REPORT OF THE

STANDING POLICY COMMITTEE ON PUBLIC WORKS

DATED JULY 4, 2000

On motion of Councillor Angus, Clause 5 of the Report of the Standing Policy Committee on Public Works, dated July 4, 2000, was considered.

Strategic Infrastructure Reinvestment Policy (SIRP) Implementation Committee Report

File S-7 (Vol. 4)

716 - 5. *Note: In accordance with Section 61.5 of the Procedure By-law, the Executive Policy Committee recommends an additional extension of time of 60 days*.

Moved by Councillor Angus,
That an extension of time be granted.

Carried.

REPORT OF THE

STANDING POLICY COMMITTEE ON PUBLIC WORKS

DATED JUNE 26, 2001

On motion of Councillor Angus, the Report of the Standing Policy Committee on Public Works, dated June 26, 2001, was considered clause by clause.

Moved by Councillor Angus,

That the Consent Agenda, Clauses 1,2,3,4,5 and 6, be adopted.

Councillor Clement requested that Clause 5 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,2,3,4 and 6, was put and declared carried.

Approval of an Extension to Service Contract No. 4968 with the St. Vital Minor Hockey Association at the St. Vital Centennial Arena for the Period commencing August 1, 2001 to July 31, 2002
File GL-9 (Vol. 16) [c/r PR-2.1 (Vol. 23)]

717 - 1. Council is reminded that in the spring of 1998, a Request for "Proposals for Operational Service Contracts with Community Centres and Non-Profit Sport Organizations at City of Winnipeg Indoor Ice Arena(s)" was issued. In response thereto, three proposals were received for the St. Vital Centennial Arena.

On June 24, 1998, Council approved an award of contract for the St. Vital Centennial Arena, to the St. Vital Minor Hockey Association, who had submitted the proposal offer most advantageous to the City; said contract being a 36 month service contract to operate the St. Vital Centennial Arena. The City and the St. Vital Minor Hockey Association subsequently executed Contract No. 4968.

On February 27, 2001, the St. Vital Minor Hockey Association wrote the City of Winnipeg, in accordance with the requirements of the contract, indicating that they would like to exercise the one-year option to extend Contract No. 4968 from August 1, 2001 to July 31, 2002.

Of note, this contract includes a clause which states that:

> "SC: 8:02
>
> *By mutual agreement of the parties, this Contract may be renewed for a further term of one (1) year upon the expiration of the term, upon the same terms and conditions as contained herein with the exception of any right to renew."*

The arena service contract with the St. Vital Minor Hockey Association has been performed to the satisfaction of the Administration, which believes that it is in the best interests of the City to approve the option year.

The St. Vital Minor Hockey Association also expressed a desire to enter into a longer-term arrangement with the City at the St. Vital Centennial Arena. The Association and the Administration both wish to extend the contract on the same terms and conditions, and therefore recommend that the contract be amended, pursuant to Clauses 7f) and 8j) of The City of Winnipeg Policy on Purchasing Procedures and Disposal of Surplus Supplies, to add a further option to renew for a period not to exceed an additional three years on mutually agreeable terms and conditions. Accordingly, Clause SC:8.02 would be replaced with the following:

Report of the Standing Policy Committee on Public Works dated June 26, 2001

"SC:8.02

By mutual agreement of the parties, this Contract may be renewed for a further term not to exceed three (3) years upon the expiration of the term, upon terms and conditions to be mutually agreed upon between the parties, with the exception of any right to a further renewal."

The contract would also be amended to provide that the notice of intent to exercise the renewal option be exercised by October 1, 2001, in order that terms and conditions may be negotiated and sufficient time allowed if negotiations are unsuccessful and other arrangements must be made. A further report thereon will be submitted to the Standing Policy Committee on Public Works no later than December 31, 2001.

The Standing Policy Committee on Public Works recommends:

I. That an extension of existing Contract No. 4968 with the St. Vital Minor Hockey Association be approved for the St. Vital Centennial Arena in the estimated amount of $121,600.00.

II. That the contract extension be from August 1, 2001 to July 31, 2002, on the same terms and conditions and the contract be amended to add a further option to renew for a period not to exceed three years on mutually agreeable terms and conditions.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

(See Minute No. 784 for attachment)

Award of Contract for the Collection of Recyclables for Apartments – Tender No. 0163-2001
File GL-9 (Vol. 16) [c/r WT-1.3 (Vol. 22)]

718 - 2. On May 23, 2001, Council approved the implementation of a Waste Minimization Strategy that included the provision of comprehensive recycling for apartments effective November 1, 2001. Pursuant thereto, Tender No. 0163-2001 was issued for the collection of recyclables from apartments, which closed on June 1, 2001.

The scope of work is the collection of recyclables from apartments using 360 litre sized carts. In total there are approximately 1,700 buildings (58,000 dwelling units) included in this tender. A further tender, No. 0469-2001, was issued for the collection of recyclables from larger apartments using 2.25 cubic metre bins with a submission deadline of June 21, 2001. Small apartment complexes will be serviced with blue boxes, identical to the program for single family residential dwellings.

In response to Tender No. 0163-2001 the following bids were received, namely:

	One Year	Five Year Total
Canadian Waste Services Inc.	$663,252.00	$3,316,260.00
BFI Canada Inc.	$787,170.00	$3,935,850.00
RTC Waste Systems Corp.	Non-responsive *	

* *Did not submit sufficient bid security.*

Engineering staff of the Water and Waste Department are satisfied that the low bidder has the necessary resources to perform all of the work in accordance with the requirements of the specifications. The contractor has satisfactorily carried out previous works of a similar nature.

Report of the Standing Policy Committee on Public Works dated June 26, 2001

The Manager of Materials has advised that each of the tender submissions was accompanied by a bid bond and an agreement to bond, which have been certified by the Legal Services Division, with the exception of the bid submitted by RTC Waste Systems Corp., which was determined to be non-responsive at the opening of the tender.

The tender recommended for acceptance is the low bid meeting all requirements of the specifications and is open for acceptance until August 15, 2001.

The funding shortfall resulting from implementation of the Waste Minimization Strategy has been referred to the 2002 to 2004 current estimates process. Funds for this contract will be included in the 2002 to 2004 Current Estimates, Account No. 45 552102 200203.

The Standing Policy Committee on Public Works recommends:

I. That a multi-year contract for the collection of recyclables from apartments using 360 litre sized carts be awarded to Canadian Waste Services Inc., the lowest evaluated responsive bidder meeting the specifications of Tender No. 0163-2001 in the amount of $663,252.00 per year, plus GST, for the period commencing November 1, 2001 to October 31, 2006.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

(See Minute No. 785 for attachment)

Interest Charge on Overdue Bills for Water and Sewer Services

File WW-2.3 (Vol. 15)

719 - 3. The Standing Policy Committee on Public Works has been advised that the Water and Waste Department does not charge interest on overdue bills for water and sewer services. A few customers routinely delay paying their water and sewer bill until the point of disconnection. This behavior results in higher postage costs for additional reminder notices, notification of water disconnection, etc., and lost revenue associated with the time value of money. Pursuant to a 1998 amendment to the Sewer By-law No. 7070/97, delinquent bills are referred to a private collection agency.

Charging interest on overdue accounts would assist the utility to collect payment from customers in a more timely manner. In the past, the Department has not implemented an interest charge on overdue bills due to a lack of programming staff and the cost involved to modify the main frame billing system. However, implementation of the new billing system provides the opportunity to implement such a charge in 2002. Section 549(1) of The City of Winnipeg Act grants authority to the City to establish rates for utilities involving “the adding of penalties to rates in arrears”.

Charging for overdue accounts is an accepted business practice and an equity issue. Those account holders responsible for these additional postage and collection costs should be held accountable to pay them and not those who pay on time.

Payments on accounts are due within 15 days of the billing date. Interest would be charged on outstanding amounts 18 days after the billing date. An interest rate of 1.5% per month is proposed to be consistent with the amount charged by Winnipeg Hydro on overdue accounts, and is generally consistent with other utilities. Over time, this revenue would be used to stabilize and/or reduce rates. Implementation of the interest charge on overdue accounts could increase revenue by an estimated $100,000.00 per year.

Customers will receive two informational inserts with their water and sewer bill advising them that interest will be charged on overdue accounts. The first insert will be distributed with quarterly bills prior to the implementation of the charge, and a second insert will accompany bills at the time the charge is implemented. Information will also be added on the back of the bill explaining the charge.

Report of the Standing Policy Committee on Public Works dated June 26, 2001

To align the current Water Works By-law with the current Sewer By-law on the matter of collection agencies, Section 15(1) will include a statement on the policy of referring outstanding accounts to collection agencies. It is currently the practice of the Water and Waste Department to refer such accounts to a private collection agency.

The Standing Policy Committee on Public Works therefore recommends:

I. That the Sewer By-law No. 7070/97 and Water Works By-law No. 504/73 be amended to permit charging 1.5% interest monthly on overdue accounts.

II. That the Water Works By-law No. 504/73 be amended to permit the referral of delinquent bills to a collection agency.

III. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary amending by-laws for submission directly to Council for approval.

IV. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

(See Minute No. 786 for attachment)

Local Improvement Projects to be Funded and Constructed in 2002
File SL(2001) (Vol. 1)

720 - 4. At its meeting held on June 26, 2001, the Standing Policy Committee on Public Works considered and concurred in the recommendations of the Community Committees with respect to the Local Improvement Status Report of projects advertised on March 26, 2001, as well as that submitted by way of successful "Petition For", and pursuant thereto recommends:

I. That the following local improvements be proceeded with, namely:

TYPE	DESCRIPTION	PROJECT COST
CITY CENTRE COMMUNITY		
Ornamental Lane Lighting	On all lanes in the block bounded by Portage Avenue and Broadway, Sherbrook and Maryland Streets	$22,000.00
EAST KILDONAN-TRANSCONA COMMUNITY		
Wastewater Sewer	In DeVries Avenue from Bonner Avenue to Ragsdill Road	$94,092.80
Watermain	In DeVries Avenue from Bonner Avenue to Ragsdill Road	$62,668.80
12' Lane Oiling	On the first east-west lane north of Whiteshell Avenue and McMeans Bay from Winona Street to McMeans Avenue West [Note: Of the total assessable frontage the City will assume the cost for 2,241.6 feet or 59.08% for City owned property.]	$16,000.00
ASSINIBOIA COMMUNITY		
Ornamental Street Lighting	On Arena Road from Ellice Avenue to St. Matthews Avenue	$35,000.00

Report of the Standing Policy Committee on Public Works dated June 26, 2001

TYPE	DESCRIPTION	PROJECT COST
LORD SELKIRK-WEST KILDONAN COMMUNITY		
16' x 6" Concrete Lane Pavement	On the first north-south lane outlet south of Boyd Avenue east of Battery Street. [Note: As the Railway Right-of-Way abutting this proposed improvement is unfit for building purposes, the City is assuming the levies in respect to those lands.]	$ 1,000.00
Ornamental Lane Lighting	On the first east-west lane south of Mapleglen Drive from Marlow Court (east leg) to Marlow Court (west leg) [Note: Of the total assessable frontage the City is not assuming any costs for City owned land or City's share (flankage).]	$16,500.00
14' x 6" Concrete Lane Pavement	On the first north-south lane west of Ada Street from Pacific Avenue West to the first east-west lane north of Pacific Avenue West	$23,000.00
RIEL COMMUNITY		
16' x 6" Concrete Lane Pavement	On the lane in the block bounded by St. Luc Street and Carrière Avenue, Youville Street and Bristol Avenue	$53,000.00
5' Concrete Sidewalk	On the south side of Mapleridge Avenue from Ulster Street to Caledon Road and on the east side of Ulster Street from Greencrest Avenue to the south line of Mapleridge Avenue [Note: The properties on both sides of the street will be assessed for the construction of this improvement.]	$20,000.00
5' Concrete Sidewalk	On the east side of Howden Road (east leg) from the north line of Howden Road (north leg) to Humber Road (north leg) [Note: The property on both sides of the street will be assessed for the construction of this improvement.]	$17,000.00
16' x 6" Concrete Lane Pavement	On the first north-south lane east of Archibald Street from Maginot Street to Elizabeth Road [Note: As the Railway Right-of-Way abutting this proposed improvement is unfit for building purposes, the City is assuming the levies in respect to those lands.]	$130,000.00

II. That, in accordance with the policy for funding local improvements adopted by Council on July 22, 1998, as outlined in Clause 1 of the Report of the Standing Committee on Fiscal Issues dated July 13, 1998, construction be deferred until the year 2002, and necessary funding be identified in the 2002 Annual Capital Estimates.

III. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Local Improvement By-law in accordance with the foregoing and submit same directly to Council for approval.

IV. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

Access to Existing Industrial Commercial Development Located on C.T. 888901, West of Kenaston Boulevard

File SC-1(31) (Vol. 4)

721 - 5. The Standing Policy Committee on Public Works has been advised that an application has been received from J. Zirino, Zirino's Truck and Fleet Centre, for the construction of a gravel private approach on the south side of the unimproved snow dump access road, west of Kenaston Boulevard.

This application is non-conforming under The City of Winnipeg Private Approaches By-law No. 6546/95, Section 3, Subsection (2), which states:

Report of the Standing Policy Committee on Public Works dated June 26, 2001

> *"(2) No approach shall be constructed, erected or installed in any street or section of street set forth in Schedule 1 hereto, provided that on those streets or sections of street which have service roads adjacent to the main roadways, this Schedule shall apply only to the main roadways and not to the service roads."*

This section of Kenaston Boulevard, and the unimproved snow dump access road, is contained within Schedule 1.

The site is currently vacant, and there are no existing private approaches to this land. The applicant is proposing to construct a commercial building to service large trucks and tractor trailers. The proposed access to this development is to be by way of a private approach on the south side of the unimproved snow dump access road, west of Kenaston Boulevard. The unimproved snow dump access road is contained within Schedule 1 of the Private Approaches By-Law, as at one time future plans for the right-of-way included a major east-west thoroughfare. While this major thoroughfare is no longer required, there is a street proposed which will serve future industrial development along both sides of the roadway. The applicant's property will ultimately be accessed from the new street within what is now right-of-way which had been reserved for a future interchange which will no longer be required.

The Public Works Department does not expect traffic operating problems on the unimproved snow dump access road as a result of this private approach. However, as the unimproved snow dump road is not maintained during summer months, the applicant should be responsible for maintenance of the roadway during this time.

There is no financial impact or cost to the City if this non-conforming private approach is approved.

The Standing Policy Committee on Public Works recommends:

I. That the construction of one 7.3 metre gravel private approach on the south side of the unimproved snow dump access road, west of Kenaston Boulevard, be approved as shown on Drawing No. A-9317B, identified as Appendix "A" hereto.

II. That the applicant shall be solely responsible for maintenance of the snow dump access roadway during the summer months.

III. That the City Solicitor/Manager of Legal Services be instructed to prepare for submission directly to Council, an amendment to Schedule 1 of the Private Approaches By-law No. 6546/95.

IV. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Moved by Councillor Angus,
Adoption of the clause.

Carried.

(See Minute No. 787 for attachment)

Extension of Silver Avenue from Madison Street to St. James Street
File SC-3.11(31) (Vol. 4) [c/r FC(2002)]

722 - 6. The Standing Policy Committee on Public Works has been advised that as part of the redevelopment of the west side of St. James Street, between Ness and St. Matthews Avenues, the developer had their transportation engineering consultant review the implications of extending Silver Avenue from Madison Street to St. James Street. The Transportation Division of the Public Works Department has subsequently reviewed the consultant's analysis and is in agreement that the extension can be expected to have significant benefits for both the development and the City in terms of improving traffic circulation in the Polo Park area. The extension will

Report of the Standing Policy Committee on Public Works dated June 26, 2001

produce a change in traffic patterns between St. James Street and Route 90, and will relieve traffic density on both Ness and Ellice Avenues.

As part of its 2001 Capital Program, the Public Works Department is carrying out a Traffic Improvement Study of the Polo Park area and it is expected that the extension of Silver Avenue will be one of the recommendations of this study once completed at the end of August, 2001.

The developer desires to expedite the construction of the extension so that it can be in place prior to the projected opening of their centre this fall. In this regard, the Public Works Department has had discussions with the developer on a proposal to have the developer front end the construction of the extension of Silver Avenue in 2001, with the City repaying its share of construction and land acquisition costs ($700,000.00) from the 2002 Capital Program. The estimated construction costs are approximately $615,000.00, plus contingencies and GST, with the developer's share being approximately 42% of these costs and the City's share being approximately 58%. The estimated land acquisition costs are approximately $527,000.00, plus GST, with this cost split evenly between the developer and the City.

Provided the City's share is repaid prior to April 30, 2002, there shall be no interest payable. A formal agreement will have to be executed by the developer following Council's approval, to the satisfaction of the Legal Services Division.

If approval of the project and the funding as a commitment against the 2002 Capital Estimates is not granted, the developer will likely proceed to develop the subject property in such a manner which may preclude the extension in the future, or he may not be willing to enter into a cost sharing arrangement should the extension be constructed at some further time.

The Public Works Department will adjust its Capital Program for 2002 and beyond to stay within the Council approved guidelines. Funding is available from reduced capital project estimated costs as a result of more detailed and refined project estimates, as well as a reduction in the overall "Regional Street Renewals – Annual Program".

The Standing Policy Committee on Public Works therefore recommends:

I. That the Administration be authorized to enter into a servicing agreement with Oxbow Holdings Ltd. and Alloway Investments Ltd., for the 58/42 (City/Developer) cost sharing of the land acquisition and construction costs for the extension of Silver Avenue from Madison Street to St. James Street.

II. That $700,000.00 be committed in the 2002 Capital Estimates to reimburse Oxbow Holdings Ltd. and Alloway Investments Ltd., for land acquisition and construction undertaken in 2001.

III. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

(See Minute No. 788 for attachment)

REPORT OF THE

STANDING POLICY COMMITTEE ON PUBLIC WORKS

DATED JULY 5, 2001

On motion of Councillor Angus, the Report of the Standing Policy Committee on Public Works, dated July 5, 2001, was considered clause by clause.

Moved by Councillor Angus,
That the Consent Agenda, Clauses 1,2 and 3, be adopted.

Carried.

Award of Contract for the Collection of Recyclables from Apartments using Front End Containers – Tender No. 0469-2001
File GL-9 (Vol. 16) [c/r WT-1.3 (Vol. 22)]

723 - 1. On May 23, 2001, Council approved the implementation of a Waste Minimization Strategy that included the provision of comprehensive recycling for apartments effective November 1, 2001. Pursuant thereto, Tender No. 0469-2001 was issued for the collection of recyclables from apartments using front end containers, which closed on June 21, 2001.

The scope of work is the collection of recyclables from apartments using 2.25 cubic metre sized bins. In total there are approximately 200 buildings (27,000 dwelling units) included in this tender. Another tender, No. 0163-2001, closed on June 1, 2001, for the collection of recyclables from smaller apartments using 360 litre sized carts. Small apartment complexes will be serviced with blue boxes under the current single family residential recycling collection contract.

In response to Tender No. 0469-2001 the following bids were received, namely:

	One Year	Five Year Total
BFI Canada Inc.	$351,594.00	$1,757,970.00
Canadian Waste Services Inc.	$757,465.08	$3,787,325.40

Engineering staff of the Water and Waste Department are satisfied that the low bidder has the necessary resources to perform all of the work in accordance with the requirements of the specifications. The contractor has satisfactorily carried out previous works of a similar nature.

The Manager of Materials has advised that each of the tender submissions was accompanied by a bid bond and an agreement to bond, which have been certified by the Legal Services Division.

The tender recommended for acceptance is the low bid meeting all requirements of the specifications and is open for acceptance until October 4, 2001.

The funding shortfall as a result from implementation of the Waste Minimization Strategy has been referred to the 2002 to 2004 current estimates process. Funds for this contract will be included in the 2002 to 2004 Current Estimates, Account No. 45 552102 200203.

The Standing Policy Committee on Public Works recommends:

I. That a multi-year contract for the collection of recyclables from apartments using front end containers be awarded to BFI Canada Inc., the lowest evaluated responsive bidder meeting the specifications of Tender No. 0469-2001 in the amount of $351,594.00 per year, plus GST, for the period commencing November 1, 2001 to October 31, 2006.

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II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

(See Minute No. 789 for attachment)

Amendments to the Canada – Manitoba – City of Winnipeg Agreement on Secondary Diking Enhancements

File PD (Vol. 15)

724 - 2. On February 24, 1999, Council adopted the Report of the Standing Policy Committee on Public Works dated February 1, 1999, thereby approving the Canada – Manitoba – City of Winnipeg Agreement on Secondary Diking Enhancements, specifically an engineering feasibility study of community ring dike sites in the City.

The Federal Government subsequently prepared a revised draft Agreement between Canada, Manitoba and the City of Winnipeg on Secondary Diking Enhancements. This revised Agreement supersedes the previous Agreement approved by Council on February 24, 1999. The previous Agreement was not finalized and the works covered, specifically an engineering feasibility study of Community Ring Dike sites in the City, were included in the revised draft Agreement along with the new works (design and construction of secondary diking enhancements).

On June 23, 1999, Council adopted the Canada – Manitoba – City of Winnipeg Agreement on Secondary Diking Enhancements (Revised), with the understanding that the proposed Agreement covered only a portion of a larger program required to provide permanent flood protection works, and authorized the Proper Officers of the City to finalize the details of the formal Agreement. The purpose of the Agreement is to enable the implementation of secondary diking works within the City of Winnipeg through a cost-shared funding arrangement.

Also at that time, Council adopted a Policy on Funding and Maintenance whereby:

1. The 10% of the total costs for a Community Ring Dike not covered by the Federal and Provincial Governments be recovered from the benefiting properties protected by the dike through a local improvement.

2. The construction of each Community Ring Dike project, where constructed on private property, be subject to the acquisition of an easement from each of the property owners.

3. The maintenance of secondary dikes and associated works be the responsibility of the property owner.

4. The City recover the full cost of future flood protection assistance, including supply of material for temporary secondary dikes, from those property owners who elect not to participate in the Canada - Manitoba Flood Proofing Program.

Program Budget Constraints

On August 10, 1999, the Canada – Manitoba – City of Winnipeg Agreement on Secondary Diking Enhancements was executed. Schedule “A” of the Agreement calls for cost sharing as set out in the table below.

Estimated Cost Sharing				
	Canada	Manitoba	City of Winnipeg	Total
Community Ring Dike Feasibility Study	$ 180,000.00	$ 180,000.00	$ 40,000.00	$400,000.00
Secondary Diking Enhancements				
a) Community Ring Dikes	2,850,000.00	2,850,000.00	635,000.00	6,335,000.00
b) Individual Flood Proofing	2,170,000.00	2,170,000.00	60,000.00	4,400,000.00
Total	$5,200,000.00	$5,200,000.00	$735,000.00	$11,135,000.00

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An organizational structure is in place to administer the Agreement. The City of Winnipeg has been designated as the Project Manager and, with the concurrence of the Implementation Committee, has undertaken a number of tasks designed to implement the terms of the Agreement.

Community Ring Dike Initiative

The first task under the community ring dike initiative was to oversee the completion of the engineering Feasibility Study, which resulted in an economic assessment and priority ranking of potential dike sites in Winnipeg along with estimated dike construction cost data. The draft report was made available by the consultants, KGS Group, in August 2000.

Following the publication and review of the draft report a series of public information meetings was held with the residents in flood affected areas. The draft report identified 23 potential dike sites and ranked them according to benefit/cost ratio, as outlined in Table A identified as Appendix "B" hereto. Public meetings were convened in the communities involved in October 2000, to present the results of the consultant study to the potential dike site residents. The Agreement Management Committee subsequently approved the first nine projects on the priority list for further consultation, based on the funding available and on the understanding that projects further down the list may be added if communities elected not to proceed with a diking program. The benefit/cost priority rating is currently being refined and updated, and the final project ranking list is anticipated to be made available to the Standing Policy Committee on Public Works for its September meeting.

A second round of public consultations was held during the winter and early spring of 2001. These consultations culminated in a series of informal community votes, which were undertaken by letter, to determine the interest of the benefiting properties in pursuing a community ring dike project in their neighbourhood. At this time five of the nine ring dike sites have indicated a tentative desire to proceed with some type of permanent diking. Polling is not yet complete on some sites and others have chosen not to proceed. An overview of the status of the community ring dike initiative is provided in Appendix "C" hereto.

Individual Flood Proofing Program

The City of Winnipeg's Individual Flood Proofing Program was jointly announced by Canada, Manitoba and Winnipeg in a news release on Friday, April 14, 2000. Information on the program and application forms were mailed thereafter directly to the approximately 300 owners whose properties were categorized under this program. The available funding of $4.4 million was estimated to provide assistance for projects at approximately 90 properties. Priority will be given to those properties that require at least four feet of protection and have the highest benefit cost ratios. The locations are scattered throughout the City and some examples are Kildonan Drive, Roslyn Road, Pembina Highway, Wellington Crescent, Christie Road and Cloutier Drive.

Canada, Manitoba and the property owner share in the cost of engineering and construction of individual flood proofing through a program that contributes up to $60,000.00 and requires the benefiting property to contribute 25% of the first $40,000.00 and any amount over $70,000.00.

Budget Status of the Canada – Manitoba – City of Winnipeg Agreement

The community ring dike initiative and the individual flood proofing programs are over subscribed and under funded. The following table depicts the projected shortfall in funding for the programs based on the best information we have available at this time.

Report of the Standing Policy Committee on Public Works dated July 5, 2001

Program Area	Budget	Projection	Shortfall
Studies, engineering, mapping, etc	$ 400,000.00	$ 600,000.00 *	$ 200,000.00
Community ring dikes	6,335,000.00	6,768,000.00 **	433,000.00
Individual flood proofing	4,400,000.00	7,641,000.00 ***	3,241,000.00
Total	$11,135,000.00	$15,009,000.00	$3,874,000.00

Includes additional pre-design engineering work authorized on some sites *

Community ring dike projections **

Voted to Proceed: Parkwood Place, Kingston Crescent, North Drive, Kildonan Drive, Kilkenny Drive North	$3,991,000.00
Vote Pending: Kilkenny Drive	1,190,000.00
	5,181,000.00
Vote Not Yet Taken: Scotia Street South No. 2	530,000.00
	5,711,000.00
Vote Pending: Lord Avenue @ 22.5 (24.5 is 336,000 more)	1,057,000.00
	$6,768,000.00

NOTE: There is no provision in the foregoing for Department of Fisheries and Oceans (DFO) studies, approvals or compensation.

There is no provision in the foregoing for additional rip-rap on Kingston Crescent/Row @ $1.5 million which is a program change currently under study by the project consultant, KGS Group.

Individual flood proofing projections ***

Total applications for funds		$9,780,000.00
Projection of funding requirements including Special Cases		$7,641,000.00
Minimum Potential Payouts		
Multi-family applications (condos)	$4,380,000.00	
Special Cases (low cost/high risk properties)	312,000.00	
Individual claims paid	94,000.00	
Commitments made (engineering, design approval)	900,000.00	
	$5,686,000.00	

If Scotia Street South No. 2 and Lord Avenue are deleted from the foregoing analysis it still leaves the program with a minimum shortfall as outlined below.

Engineering	$ 600,000.00	
Community ring dikes	5,181,000.00	
Individual flood proofing	5,686,000.00	
	$11,467,000.00	Shortfall $332,000.00

This leaves no contingency, no funding for DFO studies and approvals, no provision for rip-rap on Kingston Crescent/Row and will require further reductions to individual programs where commitments have been made.

Program Funding Recommendation

In summary, the program is under funded and it is recommended that the senior levels of government be requested to add funding to this program as follows:

Program shortfall to fund mandate	$ 3,874,000.00
Additional rip-rap on Kingston Crescent/Row	1,500,000.00
DFO studies, approvals and compensation (allowance)	500,000.00
Allowance for inflation on ring dike projects	350,000.00
Allowance for individual applications where ring dikes not proceeding	600,000.00
Contingency	350,000.00
Total Additional Funding Required	7,174,000.00
City of Winnipeg share at 10%	717,000.00
Net Funding Request	$ 6,457,000.00

Report of the Standing Policy Committee on Public Works dated July 5, 2001

At a recent meeting of the Management Committee overseeing the Agreement, which includes senior administrative representatives from the Federal and Provincial governments, the matter of an increase in the Agreement funding with the City was discussed. The Management Committee has indicated that it would not support an increased funding request, and suggested that the City pursue supplementary funding for community ring dikes through the infrastructure program.

Should additional funding not become available it will be necessary to begin further prioritizing projects in both program areas. The Administration will prepare program reduction options for consideration by the Standing Policy Committee on Public Works for its September meeting.

Program Time Constraints

The Canada – Manitoba – City of Winnipeg Agreement on Secondary Diking Enhancements has a sunset date of March 31, 2003. Clause 4.1 of the Agreement states:

> *"This Agreement shall commence on and take effect from the date on which it has been executed and shall terminate March 31, 2003 or such other date as may be mutually agreed to in writing by the parties hereto."*

Concluding the Agreement by this date and having the projects completed is not possible because of the program logistics in the urban area of Winnipeg, construction schedules, local improvement requirements, easement and maintenance agreement acquisition and DFO approvals.

Construction Logistics and Schedules

As discussed, in Winnipeg, because of the large number of potential dike sites and the riverbank conditions, it was necessary to do a significant Feasibility Study to prioritize dike sites. Once this phase was complete a community consultation process followed that allowed benefiting property owners the opportunity to understand their options and indicate their willingness to participate in the program and cost share through the local improvement process. Detailed dike design has commenced at several sites which is a precursor to the local improvement process since accurate cost estimates must be available before property owners can be petitioned.

In order to complete a project by March 31, 2003, the riverbank construction phase would need to be done in the winter of 2001/2002 and the onshore bank works would take place during the summer of 2002. Given that we could not tender the riverbank phase until January 2002, to accommodate the local improvement process described below, it is not deemed possible to complete this phase until the winter of 2002/2003, and therefore the project could not be completed before the Agreement sunset date.

Local Improvement Process

The local improvement phase of this process is required so that the City can collect the 10% cost of the project back from the benefiting property owner as required by Council policy adopted June 23, 1999. This will be done by District Local Improvement and will be one of the first uses of this new section of The City of Winnipeg Act. Because of the requirements of the Act, it will take approximately six to seven months to get the process to the point of a vote on the petition. A successful vote would be followed by a tender call for the works, followed by award and construction. It is estimated that the petition vote could not occur until January 2002, and given the schedule outlined above, winter construction in 2001 is not possible.

Easement and Maintenance Agreement Acquisition

A further requirement of the June 23, 1999, Council Order is that each property owner shall enter into an easement agreement and that they also enter into a maintenance agreement for the secondary dike and associated works for which they will become responsible. It is likely that some property owners, particularly those who oppose the project, will withhold signing easement and maintenance agreements, resulting in the need for expropriation which is a time consuming process.

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Department of Fisheries and Oceans (DFO) Process

Another factor that has arisen since the signing of the Agreement is that the Department of Fisheries and Oceans (DFO) has begun to implement its new mandate. This means that all projects that may impact river biota must be screened and be subject to approvals and possible compensation for altered habitat. The nature of the studies required and the impact on the river works has yet to be determined but the reality is that this effort will consume time and program dollars.

Program Time Extension Recommendation

The foregoing shows that the senior levels of government should be approached to ask for a program extension as contemplated in Clause 4.1 of the Agreement. Because of the many unknowns a two year extension would be in order.

At a recent meeting of the Management Committee overseeing the Agreement, the possibility of a time extension was discussed, however, the Committee indicated that it would not support such a request at this time.

Alternative to the Local improvement Process

While it is not recommended by the Water and Waste Department, Council may wish to revisit its decision of June 23, 1999, that requires the homeowner to contribute 10% toward the cost of flood protection and in this way greatly speed up the program by eliminating the local improvement process phase. This policy change would cost the City at-large taxpayers approximately $677,000.00 for the community ring dike program as projected.

Should Council wish to extend the City at-large contribution program to the individual flood proofing program a formula could be applied that would forgive 10% of the expenditures up to $70,000.00. The cost would be $764,100.00 for the program as projected.

If the senior levels of government made no additional funding available then the financial commitments would be reduced to $633,500.00 for the ring dike program and $440,000.00 for the individual flood proofing program. These estimates are for the programs as originally forecast in the Agreement.

The senior funding partners would have to agree to amend the Agreement as it presently calls for a local improvement process to fund the 10% City share. It should be noted that other communities in the Red River Valley have funded projects in this manner. In addition, there are other projects that are constructed or under construction in Manitoba south of the floodway where the local improvement process has not yet been initiated, such as Grande Pointe. The likelihood of a successful petition under these circumstances is remote.

Finally, should the 10% contribution by the benefiting property owner be waived it may be necessary to re-canvass the communities that voted not to proceed as the 10% contribution may have been a deciding factor in their vote. This is not difficult or time consuming to do and it is felt that it likely will not change the vote outcomes based on our knowledge of the community voting patterns.

The Standing Policy Committee on Public Works recommends:

I. That the senior funding partners of the Canada – Manitoba - City of Winnipeg Agreement on Secondary Diking Enhancements be approached to amend the Agreement by:

   A. the addition of $6,457,000.00 in program funding; and
   B. the extension of the sunset date by two years, to March 31, 2005.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Copy of Appendix “B” and “C” referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

(See Minute No. 790 for attachment)

Report of the Standing Policy Committee on Public Works dated July 5, 2001

Local Improvement District Initiation By-laws – Community Ring Dikes
File SL-1 (Vol. 21)

725 - 3. The Canada – Manitoba – City of Winnipeg Agreement on Secondary Diking Enhancements is a funding agreement that provides a total of $11.135 million toward secondary diking projects. Canada and Manitoba are each contributing $5.2 million and the City of Winnipeg is contributing $735,000.00. The funding is allocated to a Community Ring Dike Sites Feasibility Study ($400,000.00), the design and construction of individual flood proofing projects ($4,400,000.00) and community ring dikes ($6,335,000.00). Pursuant to Council's directive of June 23, 1999, the City's share of community ring dike costs is to be recovered from the benefiting property owners through the local improvement process.

The Canada – Manitoba – Rural Municipality of Ritchot – City of Winnipeg Agreement on Flood Protection for the Community of Grande Pointe and the Area of St. Mary's Road South Agreement, finalized in May 2000, will provide protection to the Grande Pointe community, which includes 11 property owners within the City of Winnipeg on Hallama Drive and 199 property owners in the Rural Municipality of Ritchot, who will be protected by a community ring dike. The total cost of this community ring dike is $6.3 million, with the City's share being $32,000.00 to be recovered from the benefiting property owners through the local improvement process as directed by Council.

The City of Winnipeg Act provides a mechanism for conducting district local improvements. In the case of the community ring dike initiative the benefiting properties are readily identifiable. The communities have been widely consulted on flood mitigation options through a series of public meetings held in the communities and informal community votes have been taken to indicate a willingness to proceed with the project. Accordingly, a series of district local improvement initiatives is to be carried out with the first projects being Grande Pointe, Kingston Crescent/Row and Kilkenny Drive North. These are the first projects to move through the district local improvement process as they are the farthest along in having the detailed cost information required for the local improvement petition. The Grande Pointe project, which is being managed by the Province, is approaching construction stage and the Kingston Crescent/Row and Kilkenny Drive North projects are in detailed design stage.

Pursuant to Section 392.1(5) of The City of Winnipeg Act, the creation of local improvement districts for the purpose of building community ring dikes may be initiated by the Council of the City of Winnipeg.

Designation of the Riel Community Committee as the District Proposal Committee will allow the formal process as contemplated in the Act to continue. Council has previously dealt with a district local improvement, that being the Fairfield Park initiative, and in that case the Riel Community Committee was also the District Proposal Committee.

The next step in the process will be the conduct of public hearings by the District Proposal Committee where the property owners again have an opportunity for input into the process. This is followed by amendments to the District Proposal if deemed necessary by the District Proposal Committee who will then provide its advice and recommendations to Council. If Council gives first reading to the District Proposal it then proceeds to the "notice of objection" stage in the process.

There is no financial impact associated with this proposal, as the City's share is to be recovered through the local improvement process.

The Standing Policy Committee on Public Works recommends:

I. That Council direct the Administration to prepare a Local Improvement District Initiation By-law for the Grande Pointe Community Ring Dike Local Improvement District that will:

   A. identify the boundaries of the Grande Pointe Community Ring Dike Local Improvement District as outlined on Map 1 identified as Appendix "A" hereto;
   B. Include the local improvements as shown on Map 1 identified as Appendix "A" hereto;
   C. Designate the Councillors of the Riel Community Committee as the committee of Council to conduct public hearings as required for the Grande Pointe Community Ring Dike Local Improvement District.

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II. That Council direct the Administration to prepare a Local Improvement District Initiation By-law for the Kingston Crescent/Row Community Ring Dike Local Improvement District that will:

A. Identify the boundaries of the Kingston Crescent/Row Community Ring Dike Local Improvement District as outlined on MAPS 07C and 07D identified as Appendix "B" hereto;
B. Include the local improvements as shown on Maps 07C and 07D identified as Appendix "B" hereto;
C. Designate the Councillors of the Riel Community Committee as the committee of Council to conduct public hearings as required for the Kingston Crescent/Row Community Ring Dike Local Improvement District.

III. That Council direct the Administration to prepare a Local Improvement District Initiation By-law for the Kilkenny Drive North Community Ring Dike Local Improvement District that will:

A. Identify the boundaries of the Kilkenny Drive North Community Ring Dike Local Improvement District as outlined on Map 11E identified as Appendix "C" hereto;
B. Include the local improvements as shown on Map 11E identified as Appendix "C" hereto;
C. Designate the Councillors of the Riel Community Committee as the committee of Council to conduct public hearings as required for the Kilkenny Drive North Community Ring Dike Local Improvement District.

IV. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing, including the execution of any documents related thereto.

Copy of attachments referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

STANDING POLICY COMMITTEE ON PUBLIC WORKS

CONSIDERATION OF BY-LAWS

726 - On motion of Councillor Angus, the following by-laws were read a first, second and third time, the rule being suspended for the third reading of each by-law, and were passed and ordered to be signed and sealed, namely:

By-law No. 7876/2001, a by-law of The City of Winnipeg to establish the Committee of Council for the proposed Grande Pointe Community Ring Dike Local Improvement District. File SL-1 (Vol. 21)

By-law No. 7877/2001, a by-law of The City of Winnipeg to establish the Committee of Council for the proposed Kilkenny Drive North Community Ring Dike Local Improvement District. File SL-1 (Vol. 21)

By-law No. 7878/2001, a by-law of The City of Winnipeg to establish the Committee of Council for the proposed Kingston Crescent/Kingston Row Community Ring Dike Local Improvement District. File SL-1 (Vol. 21)

By-law No. 7881/2001, a by-law of The City of Winnipeg to amend By-law No. 7070/97, being the Sewer By-law to permit charging of interest on overdue accounts. File WW-2.3 (Vol. 15)

By-law No. 7882/2001, a by-law of The City of Winnipeg to amend By-law No. 504/73, being the Water Works By-law. File WW-2.3 (Vol. 15)

STANDING POLICY COMMITTEE ON PUBLIC WORKS

QUESTION PERIOD

727 - In reference to Clause 1 of the Report of the Standing Policy Committee on Public Works dated June 26, 2001, "Approval of an Extension to Service Contract No. 4968 with the St. Vital Minor Hockey Association at the St. Vital Centennial Arena for the Period commencing August 1, 2001 to July 31, 2001", Councillor Steeves inquired if that agreement was representative of arrangements at other arenas across the city. Councillor Angus replied in the affirmative.