of the discretionary use approval.

Option 4. Move STA from discretionary use to permitted use without any licensing requirements

This option would be the closest to a fully deregulated approach. It would be the least expensive option as it minimizes City involvement in the industry. Health and safety requirements, such as compliance with The National Building Code and *The Regina Fire Bylaw*, 2018 would still exist. However, without any formal way of monitoring the industry, inspections would only take place on a complaint basis or if a building permit was taken out. Nuisance related issues, such as those related to noise and parking, would still be regulated under other relevant bylaws.

This option is not recommended because it makes it challenging for the City to ensure compliance with health and safety laws.

Implementation

Once the bylaw is in place in early 2020, the Administration will begin working with Airbnb to seek platform changes for the Regina market and to obtain agreement on a data transfer (which

has been implemented in other Cities). An online licensing system will be procured in 2020 and in place prior to January 1, 2021, after which all homestays will be required to have a license from the City. Prior to website launch, information will be provided to residents on how to ensure their property is compliant with the bylaw and, where required, fire inspections can be scheduled.

An implementation date of January 2021 is recommended because it provides the best opportunity for compliance and cost recovery and provides the best option from a customer service perspective. The current computer system used for licensing programs is dated and does not have the ability to offer online registration and payment options. Funding for a new licensing solution was approved in the 2019 budget and implementation will occur throughout 2020. Other municipalities have identified that an online registration portal is essential to ensure compliance.

In addition to internal technological upgrades, Airbnb has indicated it can work with Regina to add fields to listings which would assist us with enforcement. Given that we are a smaller centre and the numbers of cities currently working with Airbnb up to 6 months may be required to make necessary changes to the Airbnb Regina listing process.

Should Council choose an implementation date prior to January 2021, customer service and the ability to adequately enforce will be impacted due to the lack of an online registration portal, requiring all license applicants to attend to City Hall.

RECOMMENDATION IMPLICATIONS

Financial Implications

The licensing fees are proposed to be \$50 for a primary residence and \$225 for a secondary property. The \$225 fee is the same as is currently required for a residential business. These fees are intended to recover the cost of administration and enforcement which is estimated at \$50,000 - \$100,000 per year (given Regina's 516 active listings), depending on compliance rates. Revenues and costs will be monitored and if fee adjustments are required, they will be brought forward to Council through the budget process.

Both Vancouver (6,667 listings) and Calgary (3,364 active listings) estimated administration and enforcement costs at over \$600,000 per year, while Ottawa estimates administration and enforcement costs at \$834,000 (6,278 listings) in year 2 and beyond. These costs typically include several licensing and enforcement staff, costs to hire a contracted data collection firm and the cost of increased legal services.

Environmental Implications

None with respect to this report.

Policy and/or Strategic Implications

The recommendations contained within this report supports the Community Priority of "Fostering Economic Prosperity".

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

Parties who were initially consulted or who have requested to be notified of this report have been notified of this report.

Should a licensing approach be approved by Council, the Administration will develop a plan to inform residents of the new licensing requirements.

DELEGATED AUTHORITY

City Council's approval is required as this report recommends bylaw amendments and the passage of a bylaw.

Respectfully submitted,

Respectfully submitted,

Byron Werry, City Solicitor

1/25/2019 Chris Holden, Cit, Manage

Report prepared by: Chrystal Atchison, Legal Counsel

APPENDIX A.

Proposed Short Term Accommodation Licence Program

Definitions

"Dwelling Unit" means a self contained living unit of one or more rooms containing cooking facilities, sanitary facilities, living quarters and sleeping quarters.

"Market" or "Marketing" means offer for sale, solicit, advertise, or facilitate Short Term

Accommodation, and includes listing, placing or posting advertisements physically or online, but does not include the provision of a location for such marketing in newspapers, bulletin boards, or online.

"Principal Residence" means the usual Dwelling Unit including any Suite thereof, where an individual lives, makes their home and conducts their daily affairs, including, without limitation, receiving bills and mail, and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, health documentation, driver's licenses, personal identification, vehicle registration and utility bills. No person shall have more than one Principal Residence.

"Reservation" means a booking or commitment to provide of a Short Term Accommodation.

"Secondary property" means any property that is not a "Principal Residence".

"Suite" means Dwelling, Garden Suite; Dwelling, Laneway Suite; and Dwelling, Secondary Suite as defined in *The Regina Zoning Bylaw, 2019.*

"Short Term Accommodation" means the provision of sleeping quarters in a dwelling unit for a fee for a period of less than 30 days. (excludes emergency shelters)

"Short Term Accommodation Operator" means a person carrying on business providing Short Term Accommodation.

"Unit" means dwelling unit or legal Suite.

Requirements

All Short Term Accommodation

- Shall comply with all applicable laws including but not limited to *The Regina Zoning Bylaw, The Fire Prevention Act, The Fire Bylaw* and *The Uniform Building and Accessibility Standards Act*.
- Submit to any inspection by the City upon request to ensure compliance with this Bylaw prior to issuance of licence and at any time during validity period of licence
- If applicant is not the owner the applicant must provide written authorization from owner
- Must include City licence number in all Marketing, invoices, receipts
- Cannot offer accommodation in an accessory building, temporary structure, vehicle, or recreational trailer
- Cannot offer accommodation in a dwelling unit that does not comply with any law, including but not limited to *The Regina Zoning Bylaw*, *The Fire Bylaw* and *The Uniform Building and Accessibility Standards Act*.

• Platforms offering listings must remove listings from non-compliant operators upon request of the City within 7 days of being requested to do so. Failure to do so is an offence.

Primary Residence special requirements

- Applicant must be an individual
- Every Operator shall be deemed to have only one Principal Residence
- Shall be required to provide evidence satisfactory to the licence inspector that the property is the primary residence of the applicant, at time of application and upon request
- Shall advise the City if at any time the applicant no longer resides primarily at the home

Secondary Unit special requirements

• Fire inspection required in the first and every third year (additional fee required as per *The Fire Bylaw*).

Offences

It is an offence to fail to comply with any requirement of this Bylaw.

No person shall Market or carry on business providing Short Term Accommodation without the applicable licence as required by this Bylaw.

No person shall Market Short Term Accommodation without including their City of Regina Short Term Accommodation licence number in a conspicuous place in any medium or material used to Market the Short Term Accommodation.

No person shall fail to remove a listing when requested to do so by the City.

Fine of \$1000 plus the applicable licence fee (\$1050 for primary residence, \$1225 for secondary unit)

Fees

Primary Residence Licence \$50

Secondary Residence Licence \$225

Fire Inspection fee for secondary residence as per The Fire Bylaw

Term of Licence

All licences will be valid for one year from date of issuance

Process

Application and supporting documentation must be submitted online or in person at City Hall and renewed each year

A licence is required for each dwelling unit

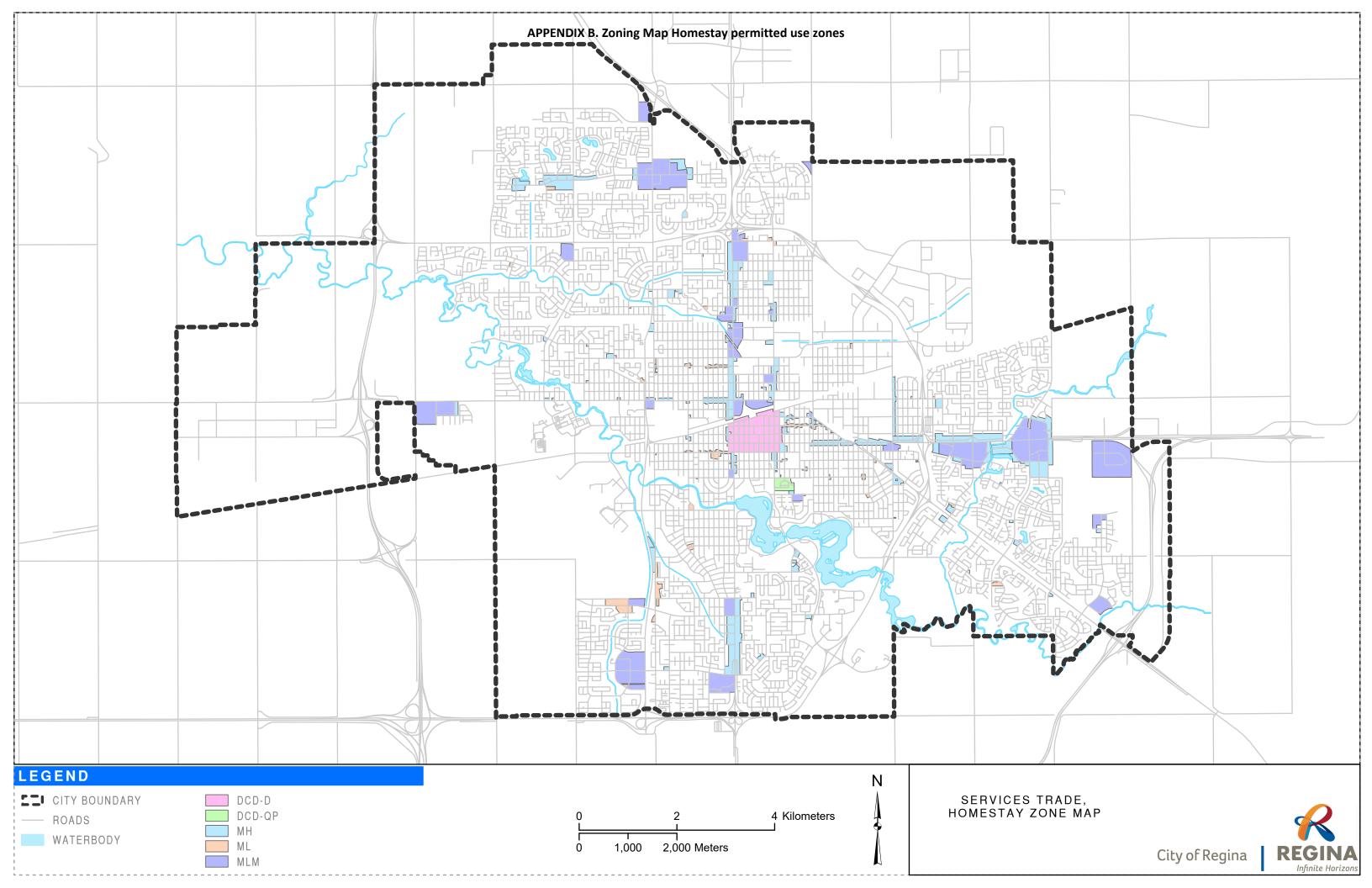
Licence is non-transferrable and non-refundable

Can be revoked or suspended if applicant provides misleading or inaccurate information

Can be revoked or suspended if determined by the License Inspector to be unsuitable such as repeat bylaw contraventions, violations of other laws.

Appeal to Regina Appeal Board (business licence appeals are heard by the RAB)

Record keeping requirement (paper or digital) – number of nights, what portion of unit rented



APPENDIX C. Jurisdictional Review

| City | definition | zoning | licensing | Unit types | Key licensing terms |
|---|--|--|---|---|--|
| Regina Current | "a dwelling unit where short-term accommodation is provided" Short term is less than 30 days where a daily or weekly rate is charged. | discretionary in residential, Laneway Housing Direct Control District and Former Diocese of Qu'Appelle Lands Low Density Residential Direct Control Districts. | Residential Business License if applicable | No distinction between primary and secondary residence. | |
| | | Permitted in Mixed Use Zones, and some direct control districts. | | | |
| Vancouver In Force | Less than 30 days, only one booking at a time per unit, does not include B&B or hotel | Permitted in CD-1, conditional use in many other zones (residential). Conditional means certain rules must be met (not equivalent to Saskatchewan's discretionary) | Business license \$49 | Principal residence only. Can rent a secondary suite only if it is your principal residence | No more than one booking at a time per unit Must include business licence # in ads, must not market without a license Tenants can rent with permission of landlord. Condo board permission required. Can rent all residential building types |
| Calgary Comes into force Feb 1, 2020 | Temporary accommodation for compensation in a dwelling unit or portion of a dwelling unit for periods of up to 30 days, does not include B&B | Zoning changes may be required but not addressed in Reports. | Business licence required. 1-4 rooms \$100 5+ rooms \$191 plus fire inspection \$104 | Primary residence or secondary property. Can rent a secondary suite. | No more than one booking at a time per unit; a house and its suite can be booked at the same time but multiple rooms in one house cannot be booked at the same time. Tenants can rent with permission of landlord. No more than 2 adults per bedroom. Must include licence number in all ads. Must keep records of all transactions. |

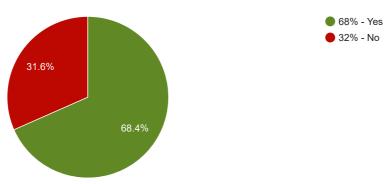
APPENDIX C. Jurisdictional Review

| Toronto In force November 2019 | Room or unit, less than 28 days; includes B&B, does not include hotels | Permitted in residential & mixed use | Companies like Airbnb & Expedia require a license \$5000, operators register with the City (\$50) | Must be primary residence. Can rent a secondary suite only if it is your primary | No more than three bookings at a time per unit. Offence to advertise without a licence, must give registration number in ad Tenants can rent with permission of their landlord Companies required to submit data |
|---|--|--|--|--|---|
| Saskatoon Oct 29 2019 Public engagemen t on 3 options | All or part of a dwelling unit rented for less than 30 days. | Permitted in primary residence. Options include either prohibited or discretionary in secondary properties in residential areas. | Considering either requiring all operators to licence or only when renting to more than 2 people or in a secondary suite | residence. One option is to prohibit in secondary properties | Tenants can rent with permission of their landlord Condo board consent required for rentals in condos Maximum numbers of guests depending on type of unit. |
| Ottawa Modelled on Toronto *proposed Set to go to Council on November 27, 2019 | Room or unit, less than 28 days; includes B&B, hotels and motels but exempts them from the primary residence requirement. | Permitted as a temporary use in residential areas. | Companies like Airbnb & Expedia require a licence \$4,000. Property managers (agents) require a licence \$200. Operators \$100 for a 2 year licence. | Must be primary residence or cottage. | process for Condominium Corporations and Landlords to register prohibitions against short-term rentals in their buildings Companies required to submit data quarterly Specialized enforcement team |

Short-Term Rental Survey

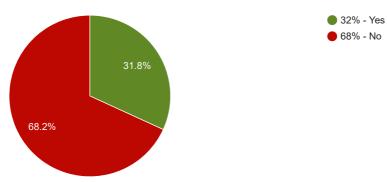
| Status: Start date: | Closed 2019-10-18 | Partial completes: Screened out: | 183 (10.2%) 0 (0%) |
|------------------------|----------------------|-------------------------------------|-----------------------|
| End date: | 2019-10-26 | Reached end: | 1,618 (89.8%) |
| Live: | 9 days | Total responded: | 1,801 |
| Questions: | 6 | | |

1. Have you ever used a short-term rental service such as Airbnb or VRBO?



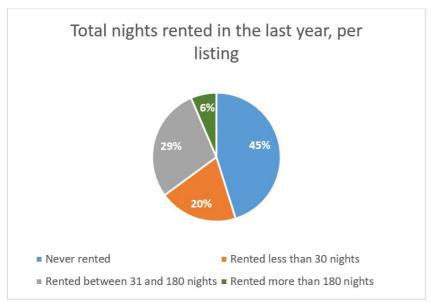
n=1800

2. Are you aware of any short-term rentals in your neighbourhood?



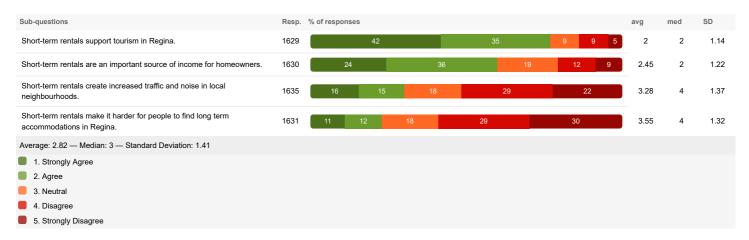
n=1800

Short-term rentals may be used for various reasons including tourism, business, workers employed temporarily in Regina and billeting for major events. According to external data, there were 949 short-term rental listings in Regina advertised through Airbnb and VRBO in the past year, with usage data as shown in the following chart:



(abcimg://Short%20Term%20Rental%20Survey%20Chart.JPG)

3. Please indicate your level of agreement with the following statements:



APPENDIX D. Online Survey Results

4. Some cities differentiate between short-term rentals operated in someone's primary residence and short-term rentals operated out of secondary/revenue properties. According to third-party data, roughly 77% of short-term rental property hosts in Regina have just one listing (listings can be a room or an entire dwelling).

Please indicate your level of agreement with the following statements:

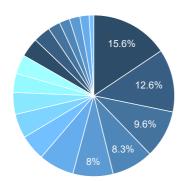


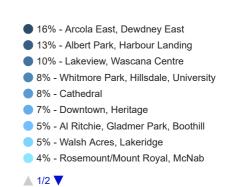
5. The City is exploring options to require a licence for all or some types of short-term rentals.

Which types of short-term rental do you believe should require a licence? Check all that apply:

| Response | Total | % of responses | | | | % |
|---|--|----------------|-----|-----|-----|-----|
| All | 537 | | | | | 33% |
| When the property is not the host's primary residence | 506 | | | | | 31% |
| None | 503 | | | | | 31% |
| If the home is rented for greater than a certain number of nights | 295 | | | | | 18% |
| When the entire home is rented | 261 | | | | | 16% |
| When a room in the home is rented | 85 | | | | | 5% |
| | Total respondents: 1609 Skipped question: 7 | 0% 20% | 40% | 60% | 80% | |

6. Which Regina neighbourhood do you live in?





n=1569



Saskatchewan Bed and Breakfast Association Inc.

172 Cambridge Avenue, Regina SK S4N 0L2 Phone: (306) 789-3259 www.bbsask.ca; bbsask@gmail.com

Accredited Bed and Breakfasts - Rise and Shine With Us

October 21, 2019

Dawn Schikowski CPA, CMA Manager, Licensing & Parking Services Licences@regina.ca

Dear Ms. Schikowski,

Thank you for your emailed letter of October 11, 2019 regarding the regulation of short-term accommodations in residential units and specifically asking for feedback on two questions.

As a provincial organization of licensed, inspected and accredited bed and breakfast businesses, we have been concerned about the rise of Airbnb-type operations for many years. We have raised the issues of fairness and by-law compliance with the Cities of Regina and Saskatoon, and with the Ministry of Finance regarding PST. We have also spoken of the problems in our quarterly B&B newsletters, and have had feedback from many of our members saying how unfair the current situations are.

Your first question was how short-term rentals impact our organization and our members. The answer is that many of our members are very annoyed that after they have spent hundreds or thousands of dollars to comply with City regulations, the City seems unwilling or unable to enforce its own business license and discretionary use bylaws for Airbnb-type operations. This puts our members, and all legitimate law-abiding B&Bs at a competitive disadvantage.

2

As an organization, we have seen a decline in our membership numbers in the past few years. We suspect that this is connected to the growth of illegitimate operations, where operators can start up with impunity and without any commitment to establishing a legitimate long-term business.

Your second question was what we think should be the City's role in addressing that impact, and whether the role should differ based on frequency of rental and whether the owner lives in the home. Our primary thought is that whatever regulations the City develops, they should be the same for all businesses offering short-term accommodations, and the City must be proactive in enforcing their regulations.

Our understanding is that currently it is difficult for the City to find contact information for Airbnb-type operations, so regulation enforcement is difficult. The City must find a way to resolve this problem or regulations will continue to be ignored by people wanting to maximize profit and disregard the rules. Why would anyone follow the rules if they see hundreds of similar businesses ignoring the rules without any consequences?

Our understanding is that current B&B Homestay regulations say that the owner-operator must reside in the home. We believe that this regulation should continue since it provides good oversight for the business property and the neighbourhood. This maintains the reputation of bed and breakfast businesses being safe, clean and hospitable places to stay. We believe that reputation and quality-assurance are important qualities to maintain.

Thank you again for inviting our organization's input, listing us as an interested party and for letting us know about other opportunities for input from us and our members.

Yours truly,

Bryan G Tudor

Bryan Tudor
Executive Director

APPENDIX E2. Regina Hotel Association Feedback



November 1, 2019

Dawn Schikowski Manager Licensing & Parking Services City of Regina 2476 Victoria Avenue PO Box 1790 Regina, SK. S4P 3C8

Dear Ms. Schikowski;

Re: Short Term Rentals

On behalf of Regina's hotel sector, thank you for the invitation and opportunity to provide input into the City of Regina's regulation review of short-term residential rentals of less than 30 days.

The Regina Hotel Association is requesting the City of Regina to consider the following:

- 1. Web-platform corporations, like Airbnb and HomeAway, be required to obtain a business license to operate in Regina and mandated to support City regulations and enforcement efforts.
- 2. Support true home-sharing in an owner's principal residence.
- 3. Operators renting their entire homes or multiple homes/condominiums that are not a principal residence should be treated as a commercial accommodation operation and taxed/regulated accordingly.

Regulation is occurring across Canada and we are pleased to share a jurisdictional scan of common reforms and municipal best practices. Please see the enclosed document, which contains our full response and recommendations.

Respectfully submitted;

Tracy Fahlman President & CEO





Regina Leads the World in Airbnb Growth

With a 328% increase in short-term residential rentals this year, Airbnb has declared Regina the world's fastest growing market. As of October 31, 2019, there were approximately 327 short-term rentals listed online across two major homestay web-platforms with 224 (69%) operators offering entire homes. This accommodation supply equates to over 600 new guest rooms, the size of six (6) standard hotels entering the market.

The Regina Hotel Association (RHA) is not opposed to true homesharing. We welcome innovation in the hospitality sector and recognize that it serves a unique and developing role in Regina. However, the City of Regina must take steps to address those who are operating a commercial business under the guise of homesharing, whose activity is impacting communities and who are not currently subject to standard business laws and regulations. A consistent set of regulations, fairly enforced, is needed to support a safe and competitive short-term rental accommodation market.

In 2013, the City of Regina put regulations in place for Residential Homestays. Originally intended to facilitate the casual rental of an extra room from time to time, home-sharing has transformed into a sophisticated commercial operation taking advantage of gaps in these regulations.

In particular, multi-unit entire home rentals are the fastest growing segment on web-based platforms, like Airbnb, in terms of the number of hosts, listings and revenue generated. In Regina, commercial operators have converted one or more of their entire residential properties into ghost hotels generating \$2.3 million in revenues between January - September 2019. They are avoiding the normal costs of doing business and creating additional demands on municipal services such as waste removal, bylaw enforcement and policing. Taxpaying residents are subsidizing these businesses who pay residential property tax on their commercial enterprises.

It is our understanding that less than 1% of current operators have a valid City permit. The voluntary compliance mechanism and lack of enforcement have further led to an unfair playing field for hotels, and have created a risk to travelers and our neighbourhoods.

Overall, Regina's hotel market remains in a depressed state with 2019 expected to end the year at a 10-year historical low point. It is unlikely that Regina will see any new hotel builds over the next couple of years as revenue is expected to remain well below the historical peak in 2013, the point at which the last influx of new supply was being constructed and residential home-sharing entered the market.

Despite current market conditions, your city's hotels remain committed to the community we do business in. Through taxes, charitable support and growing the visitor economy, hotels in 2019 will contribute:

- \$4 million in municipal commercial property taxes;
- \$3 million in education and library taxes;
- \$2 million to help promote Regina, attract major events and build local event infrastructure;
- \$279,000 in direct funding to support Economic Development Regina;
- \$100,000 in levies to support our Downtown and Warehouse Business Improvement Districts;
- Over \$100,000 in donations to charities and community groups; and
- Employ almost 1,500 Regina residents in our hotels.

Commercial operators running multiple and entire homes on Airbnb and similar platforms are operating active businesses. We simply ask that everyone in the short-term accommodation business be treated fairly and subject to the same regulatory and tax obligations.

Recommendations

Regulation is already happening across Canada and based on a jurisdictional scan of reforms and best practices, the RHA is recommending the modernization of the Residential Homestay regulations and that enforcement be made a priority as follows:

- Web-platform corporations, like Airbnb and HomeAway, be required to obtain a business license to operate in Regina and mandated to support City regulations / enforcement efforts by deactivating illegal listings and submitting regular activity reports to assist City enforcement and police.
- Support true home-sharing in an owner's principal residence allowing them to occasionally rent out a room in their home by establishing a simple registration system with basic eligibility conditions including principal residence restriction and good neighbour practices (i.e. parking).
- Operators renting their entire homes or multiple homes/condominiums that are not a principal residence, should be treated as a commercial accommodation operation and taxed/regulated accordingly. The assessed value of these properties should be set using the same provincial percentage for commercial properties and taxed by the City at the same rate as hotels. Doing so will help the City recover lost revenue from hotels, whose assessed value will decline as our projected income decreases.

This proposal forms the basis of a modern short-term rental regime that allows for true home-sharing, ensures guest safety and fosters a fair and competitive commercial accommodation environment.

APPENDIX E2. Regina Hotel Association Feedback



Jurisdictional Scan of Municipal Best Practices Web-Based Platforms

Airbnb is a \$30 million corporation and has shown an ability to accommodate bylaw requirements in other jurisdictions. Their model, like other disruptive technologies, has been to establish operations in new markets, challenge the regulatory model, and wait for local governments to react. The RHA believes this is an appropriate time to treat all web-based platforms (Airbnb, HomeAway, VBRO, etc.) doing business in Regina, the same as any other accommodation business.

Here's what we found happening in other jurisdictions:

Web-Based Platforms

Any accommodation business operating within Regina's hospitality industry is subject to the same rules and regulations

FEES:

• Application fee + annual permit/business license

REGULATIONS:

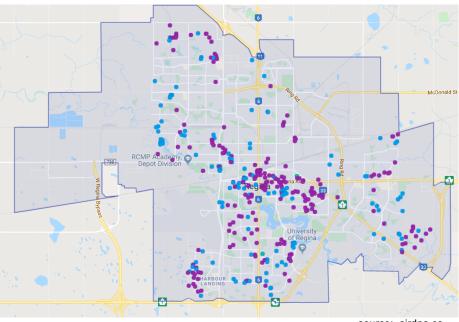
Enforcement Support:

- Mandatory fields on websites for license/registration numbers, as part of any listing
- A requirement for platforms to send a regular database to City enforcement containing all listings and pertinent information such as addresses
- A requirement for platforms to deactivate ineligible/illegal listings, following receipt of notification from City enforcement
- Fines for non-compliance

COMMUNITY:

- Contribute annual membership fees to Business Improvement Districts
- Financial contribution to support the ongoing work to attract events to cities and grow the Visitor Economy

Locations of Airbnb & HomeAway Operations in Regina



source: airdna.co

APPENDIX E2. Regina Hotel Association Feedback



Jurisdictional Scan of Municipal Best Practices Short Term Residential Rental Operators

Cities have zoning application and bylaws in place to protect neighborhoods. People want to feel safe and know who their neighbours are. Limiting the establishment and operation of commercial accommodation businesses in the middle of neighbourhoods, helps minimize community disruptions and further ensures safety and security for everyone.

Here's what we found happening in other jurisdictions:

Private Room

Operators who occasionally rent out a room in their principal residence

FEES:

Application fee & annual registration fee

REGULATIONS:

- Principal residence restriction (verifiable with valid government issued identification, such as a driver's license)
- Submission certifying appropriate insurance coverage

COMMUNITY:

- Self-declared good neighbor proclamation in place (parking, noise, waste management, etc.) on application and;
- If a condominium, certify that the Condominium Corporation bylaws and/or rules allow short term rentals

Commercial Operator

Operators who rent out one or more entire residential homes

FEES:

- Application fee & annual permit/business license
- Business Improvement District (BID) levy placed on property tax bill in BID zones
- Home inspection/fire inspection at cost to operator
- Commercial property taxation (shift from residential taxation)

REGULATIONS:

- Licensing: implement a mandatory short-term rental operator residential business license regime including:
 - Submission certifying insurance coverage
 - o Documented permission from neighbours to operate
- Enforcement: fines issued for operators offering unlicensed listings
- Rental night cap to protect long-term housing availability

COMMUNITY:

- Limit the number of short-term rentals in neighbourhood
- Security & safety compliance at time of operator registration (submit an affidavit certifying compliances such as smoke alarms, fire extinguishers, etc.) to protect neighbouring homes
- Parking restrictions

APPENDIX E3. Airbnb Feedback

From: Nathan Rotman <nathan.rotman@airbnb.com>

Date: October 23, 2019 at 4:09:20 PM CST **To:** Dawn Schikowski < <u>DSCHIKOW@regina.ca</u>>

Subject: [External email] Re: City seeks public input on short-term rentals

Dear Dawn Schikowski,

Thank you for inviting Airbnb to provide feedback as part of the City of Regina's consultation on short-term rentals.

Across our country, tens of thousands of Canadians are engaging in home sharing to help make ends meet, share experiences with visitors and support neighbourhood small businesses. The money Airbnb hosts earn from home sharing is a much needed path to economic security. For many, earning money through home sharing is making it possible for them to afford to stay in their homes. In fact, Airbnb hosts report spending more than half the money they earn through the platform on expenses like mortgage payments and household bills. These hosts include retirees and empty nesters sharing the extra space in their home and young people and couples that rely on home sharing to help pay their mortgage, save for unexpected expenses or make necessary renovations.

Regina's 430 active listings (as of Oct 1, 2019) are make travelling to Regina more affordable and support small businesses across the city. The Regina short-term rental market is predominantly used by residents of Saskatchewan, visiting the city for medical appointments, services, shopping and to visit friends and family. 27% of all guest arrivals in the last year are visitors from elsewhere in Saskatchewan and likewise 19% are visitors from Alberta. This is corroborated by Tourism Saskatchewan's own statistics which report that visiting friends and relatives is the primary reason for travel to Regina, and is also the top choice for accommodation. This highlights the need to take a cautious approach to regulating what is a common activity for families from across the province.

Across Canada there is a diversity of regulatory regimes which work to regulate short-term rentals. We would like to suggest that each city not look at what others have done, but consider their own circumstances. After all, every city is unique and has unique tourism opportunities, convention attraction and short-term housing needs. Regina, for instance has one of Canada's higher housing vacancy rates at 7.7%. New construction has outpaced demand for rentals helping to increase the vacancy rate putting pressure on building owners in the city.

For example, the City of Calgary recently passed a very sensible by-law on short-term rentals. In that Calgary has a very unique housing and employment situation, we worked closely with city staff to share ideas and best practices. The by-laws introduced in Calgary are smart for Calgary's economy. They include an online registration system and some very general regulations to ensure the safety of guests and neighbourhoods.

Airbnb would welcome the opportunity to further discuss regulatory best practices with city officials to share our experiences from around the globe. Specifically, to your question about the city's role, we wanted to share our commitment to safe and healthy neighbourhoods with you. Our host community wants to do everything they can to be good neighbors in the places they call home, which is why we launched our Neighbour Tool. Anyone can go to

APPENDIX E3. Airbnb Feedback

<u>airbnb.com/neighbors</u> to share specific concerns they might have about a listing in their community. Hosting is a big responsibility and those who fail to meet our standards and expectations will be subject to suspension or removal. We also have a new legal issues portal specifically for working with and supporting the work of local law enforcement and that can be found at <u>airbnb.com/lert</u>.

We also wanted to share some information about our **Trust and Safety priorities**. Our community's safety, both online and offline, is our priority. There have been more than 8.5 million guest arrivals in Airbnb Canada listings in the last year and negative incidents are extremely rare. Even so, we're constantly working to improve our platform, our policies, and our protections, because even one incident is one too many. In fact, Trust and Safety is its own department with offices spanning the globe in San Francisco, Seattle, Portland, Dublin, and Singapore. Our team is made up of engineers, 24/7 response agents, data scientists, product managers, designers, law-enforcement liaisons, crisis managers, and victim-advocacy specialists, in addition to policy, privacy, cybersecurity, insurance, and fraud experts—all working together to keep our community safe.

Safety features - the basics

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• Profiles:

• Each and every person on Airbnb has a profile page with important information about themselves. In order to book or host, you must provide us a full name, date of birth, phone number, email address, and payment information.

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Secure Messaging:

- Through the Airbnb platform, we also have a safe and easy way for guests and hosts to get to know each other directly before requesting or approving a reservation. Our secure on-platform messaging tool is there for both sides to ask each other questions before
- requesting or accepting a reservation and to set clear expectations something we highly recommend doing. Additionally, our messaging tool helps hosts and guests stay in touch as needed throughout the trip to ensure everything goes well.

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• Reviews:

- Our review system enables you to see what other community members have said about a potential guest, host, or home. Guests and hosts
- publicly review each other
- and can only do so after the reservation is complete, so you know the feedback is based
- on actual experiences.

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Additional protection

APPENDIX E3. Airbnb Feedback

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• 24/7 Global

- Response & Assistance: In the rare event that any issue should arise, Airbnb's global Customer
- Service and Trust and Safety teams are on call 24 hours a day, 7 days a week in 11 different languages to help make things right with rebooking assistance, as well as refunds, reimbursements, and support programs like our Host Guarantee and Host Protection
- Insurance. If, for instance, you arrive at a listing and it's not as advertised, all you need to do is reach out to our team and we are here to help.

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Host Guarantee:

- Hosts are protected by our Million
- Dollar Host Guarantee, which covers listings for up to \$1,000,000 USD in damage --
- and it's free for all hosts and every single booking.

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• Insurance:

- Our Host
- Protection Insurance provides home sharing hosts with additional protection against
- third party claims of property damage or bodily injury up to \$1,000,000 USD. Additionally,
- Experience
- Protection Insurance is primary liability insurance coverage for Experience hosts'
- liability to a third party in the event a guest or other third-party suffers bodily injury or property damage during an Experience.

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More information can be found on our Trust landing page (https://www.airbnb.com/trust) which covers much of what I listed above.

We would welcome the opportunity to discuss these issues and other priorities with the city of Regina.

Thank you,

Nathan Rotman Airbnb Canada