REPORT "A" OF THE

EXECUTIVE POLICY COMMITTEE

DATED JULY 7, 1999

On motion of His Worship Mayor Murray, Report "A" of the Executive Policy Committee, dated July 7, 1999, was considered clause by clause.

Moved by His Worship Mayor Murray,
That the Consent Agenda, Clauses 1,2 and 3, be adopted.

703 - Pursuant to The Municipal Council Conflict of Interest Act, Councillor Timm-Rudolph advised that she would refrain from entering the discussion and from voting on Clause 1, due to the employment of a family member with the Manitoba Lotteries Commission.

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

Proposed Opening of Part of Owen Street
North of Regent Avenue West
File DAO 2/99

704 - 1. The Executive Policy Committee has been advised that in 1996, the Genstar Development Company entered into Consent Agreement No. CA 2/95 with the City of Winnipeg. One of the conditions outlined in this agreement was the dedication of the lands shown as "Proposed Street Widening" on Misc. Plan No. 10580, outlined in Schedule "A". The present owner of the subject land, the Manitoba Lotteries Commission, has requested that the City of Winnipeg initiate the street opening.

Under the provisions of By-law No. 7325/98, a by-law which will amend current procedures to allow for certain street opening and closing applications is to be submitted to the Executive Policy Committee for report to Council.

The following criteria must be met before the authority outlined within the by-law may be exercised, namely:

1. The proposed opening and acquisition must have been approved by the Director of Public Works.

2. The proposed opening must have been submitted to all affected City departments and public utilities with no objections having been received.

3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.

4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the opening.

5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues, the Standing Policy Committee on Property and Development, or the Director of Property and Development Services, as is appropriate.

All of these criteria have been met.

All of the costs associated with this opening are to be borne by the applicant, the Manitoba Lotteries Commission.

The dedication of this property as a public street requires a by-law pursuant to Section 495 of The City of Winnipeg Act.

The Executive Policy Committee recommends:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street opening in accordance with Misc. Plan No. 10580, as outlined in Schedule "A".

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

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Adopted by consent.

(See Minute No. 703 for disclosure of conflict by Councillor Timm-Rudolph)

The Emergency Preparedness and Coordination Committee File PE (Vol. 3)

705 - 2. The Executive Policy Committee has been advised that there have been several personnel changes with respect to the composition of the Emergency Preparedness and Coordination Committee (EPCC) since its existing structure was adopted by Council on May 27, 1998.

Under the former Board of Commissioners structure the Chief Emergency Coordinator position was the responsibility of the Commissioner of Protection, Parks and Culture. With the establishment of the Chief Administrative Officer Secretariat, this responsibility was tentatively assigned to the Chief Administrative Officer.

The Chief Administrative Officer had requested that the Emergency Preparedness and Coordination Committee review the position of Chief Emergency Coordinator and the composition of individuals serving on the Emergency and Preparedness Coordination Committee.

The Emergency Preparedness and Coordination Committee, subsequent to its review, recommends that Mr. Robert P. Gannon, the current Chief Financial Officer, be appointed to the position of Chief Emergency Coordinator for the City of Winnipeg. Under current and relevant legislation, the appointment of the Chief Emergency Coordinator must be approved by Council.

As well, given the ongoing changes of the individuals serving on the Emergency Preparedness and Coordination Committee (EPCC), or as Alternate Chief Emergency Coordinators and associated support staff, it would prove advantageous to delegate to the Chief Emergency Coordinator the authority to select the appropriate individuals to serve on the EPCC or as Alternate Chief Emergency Coordinators in the future.

The Executive Policy Committee recommends:

I. That the existing structure of the Emergency Preparedness and Coordination Committee adopted by Council on May 27, 1998 remain status quo.

II. That Mr. R. P. Gannon, the current Chief Financial Officer, be appointed as the Chief Emergency Coordinator.

III. That the future composition of individuals serving on the Emergency Preparedness and Coordination Committee and support staff, as identified in Clause 1 of the Report of the Executive Policy Committee dated May 13, 1997, previously adopted by consent by Council on May 27, 1998, be delegated to the Chief Emergency Coordinator.

IV. That the Chief Emergency Coordinator be delegated the authority to appoint Alternate Chief Emergency Coordinators within the Senior Management ranks as required.

Adopted by consent.

Request for Loan Guarantee - Glenwood Community Club Inc File FC-2.2 (Vol. 2)

706 - 3. The Executive Policy Committee has been advised that on March 9, 1999, the Riel Community Committee considered a request for a loan guarantee from the Glenwood Community Club Inc. and referred the matter to the Corporate Finance Department to determine whether the request meets the requirements of City policy.

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Section 313 of The City of Winnipeg Act states the following:

> *"Subject to the approval of the Minister of Finance, the City, may on such terms and conditions as the Minister of Finance may approve, make loans and grants for, and guarantee indebtedness incurred for, any community undertaking not otherwise authorized under this Act, and the Minister of Finance may refer any application for approval under this section to The Municipal Board for its advice and recommendation."*

The City has been concerned that there has been an increasing number of requests for loan guarantees over the past few years, as loan guarantees do, in fact, constitute meaningful commitments by the City. These commitments have to be recorded in the notes to the City's financial statements, are factors in determining the City's potential liabilities, and are a
factor in determining the City's credit rating. As a result of its ongoing concern, the City adopted a "Policy and Criteria to be used as a Guideline in the Consideration of Request for Loan Guarantees" on June 17, 1992. As at December 31, 1998, the City of Winnipeg was the guarantor of thirteen different loans in the total amount of $8.3 million.

Glenwood Community Club Inc. currently operates an indoor ice facility utilizing natural ice and the length of the season and the availability of ice is typically at the mercy of the weather. Due to the fact that Glenwood Community Club Inc. is enhancing an existing facility and basically extending their current season by three months, there is not the same concern as if they were constructing a new and additional ice surface. In other words, Glenwood Community Club Inc. is enhancing an existing facility and not adding to the inventory of ice surfaces within the City of Winnipeg, and therefore, the Community Resources and Recreation Services Division of the Community Services Department, agrees with the rationale of the project.

The following criteria is used to evaluate the business plan, as provided by the Glenwood Community Club Inc., based on the policy and criteria related to requests for loan guarantees as adopted by Council on June 17, 1992, namely:

A. *Requests for loan guarantees shall be submitted to the City Treasurer for review to determine if the request meets the requirements of the policy*.

As a result of the March 9, 1999, meeting of the Riel Community Committee, representatives of the Glenwood Community Club Inc. forwarded a business plan to staff of the Corporate Finance Department. After reviewing the business plan, staff of the Corporate Finance Department met with the President and Vice-President of Glenwood Community Club Inc. to clarify any concerns arising from the analysis.

B. *The organization requesting the loan guarantee must provide a service which, in whole or in part, falls within the mandate of the City of Winnipeg.*

The Glenwood Community Club Inc. provides community-based sports and recreation activities for residents of Winnipeg in the Southeast area of the City.

C. *The project for which the loan guarantee is being requested must not be in conflict with City policy. For example, if City policy stated that we already had more than enough hockey arenas for our population, the City would not guarantee a loan for the purpose of constructing a hockey arena.*

The project is not in conflict with City policy.

D. *The organization's services must be available to the community at large without restrictions based upon ethnicity, religion or race and without unreasonably restrictive membership or user fees.*

There are no unreasonable restrictions on membership or user fees.

E. *The organization must be non-profit (as defined within the City of Winnipeg's Fees and Charges Policy).*

Glenwood Community Club Inc. is an incorporated organization with non-profit status.

F. *The organization must produce financial records and business plan that demonstrates the organization's long term viability and capacity to meet the obligations of the loan that they are asking the City to guarantee.*

The business plan presented by Glenwood Community Club Inc. indicates a positive cashflow from operating the new facility along with the ability to meet the obligations of the loan guarantee they are requesting. From discussions the Administration have had with the President and Vice-President of the Community Centre, the Administration were

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informed that their projections are based on information they received from the Richmond Kings Community Centre. Based on the fact that the Glenwood Arena would be very similar in nature to the Richmond Kings Arena, the Administration feel the assumptions used are valid. The only concern from the analysis was that the projections assume full utilization of the facility during the peak hours, both in the winter and summer. The demand for winter ice in the St. Boniface/St. Vital area is such that there should not be a problem filling the time slots, however, there are no letters of commitments to this effect. In addition, the assumption of full utilization during the summer months for in-line hockey and lacrosse may be optimistic, as again there are no commitment letters. Having said this, the Community Centre has demonstrated the ability to run a very profitable bingo operation, which should be able to cover any shortfalls. In addition, Glenwood has recently undergone a major renovation of their Community Centre in excess of $1 million for which they did not borrow money.

G. *The organization structure and the principles of the organization must be judged by the City of Winnipeg as competent to independently implement the business plan of the organization*.

Glenwood Community Club Inc. has demonstrated the ability to implement the business plan.

H. *Unless there are very special circumstances, the maximum amount of outstanding loan guarantees for any one organization will be $1 million.*

The loan guarantee being requested is for a maximum of $429,480.00. Glenwood Community Club Inc. does not have any other loan guarantees with the City.

I. *The loan that the City is being asked to guarantee should not represent more than 50% of the total funding of the project. The organization requesting the loan guarantees must have raised at least 20% of the total project costs from non-City of Winnipeg sources as a down-payment, i.e., if the organization is receiving a City grant for their project, the grant cannot be counted as part of the 20% down-payment*.

The requirement that the loan guarantee not represent more than 50% of the total project costs and that 20% of the facility costs be raised from non-City of Winnipeg sources has not been met. The loan guarantee being requested represents 83% of the total project costs of $519,480.00. Glenwood has raised $10,000.00 or 2.0% of the total costs of the facility.

J. *The loan that the City is guaranteeing must be related to a capital asset*.

The loan related to the Glenwood Community Club Inc. is for an Indoor arena.

K. *The capital asset must be insured to the satisfaction of the City Treasurer during and after construction.*

The Director of Corporate Finance (City Treasurer) will ensure adequate insurance is in place if the project is approved. The Glenwood Community Club Inc. has expended considerable effort to develop a business plan, including the building design and selection of a builder. The Community Centre has an existing indoor structure that is used in the winter when natural ice can be produced and maintained. The plan presented to Corporate Finance is for renovations and upgrading of this structure into a fully useable indoor arena with an artificial ice surface. The Community Centre has committed $10,000.00 towards the completion of this project, as well as obtained grant money available for these purposes. The proposal does exceed some of the policy and criteria as established by Council, however, the project appears to be financially viable on a self-sustaining basis. The possibility of financial exposure to the City is relatively small.

The Executive Policy Committee recommends:

I. That City Council give favourable consideration to guaranteeing a loan in the amount of $429,480.00 to the Glenwood Community Club Inc., to allow them to proceed with the completion of an Indoor Arena, as outlined in Schedule "A" - Phase II Business Plan.

II. That the Proper Officers of the City be instructed to do all things necessary to implement the foregoing, including obtaining approval from the Minister of Finance in accordance with Section 313 of The City of Winnipeg Act.

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Adopted by consent.

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JULY 14, 1999

On motion of His Worship Mayor Murray, the Report of the Executive Policy Committee, dated July 14, 1999, was considered clause by clause.

Moved by His Worship Mayor Murray,

That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15 and 16, be adopted.

Councillor Smith requested that Clauses 1 and 9 be pulled from the Consent Agenda.

Councillor Timm-Rudolph requested that Clauses 3,5,7 and 13 be pulled from the Consent Agenda.

Councillor Clement requested that Clauses 4 and 12 be pulled from the Consent Agenda.

707 - Councillor Golden asked to be recorded as having voted against Clause 6, in accordance with Rule 50.7 of the Procedure By-law.

Councillor Gerbasi requested that Clause 16 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 2,6,8,10,11,14 and 15 was put and declared carried.

Authority to approve an Award of Contract for Microsoft Education
Files GL-9 (Vol. 13) and GCP (Vol. 9)

708 - 1. The Executive Policy Committee has been advised that pursuant to the Purchasing Policy, only Council has the authority to approve a Contract with a multi-year duration from September 1999 until December 2000.

Capital funding in the amount of approximately $4,416,000 was approved in 1998 (1999-2001) to undertake a Desktop Standardization of Productivity Software. The product chosen was Microsoft Office: Word, Excel, PowerPoint and Exchange, a new e-mail product. The goal of the Desktop Standardization initiative is to ensure availability of consistent communication technology throughout the organization by upgrading both the computer hardwares and softwares. Approximately $600,000 to $800,000 (including taxes) of that budget has been set aside for education and training of all City employees in the Microsoft desktop productivity software.

The training and education of staff in the use of the Microsoft Office suite will be critical in performing their tasks and functions once the systems have been upgraded. The computer upgrades have begun and will continue until all of the identified systems have been completed. Staff will require training once their systems have been upgraded.

The Request for Proposals for the training and education has been issued on June 7, 1999. Evaluation of the proposals and the selection of successful providers of the training will be completed in July.

The ideal time to begin training is in September when employees are back from vacation and a significant number of computer systems have been upgraded.

Consequently, the contract must be awarded in August so that the successful bidders have sufficient time to plan and prepare their program and schedule.

Inasmuch as Council will not meet again until September, 1999, waiting until the September meeting will delay the commencement of the training. The delay of training will impact on the staff's tasks and functions normally performed with the use of computers. This delay could have a great impact on the services provided to City of Winnipeg citizens such as tracking, reporting and provision of information.

Funds in the amount of $400,000 are available in the 1999 approved Capital Budget. An additional $200,000 to $400,000 is included in the proposed 2000 Capital Budget.

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The Executive Policy Committee recommends:

I. That Council delegate authority to the Chief Administrative Officer to approve an award of contract for Microsoft training and education, if necessary, during the period of July 21, 1999 to September 22, 1999, while Council is prorogued.

II. That the Contract not exceed the funding identified in the amount of $800,000 over the term of the Contract.

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

Councillor Smith asked to be recorded as having voted against the clause, in accordance with Rule 50.7 of the Procedure By-law.

Amendment to Pan Am Games Venue Agreement File GC-8.9 (Vol. 6)

709 - 2. On January 28, 1998, City Council approved terms and conditions of an agreement for the use of City facilities by the Pan Am Games Society.

On September 15, 1998, the City of Winnipeg and the Pan Am Games Society entered into a formal agreement for the use of certain City facilities by the Pan Am Games.

Amendment to this agreement requires Council approval.

In negotiating the original Venue Agreement, Pan Am Games was still in the planning stage with respect to site requirements. Main competition sites were known but many of the auxiliary needs were undefined. Since that time, sites have been confirmed and additional requirements such as parking, VIP reception locations, practise sites and dates of exclusive and shared use have been identified. The amendment to the Venue Agreement, as outlined in Schedule "A", identifies all City sites being used for Pan Am Games, dates of shared and exclusive use, test event requirements and spaces within each facility that will be used.

The additional sites identified for use will have no direct revenue loss to the City. Displaced athletic field users have been relocated to other sites and arenas are in a non use time. The City will benefit from upgraded facilities as a result of use of some of the additional sites. Athletic fields will be upgraded for competition and practise use and the service road at Blumberg Softball Complex will be upgraded, all at the expense of Pan Am Games.

The Executive Policy Committee recommends:

I. That the amendment to the Pan Am Games Venue Agreement, as outlined in Schedule "A", be approved.

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

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Adopted by consent.

Amendments to French Language Services By-law and Policy Statement File GL-5.7 (Vol. 7)

710 - 3. The Task Force on the Implementation of French Language Services was mandated by Council "to conduct a review of the City's French language services, including a review of the City's five-year implementation plan.

In June 1992, the Province of Manitoba passed Bill 78 amending Part 3 of The City of Winnipeg Act. Part 3 was proclaimed effective May 1, 1994. Council adopted a French Language Services Policy Statement in June 1992.

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On April 24, 1994, Council passed By-law No. 6402/94 for the provision of municipal services in both official languages. The City's five-year implementation plan (1994-1998) for delivery of French language services, as outlined in Schedule "A". On July 12, 1995, Council adopted By-law No. 6661/95, amending Schedule "A" to reflect the City's new organizational structure.

On December 31, 1998, the City's five-year implementation plan to improve French language services expired.

On April 28, 1999, Council established the Task Force on the Implementation of French Language Services. The Task Force was mandated to review the five-year implementation plan as part of its review of the City's French language services.

Section 87.11(1) of The City of Winnipeg Act (CWA) requires the City of Winnipeg to adopt a by-law for the implementation of French language services. In the first five years since the proclamation of Part 3 of the CWA, the City has made great strides in improving its French language services. The City has taken a very practical approach to providing services, and has worked very closely with the Société Franco-Manitobaine (SFM) to ensure improved services. However, a lot of work remains to be done to ensure comparable City services in French.

Given that the five-year implementation plan expired on December 31, 1998, a new plan must be adopted by Council.

As part of its mandate, the Task Force on the Implementation of French Language Services has consulted with both the Franco-Manitoban community and civic departments to revise both the French Language Services By-law and the Council Policy Statement on French Language Services. Both the by-law and the policy have been amended to better meet the needs of the community, while trying to reflect the City's ability to provide services.

The Executive Policy Committee recommends:

I. That Council adopt the amendments to the French Language Services By-law and to the French Language Services Policy Statement, as outlined in Appendices "A" and "B".

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

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

Moved by His Worship Mayor Murray,
Adoption of the clause.

The Speaker here resumed the Chair.

The motion for the adoption of the clause was put and declared carried.

Councillor Golden asked to be recorded as having voted against the clause, in accordance with Rule 50.7 of the Procedure By-law.

Amendment to Section 172 of The City of Winnipeg Act - Manitoba Telephone System, Manitoba Hydro and Winnipeg Hydro
File FG-2 (Vol. 9)[c/r GL-5.1 (Vol. 44)]

711 - 4. On March 22, 1996, Mayor Susan Thompson wrote to the Minister of Urban Affairs requesting that Section 172 (1) and (2) of The City of Winnipeg Act be reviewed to establish the principle of paying grants-in-lieu and to determine what is the best vehicle available to keep values current.

Sections 171(1) and 172(2) of The City of Winnipeg Act provide that a statutory value of $1,200,000 be levied for pipes, wires etc. on Utility Companies' distribution system:

> "Utility companies' property
> 172(1) All pipes, wires, poles, tracks, rails or other property of electric light, telegraph or telephone companies, fixed or placed in a street shall, for the purposes of assessment and taxation, be deemed land, but the assessor shall not value such property nor the engines, boilers, dynamos and other plant used in any power house,

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generating house or building for generating, transforming or distributing power, or electricity, but shall assess them by entering in the general assessment roll each year the value of the properties to fixed or placed in the streets and the plant in the buildings in the following gross amounts:

(a) each company supplying electric light for gain, as a valuation of the electric plant, the sum of $1,200,000:
(b) each telephone company, the sum of $1,200,000.

172(2) The property and plant assessed as aforesaid, excepting properties belonging to or held in trust for the Crown, shall be subject to all the general levies and rates to which taxable land in the city is subject, as well as the local improvement rates or special assessments that are made applicable by the provisions of the Act, and may be sold for arrears of taxes in the same manner that real estate in arrears may be sold and become absolutely vested in the purchases, and the taxes accrued on the property shall be a special and first lien and shall have a preference over every other lien, claim or encumbrance."

This applies specifically to Manitoba Hydro, Winnipeg Hydro and Manitoba Telephone System. As a result of the legislation, each Utility currently pay taxes of approximately $26,000 annually on their personal property.

The City did request the Province, in a letter dated March 22, 1996, to review Section 172 of The City of Winnipeg Act, to establish the principle of paying such grants-in-lieu and to determine what is the best vehicle available to keep values current. To date the Province has not acted on this matter despite the privatization of Manitoba Telephone System.

Section 172 of The City of Winnipeg Act provides a major tax concession to the Utilities and in particular to Manitoba Telephone System which is now a private, for profit company. Manitoba Telephone System has estimated that full taxation of their personal property based on their book value would result in a tax bill of $33.4 Million for the whole Province wide operation. Assuming 50% would be School Tax and assuming 60% of the value is located within Winnipeg, this amounts to $10 Million of Municipal Taxes which should flow to Winnipeg from only Manitoba Telephone System.

All other municipalities in the Province of Manitoba, other than the City of Winnipeg, operates under The Municipal Act. This Act has different requirements for the taxation of personal property of public utility companies. It allows municipalities to tax personal property by passing a by-law.

Recently, the Town of Grand Rapids, the Rural Municipality of Lac du Bonnet and the Rural Municipality of Alexander passed such a by-law, however, to date the Provincial Municipal Assessor has declined to place a value on the personal property. As a result, two of these three municipalities have taken the Provincial Assessor to court. The matter is still before the courts, however, there is a possibility of an out-of-court settlement with Manitoba Hydro.

Deregulation and technological changes within the communication industry has resulted in companies like Sprint, A T & T and Cantel who operate in Winnipeg and take profits from the community, but have no lines or poles which could be subject to taxes. Clearly the taxation of physical assets may no longer be appropriate.

Other Provinces have dealt with the issue of taxing personal property of utilities in various ways:

Province	Hydro Utility	Telephone Utility	Treatment
Newfoundland	Private	Private	exempt
Prince Edward Island	Private	Private	2% of gross revenue of utility
Nova Scotia - Telephone - Hydro	Private	Private	4% of gross revenue of utility 2 1/2% of retail sales
New Brunswick	Public	Private	taxed on replacement cost new less depreciation
Quebec	Public	Private	exempt
Ontario	Private	Private & Public	3% of gross revenue of utility
Saskatchewan	Public	Public	exempt
Alberta	Mix of Private & Public	Private	taxed on replacement cost new less depreciation
British Columbia	Public	Private	taxed on replacement cost new less depreciation

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A percentage of gross revenue may be the City's best option and it will open up the taxation of companies which here-to-fore have not been taxed.

Section 172 of The City of Winnipeg Act creates another risk for the City. Given the pending sale of Centra Gas to Manitoba Hydro, it is conceivable that after such a sale, the personal property of Centra Gas (supply and distribution pipes) may be covered by the current fixed assessment of $1.2 Million for Manitoba Hydro personal property.

If this sale does proceed and the legislation is interpreted to cover Centra Gas, the City of Winnipeg stands to lose $3.9 Million in Municipal Realty Taxes.

The Executive Policy Committee recommends:

I. That the City renew its request to the Province of Manitoba to amend Section 172 of The City of Winnipeg Act to allow the taxation of personal property of Utility Companies.

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

Moved by His Worship Mayor Murray,
Adoption of the clause.

Council at 11:53 a.m., and reconvened at 1:40 p.m., same members present.

Councillor Lubosch entered the meeting after Council had reconvened.

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

712 - The Speaker recognized Councillor Timm-Rudolph who had been elected President of the Yellowhead Highway Association.

Council here proceeded to continue to consider the order of business - "Clause 4 of the Report of the Executive Policy Committee, dated July 14, 1999, - Amendment to Section 172 of The City of Winnipeg Act - Manitoba Telephone System, Manitoba Hydro and Winnipeg Hydro".

The motion for the adoption of the clause was put and declared carried.

Councillor Golden asked to be recorded as having voted against the clause, in accordance with Rule 50.7 of the Procedure By-law.

Proposed Revitalization Initiative to redevelop approximately 17.5 acres of former industrial lands along the Seine River - North of Bertrand Street and East of Youville Street - Corporation de Dévelopment de Saint-Boniface Development Corporation - Youville Project Files FR-3.2 (PA-14) (Vol. 2) and WS-5(35) (Vol. 1)

713 - 5. Corporation de Dévelopment de Saint-Boniface Development Corporation has submitted a proposal to WDA Program 14: Strategic Initiative for $125,000 to assist in the provision of infrastructure services along Youville Street.

Corporation de Dévelopment de Saint-Boniface Development Corporation (the "Developer") has been attempting to develop property on rue Youville north of Bertrand Street over the last ten years. The Developer entered into Development Agreement AG 11/92 with the City in 1996.

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On September 15, 1998, the Standing Policy Committee on Public Works referred the following motion to the administration for review and report back on cost implications and impact, namely:

> WHEREAS the Youville Development Project has been in the works for the last ten years;
>
> AND WHEREAS the Youville Development Project would bring forth industrial conversion and increased tax dollars for an older neighbourhood;
>
> AND WHEREAS the Provincial and Federal Governments have allocated $125,000 each for existing Youville Street roadworks and watermains;
>
> THEREFORE BE IT RESOLVED that the separation of the sewers along Youville Street be deleted as a requirement of the Corporation and other solutions be pursued by the City.

On October 7, 1998, the Administration met with members of the Corporation de Dévelopment de Saint-Boniface Development Corporation (herein called the "Corporation") to gain a more specific understanding of what the Corporation was requesting. The meeting was required since the City had never asked the Corporation to separate the combined sewers on Youville Street, as identified in the request from Committee. From the meeting it was learned that the Corporation was essentially asking the City to provide funding assistance from the Combined Sewer Relief Program to minimize some of their up front development costs, namely, the installation of sewers on Youville Street.

The proposed development is located in St. Boniface in the Marion-Despins Combined Sewer District. There is an existing combined sewer extending approximately 190 metres north from Bertrand Street in rue Youville, to which the developers can connect the wastewater sewer from their proposed cul-de-sac development.

The original Development Application AG 11/92 did not require the construction of any additional sewers in rue Youville. However, as a result of an amendment to the Agreement initiated by the Developer to redirect land drainage flows to a new outfall in Bertrand Street, and with a proposal to construct concrete pavement in rue Youville, a land drainage sewer is now required to be constructed in rue Youville. As well, the Developer is also proposing to expand the development to the north which will require the installation of additional land drainage and wastewater sewers in rue Youville north of the cul-de-sac proposed by the original application AG 11/92. The cost of all these sewers (as estimated by the Developer's engineering consultant) is $125,000.

The Council adopted Development Agreement Parameters, require developers to construct, at no expense to the City, all municipal services required to serve their proposed development. In accordance with the Parameters, the City has not paid for these services, except for an over sizing portion if the services are oversized to accommodate third party lands. There are no inordinate conditions being imposed on the Developer under AG 11/92 that would warrant a deviation from the Parameters. Therefore, the Developer is required by Council adopted policy on Development Agreement Parameters to pay all up-front servicing costs.

On December 4, 1998, the Standing Policy Committee on Public Works requested the Administration to report back on the feasibility of installing sewers on Youville Street north of Bertrand Street by the District Local Improvement.

A District Local Improvement has been defined as "a work or service for the benefit of lands within the district that is intended to be paid for by special assessments against all the lands within the district".

In the case of sewer installations in rue Youville north of Bertrand Street, a combined sewer already exists fronting the privately-owned properties on the west side of rue Youville. Therefore, these properties are already considered to have paid for sewer service and could not justifiably be assessed for additional sewer installations by District Local Improvement at this time. A land drainage sewer lateral sewer charge could be made against these privately owned lands in the future if and when they subdivide or redevelop their properties such that they desire to connect to the new land drainage sewer system. The net result is that the Developer's property would be the only property assessable as a District Local Improvement and, therefore, the Developer would be assessed for 100% of the cost of the works being installed. In the case of a normal development the Developer would front-end the cost of this work. However, if a Local Improvement District is created, the City would front-end the cost of the work and the Developer would have the option of either paying the cost off in cash or having it assessed against the tax rolls of the benefiting properties over a twenty-year term. It would take approximately two years to go through the steps necessary to create a Local Improvement District and ultimately the proposal would require full Council approval.

On December 8, 1998, the Services Development Engineer in the Water and Waste Department was advised by the Corporation that they had previously investigated the District Local Improvement alternative. The Corporation

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concluded that the creation of a Local Improvement District would not help them meet their financial objectives for the project, as the cost of services provided would still be assessed against the lands, only they could be financed by the City over a twenty-year term. The Corporation advised that they had no interest in pursuing the alternative any further.

During the Spring of 1999, the Corporation submitted a proposal to WDA Program 14: Strategic Initiatives for $125,000 to assist in the provision of infrastructure services along Youville Street (specifically storm sewer).

The Youville Project, as outlined in Schedule "A", is a revitalization initiative to redevelop approximately 17.5 acres of former industrial lands along the Seine River, north of Bertrand Street and east of Youville Street, into low density residential (12.5 acres) and public reserve/park land (4.976 acres). The Strategic Initiatives program was not specifically set up to fund capital works projects, however, the Program authorization indicates that the general purpose of Program 14: Strategic Initiatives, is to A....fund planning activities and strategic project initiatives of importance to Winnipeg's sustainable economic development".

The successful completion of this project could produce substantial benefits to the neighbourhood as well as to the entire St. Boniface Community. As indicated in the Proponent's proposal for Strategic Initiatives funding, the project could provide many benefits to the St. Boniface Community and The City of Winnipeg including:

- Reclaiming former (now vacant) industrial riverfront property, to more appropriate uses including riverfront parkland and residential development;

- Assist in the revitalization efforts of the Inner City by providing an alternative to suburban expansion and helping to prevent further decline of a once stable neighbourhood; and

- The project (including future Phase III) would lever about $15 million in economic activity (housing construction) with an added tax revenue (the Corporation estimate) to the City of approximately $200,000 upon build out.

Should Council wish to provide financial assistance to the Corporation for the proposed revitalization initiative to redevelop approximately 17.5 acres of former industrial lands along the Seine River North of Bertrand Street and East of Youville Street the following options may be considered.

Option I

Approve a grant of up to $125,000 to be funded from the tax supported budget to defray the costs associated with constructing a land drainage sewer in rue Youville as outlined by the Corporation;

Option II

Approve a grant as noted above with the provision of a recovery for an amount equal to the grant from the Sewer Utility budget;

Option III

Approve funding of up to $125,000 from WDA -Strategic Initiatives Program 14, subject to the following conditions:

A) As the City of Winnipeg has already committed significant support to the project, and the Program Authorization for Strategic Initiatives requires projects to be self-sustaining without any further financial support from the WDA, the remainder of the development should be self-sustaining and require no further financial assistance from the City.

B) The Corporation has received assistance from all three levels of Government including:

   i) $40,000 from the Core Area Initiative (predecessor to the WDA) to cost share in the purchase of the property;

   ii) $133,000 from the Canada/Manitoba Infrastructure Works Program for street pavement on Youville; and

   iii) Indirect assistance from the City through the purchase of 4.976 acres of riverfront property for public reserve/parkland, the deletion of the requirement for riverbank stabilization (other than what is required to accommodate the construction of dwellings), and the deletion of the requirement for a temporary land drainage outfall to the Seine River.

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The financial impact to the City of Winnipeg is $125,000.

The Executive Policy Committee recommends:

I. That a grant in the amount of $125,000 be approved from the Sewer Utility budget; and that repayment be made to the Sewer Utility budget.

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

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

Councillor Timm-Rudolph asked to be recorded as having voted against the clause, in accordance with Rule 50.7 of the Procedure By-law.

Winnipeg Development Agreement Program
13A - Buildings Preservation Phase I - Update
File FR-3.2 (PA-13) (Vol. 2)

714 - 6. On September 2, 1998, the Executive Policy Committee requested that the Administration apprise the Committee if funds become available from existing approved projects under Phase I of Program 13A of the Winnipeg Development Agreement that are not proceeding. This would allow the Committee to consider additional funding in the amount of $191,750 for completion of the Hotel Fort Garry restoration and preservation work.

On August 9, 1995, City Council adopted a recommendation from the City's Historical Buildings Committee that a grant of up to $750,000 from WDA Program 13A be awarded for work to repair and restore the exterior of the Hotel Fort Garry at a cost of $1,500,000.

On June 19, 1996, City Council approved an additional grant of up to $475,000 from WDA Program 13A to repair and restore the exterior of the building.

In February, 1998, the owners of the Hotel Fort Garry engaged Crosier Kilgour & Partners Ltd. to undertake a structural investigation and assessment of the interior foundation walls and the condition of the floors in the basement, sub-basement and sub-sub-basement. The engineers were engaged based on the owner's concerns about excessive moisture penetration along the north foundation wall and the rapid deterioration of the concrete slab on the underside of the sub-basement structural slabs.

The total cost to repair, restore and preserve the foundation and structure of the eighty-five year-old Hotel Fort Garry was $1,571,000.

On September 9, 1998, City Council approved a grant of up to $785,000 from WDA Program 13A, being fifty per cent of the eligible capital cost of $1,571,000 to curtail water penetration and foundation problems. Council also directed the Administration to apprise Executive Policy Committee if funds become available from existing approved projects under Phase I of Program 13A that are not proceeding.

The report to Executive Policy Committee regarding a grant to the Hotel Fort Garry, prepared by the Administration dated September 2, 1998, advised that the grant for $785,000 would be funded in the following manner. Since a number of Phase I applicants had withdrawn their applications, $300,000 would be available to cover part of the grant. The remaining $485,000 would come out of Phase II allocations. $545,461 remains unspent from Phase I allocations, which is outlined in Schedule "A". If the $300,000 is subtracted from unspent funds, additional funding of $191,750 could be made available for the completion of the Hotel Fort Garry restoration and preservation work.

The Hotel Fort Garry is undergoing significant restoration and preservation initiatives. The initial contribution of $1,225,000 under the WDA Program 13A was leveraged into a $4,157,635 commitment from the private ownership group. By July 1999, the owners have invested $8.9 million in restoring the building. An additional $4 million has been committed by the owners over the next several years to restore and upgrade 243 guest rooms, restore the seventh floor

Report of the Executive Policy Committee dated July 14, 1999

ballrooms and mezzanine and further restoration of hallways, elevators and conversion of some guest rooms to loft-style suites.

As WDA funds have been approved in previous capital budgets, no additional borrowing authority is required.

The Executive Policy Committee recommends:

I. That the additional funding in the amount of $191,750 be made available for the completion of the Hotel Fort Garry restoration and preservation work.

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

Adopted by consent.

(See Minute No. 707 for opposition recorded by Councillor Golden)

Winnipeg Development Agreement Program
13A - Buildings Preservation Phase II
File FR-3.2 (PA-13) (Vol. 2)

715 - 7. On April 28, 1999, City Council authorized the establishment of two capital incentives to be offered through the Winnipeg Development Agreement Program 13A - Buildings Preservation. Council also approved the criteria and procedures by which the grants were to be administered.

In May, 1999, public requests for proposals were issued. Building owners and long-term tenants who planned to invest in the conservation and re-use of heritage structures in the City of Winnipeg were invited to submit applications to WDA Program 13A by June 4, 1999.

The Downtown Grants Subprogram, with a budget of $1.0 million allocated for Phase II (1999-2000), received forty-six (46) applications which were assessed by the Historical Buildings Committee based on criteria adopted by Council.

Those criteria were:

- The objectives established for WDA 13A, especially with respect to revitalizing vacant and under-utilized designated buildings.

- The approved Phase II priorities, namely:
  - Projects in the Exchange District
  - Residential conversions
- - Tenant improvements to vacant spaces.

- The extent of investment associated with each project.

- The urgency of the proposed work and its appropriateness relative to the City's Standards for Conservation.

- The heritage significance of the subject structure, including its contribution to the heritage character of the streetscape.

The Executive Policy Committee recommends:

I. That the Winnipeg Development Agreement Program 13A Phase II Report and recommendations be adopted as outlined on Schedule "A". (Copy of Schedule "A" under separate cover.)

II. That $1.0 million from the Gail Parvin Hammerquist Fund 1999 budget be used to supplement the $1.4 million available in WDA Program 13A.

III. That the Administration be authorized to review the City's Heritage Conservation Tax Credit program with the applicants who are approved for Downtown Grants and to report to the Executive Policy Committee on whether tax credits may be required to ensure the capital work proposed in WDA 13A Program applications can proceed in full.

Report of the Executive Policy Committee dated July 14, 1999

IV. That the Administration be requested to apprise the Executive Policy Committee in February 2000 of any projects which are not proceeding to allow the Committee to reallocate funds to qualifying Phase II applicants.

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

Winnipeg Development Agreement Program 1A - Neeginan Development Plan - Circle of Life Thunderbird House
File FR-3.2 (PA-1) (Vol. 1)

716 - 8. Within the Winnipeg Development Agreement (WDA), the City of Winnipeg allocated $6 million under Program 1A: North Main Strategic Development to complement initiatives of the Province of Manitoba and Canada to revitalize this area. To expedite the City's commitments under the WDA, a Mayor's Task Force was established by City Council in January, 1997, to develop the overall strategy and plan for the North Main Street area.

The Task Force presented the *Our Place* Strategic Plan for the area to City Council on December 17, 1997. City Council approved the *Our Place* plan which outlined a community development strategy aimed at revitalizing the Main Street area and approved the allocation of $6 million for specific projects (Neeginan, streetscaping, land acquisition, relocation assistance, Aboriginal Health & Wellness Centre, and planning/project management). The lead project is the Circle of Life Thunderbird House with an allocation of $1.5 million.

On September 23, 1998, City Council approved in principle the Neeginan Development Plan (Business Plan) for the lead project of the *Our Place* report, which presented the business case analysis, as well as the specific requirements of the design, construction, budget, and future operations of the Circle of Life Thunderbird House, Medicine Wheel Plaza and Neeginan Park. The capital budget, approved earlier by City Council, was confirmed at $1.5 million. The Roundhouse is to be built on the southeast corner of Higgins Avenue and Main Street.

On February 24, 1999, PCL Constructors Inc. (PCL) was approved by Council as the construction managers for the Thunderbird House project. PCL has since tendered the various components of the project and determined the final budget.

The total capital construction cost for the Thunderbird House (base building) has been confirmed as $1.7 million. Soft costs total approximately $412,000 including supervision and overhead, construction contingency, construction management fee, architectural fees, business plan, communications and other miscellaneous costs. Adding net GST at 3%, the total construction cost for the Thunderbird House is approximately $2.3 million.

Funding available for the project consists of $1.5 million available under the North Main Strategic Development Program of the *Winnipeg Development Agreement*, $700,000 from the Province of Manitoba, and $100,000 in private fundraising to be sought by the Aboriginal community totalling $2.3 million.

The Neeginan Development Corporation and the three government partners in the Winnipeg Development Agreement met on June 18, 1999, to discuss the costs of the project. It was agreed that certain enhancements should be included with the building at the outset of construction to showcase the importance of this project as a major catalyst in the redevelopment of North Main and as a major international tourist destination. This includes: a hardwood floor stylized in the shape of a star, a representative symbol in Aboriginal culture; cedar cladding of all the columns in the building; and a copper roof, also symbolic of historical materials used in Aboriginal culture and spirituality. The total additional cost of all these elements is estimated at $285,000 including a construction contingency.

It was also agreed that the Thunderbird House site must be completed to a level that represents the world class nature of the complex. As such, the Medicine Wheel Park proposed to surround the building should be completed. The estimated cost of this component of the project is $180,000.

With the enhancements, the total project cost is approximately $2.8 million, leaving a shortfall of approximately $500,000 in funding. (Neeginan Park and the Unity Monument have been deleted from the program of requirements).

Report of the Executive Policy Committee dated July 14, 1999

His Worship Mayor Glen Murray sent a letter to the Chairs of the North Main Task Force dated June 10, 1999 that stated he is prepared to recommend to Council that the City fund one third of the shortfall in the project. This was presented at the meeting of the three levels of government on June 18, 1999. The Province has agreed in writing to fund the remaining two thirds of the shortfall up to a maximum of $400,000. This additional funding is subject to the City of Winnipeg agreeing to contribute the balance of the total projected shortfall up to $200,000.

A specific funding source will be identified through the *Winnipeg Development Agreement* reallocation exercise.

The financial impact of this report's recommendations has not been determined at this time pending resolution of the source of the funding.

The Executive Policy Committee recommends:

I. That the City of Winnipeg approve funding up to one third of the current shortfall for the Circle of Life Thunderbird House up to a maximum of $200,000 from the Winnipeg Development Agreement.

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

Adopted by consent.

Development of a Competitive Model
File GG (Vol. 6)

717 - 9. On June 24, 1998 Council ruled automatic referral of the following motion to the Executive Policy Committee, under Rule 16.1 of the Procedure By-law No. 5400/90:

Moved by Councillor Lazarenko,
Seconded by Councillor Golden,

WHEREAS the City of Winnipeg wishes to improve municipal services, increase efficiency and reduce the cost of local government;

AND WHEREAS, in 1991, the City of Indianapolis established the Office of Enterprise Development which introduced a system of private and public sector competition for the delivery of municipal services;

AND WHEREAS, by 1993, this system of managed competition had saved Indianapolis approximately $100M, with equal or improved service quality;

AND WHEREAS Indianapolis City staff proposals win approximately one-third of the competitions, still with average savings of more than 25%;

AND WHEREAS City staff proposals developed with union involvement win four out of five competitions bid;

AND WHEREAS, in 1995, the Ford Foundation recognized union innovation when it presented its 1995 American Government Award jointly to the union and the City;

THEREFORE BE IT RESOLVED THAT Council direct the Administration to enquire into the Indianapolis competitive model with a view toward its application in Winnipeg.

On July 8, 1998, the Executive Policy Committee referred the motion to the Chief Administrative Officer for report back providing the required amendments and/or policy changes that would be necessary to implement the Indianapolis Competitive Model in the City of Winnipeg.

On September 9, 1998, Council granted an extension of time of 60 days inasmuch as the report has not been received to date.

On November 25, 1998, Council granted an additional extension of time of 90 days for consideration of the matter.

Report of the Executive Policy Committee dated July 14, 1999

On December 9, 1998, the Executive Policy Committee considered a report from the Chief Financial Officer dated November 30, 1998.

On December 16, 1998, Council adopted Clause 12 of the Report of the Executive Policy Committee dated December 9, 1998 concurring in the recommendations contained therein, namely:

I. That the matter of a Competitive Model for Service Delivery be referred to the Joint CUPE-Council Committee for consideration and report back in 120 days.

II. That the Joint Committee be mandated to conduct further research into the Indianapolis model specifically with a view to the development of a framework and policy for a similar City of Winnipeg model. This would include an examination of costing parameters and techniques, performance measurement, employment and compensation policies, bid preparation and evaluation processes and approval mechanisms and processes.

At that time the Administration had also been requested to report back on the implementation of a public participation process.

On April 28, 1999, Council granted an extension of time of 90 days, inasmuch as the Joint CUPE - Council Committee had not met to date, and therefore had not submitted a report for consideration.

On June 25, 1999, the Joint Committee of Council and CUPE Representatives requested representatives of CUPE, Local 500 and the Project Manager, CAO Secretariat to prepare guiding principles in connection with the Competitive Model.

The Committee also requested that a Council Seminar be arranged for November 8, 1999, with respect to the Competitive Model and therefore recommended that Executive Policy Committee request an extension of time of 120 days.

The Executive Policy Committee therefore recommends that an extension of time of 120 days be approved for consideration of this matter in accordance with Rule 16.4 of the Procedure By-law No. 5400/90.

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

Site Access Plan for Access to the Forks
File FR-4.1 (Vol. 4)

718 - 10. On October 22, 1997, Council ruled automatic referral of the following motion to the Executive Policy Committee, under Rule 16.1 of the Procedure By-law No. 5400/90:

Moved by Councillor Murray,
Seconded by Councillor Vandal,

WHEREAS development at the Forks is creating greater demand for transit and vehicle access to the site;

AND WHEREAS CentrePlan is working with the Forks and North Portage Partnership, the Exchange and Downtown Business Improvement Zone groups and the responsible civic departments to develop a downtown transportation plan;

THEREFORE BE IT RESOLVED THAT Council request a site access plan for the Forks to be developed through CentrePlan including consideration of transit, vehicle, "fixed link", cycling and pedestrian access.

On November 12, 1997, the Executive Policy Committee referred the matter to the Standing Policy Committee on Property and Development.

On November 25, 1997, the Standing Committee on Property and Development referred the matter to the Administration for review in consultation with the CentrePlan Committee.

On December 17, 1997, Council granted an extension of time of 60 days to further consider this matter.

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On February 25, 1998, and April 29, 1998 Council granted an additional extension of time of 60 days to further consider the matter.

On June 17, 1998, Council granted an additional extension of time of 60 days, inasmuch as CentrePlan is currently finalizing a digital layout of the downtown, with new and proposed projects imposed on an aerial map and will be available for presentation to Executive Policy Committee in early July, 1998. This layout will then be the basis for all future CentrePlan efforts, including a site access plan for The Forks.

On September 29, 1998, Council granted an additional extension of time of 60 days, inasmuch as the matter requires further consideration.

On November 25, 1998, Council granted an additional extension of time of 90 days, inasmuch as the matter requires further consideration.

On February 24, 1999, Council granted an additional extension of time of 60 days, inasmuch as the matter requires further consideration.

On April 28, 1999, Council granted an additional extension of time of 90 days, inasmuch as the matter requires further consideration and coordination of discussions on the Provencher Bridge.

The Executive Policy Committee recommends that a further extension of time of 90 days be approved to consider this matter in accordance with Rule 16.4 of the Procedure By-law No. 5400/90.

Adopted by consent.

Establishment of the Transitional Neighbourhood Tax Investment Program
File EP-1.1(PW) (Vol. 13)

719 - 11. On September 9, 1998, Council ruled automatic referral of the following motion to the Executive Policy Committee, under Rule 16.1 of the Procedure By-law No. 5400/90:

Moved by Councillor Vandal,
Seconded by Councillor Murray,

WHEREAS clause 5A-15 of Plan Winnipeg states that "the city shall promote compact urban development by: I) encouraging infilling of vacant land and the revitalization of existing neighbourhoods.";

AND WHEREAS residential development in older, transitional neighbourhoods can often be cost-prohibitive, due to requirements such as industry relocation and remediation, riverbank stabilization and other environmental requirements;

AND WHEREAS the tax recovery to the city can be increased significantly if the residential renewal is accomplished;

AND WHEREAS neighbourhood amenities such as schools, libraries, transit, fire protection service and community centres are already in place in older neighbourhoods;

THEREFORE BE IT RESOLVED THAT a "Transitional Neighbourhood Tax Investment Program" be developed whereby a special investment fund would finance capital expenses such as acquisition, clearance and rehabilitation costs and other costs as defined, which are impediments to a specific "existing neighbourhood" redevelopment project. Financing under this initiative would be subject to the following criteria:

1) the capital expenses financed by the "investment fund" must clearly demonstrate that they are financial as well as neighbourhood impediments which render an existing neighbourhood redevelopment project unviable;

2) there must be an increase of tax revenue to the city once the project is complete;

3) there must be full repayment to the investment fund plus interest within ten years by augmentation of property tax revenue from the project;

Report of the Executive Policy Committee dated July 14, 1999

4) the proposed project must have a maximum 5 years absorption into the market;

5) the project can be delivered in partnership with a non-profit Community Development Corporation (CDC).

On September 16, 1998, the Executive Policy Committee referred the matter to the Administration for report on the mechanics and implications of implementing the proposed program.

On November 25, 1998, Council granted an extension of time of 60 days for consideration of the matter.

On January 27, 1999, Council granted a further extension of time of 120 days for consideration of the matter.

On May 26, 1999, Council granted a further extension of time of 60 days inasmuch as the report had not been received to date

The Executive Policy Committee recommends that an additional extension of time of 90 days be approved to consider this matter in accordance with Rule 16.4 of the Procedure By-law No. 5400/90.

Adopted by consent.

Proposal to Rename Winnipeg Stadium in honour of Jack Wells File F-5 (Vol. 20)

720 - 12. On June 23, 1999, Council ruled automatic referral of the following motion to the Executive Policy Committee, under Rule 16.1 of the Procedure By-law No. 5400/90:

Moved by Councillor Steek,
Seconded by Councillor Lazarenko,

WHEREAS the City of Winnipeg entered into agreement with Winnipeg Enterprises in 1952 to provide for the construction of the Winnipeg Stadium;

AND WHEREAS the Stadium has provided a forum for sports and entertainment and is the home of the Winnipeg Blue Bombers Football Club;

AND WHEREAS the late Jack Wells was one of Winnipeg's prominent sports personalities and a beloved and respected citizen;

AND WHEREAS Jack Wells made a priceless contribution to Winnipeg in his many media capacities, but particularly in his support of the Winnipeg Blue Bomber Football Club;

THEREFORE BE IT RESOLVED that City Council express its strong support to Winnipeg Enterprises that the Winnipeg Stadium be renamed in honour of Jack Wells.

The Executive Policy Committee recommends that the motion be filed, and that the Winnipeg Enterprises Corporation be requested to bring forward a specific recommendation for consideration by Council on September 22, 1999, honouring the late Jack Wells by renaming a City street or park or specific Winnipeg Enterprises site.

Moved by His Worship Mayor Murray,

Adoption of the clause.

The Speaker called the Deputy Speaker, Councillor Lazarenko, to the Chair and left the Chamber.

The motion for the adoption of the clause was put and declared carried.

Councillor Lazarenko asked to be recorded as having voted against the clause, in accordance with Rule 50.7 of the Procedure By-law.

Report of the Executive Policy Committee dated July 14, 1999

Request to The Province of Manitoba for Changes to driver licensing and vehicle insurance for City Employees File GG-2 (Vol. 25)

721 - 13. On July 14, 1999, the Executive Policy Committee passed the following motion, namely:

WHEREAS the City of Winnipeg employs thousands of professional Bus Operators, Fire Fighters, Police Officers, Ambulance Drivers and Paramedics;

AND WHEREAS these employees operate services in all types of weather, road and traffic conditions, seven days a week throughout the year;

AND WHEREAS these employees carry a wide variety of passengers, many with special needs;

AND WHEREAS these employees through the course of their employment are exposed to significantly greater risks of being involved in motor vehicle, pedestrian or passenger accidents;

AND WHEREAS there are certain consequences for drivers that are held 50% or more at fault for an accident;

AND WHEREAS these employees are unfairly disadvantaged by this system given their greater exposure to risk and the impact on their personal driver's licenses and automobile insurance rates;

THEREFORE BE IT RESOLVED THAT the Council of The City of Winnipeg request the Province of Manitoba and the Manitoba Public Insurance Corporation to develop the necessary statutory or regulatory changes to driver licensing and vehicle insurance to recognize the greater risk and exposure of City of Winnipeg operators while performing their duties as professional drivers on behalf of the citizens of Winnipeg.

and submits same to Council for approval.

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

Additional Appropriation to restore Handi-Transit Service Levels File FE-1 (Vol. 30)

722 - 14. On July 14, 1999, the Executive Policy Committee passed the following motion, namely:

WHEREAS City Council places a very high priority on the services provided by Handi-Transit;

AND WHEREAS many physically disabled residents of the City are totally dependent upon Handi-Transit for their personal mobility needs;

AND WHEREAS The Canadian Charter of Rights and Freedoms, and The Manitoba Human Rights Act place an onus on the City of Winnipeg to provide a service for those physically unable to use regular transit, which is reasonably equivalent to that provided to able-bodied persons through the regular transit system;

AND WHEREAS the Director of Transit has advised all Councillors that despite the additional funding provided by Council in the 1999 Handi-Transit budget, the average number of trips that Handi-Transit is unable to accommodate each day is now approaching 100;

AND WHEREAS the Transit Department has accumulated retained earnings that are intended to accommodate such unforseen situations;

THEREFORE BE IT RESOLVED THAT Council authorize an additional appropriation in the amount of $100,000.00 to be funded from retained earnings in the Transit Department, and to be utilized to restore Handi-Transit service levels to those intended by Council when it approved the 1999 current estimates.

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and submits same to Council for approval.

Adopted by consent.

Use of Joseph Royal Park For Concert Series during the Pan Am Games - Quartier Provencher Business Improvement Zone
File FL-7.17 (Vol. 1)

723 - 15. On July 14, 1999, the Executive Policy Committee passed the following motion, namely:

WHEREAS the Quartier Provencher Business Improvement Zone has advised the City it would like to host a "Blues by the Bridge" concert series in Joseph Royal Park for the duration of the Pan Am Games;

AND WHEREAS this activity includes food and beverage sales in a public park and therefore requires the approval of Council;

THEREFORE BE IT RESOLVED THAT Council approve the use of Joseph Royal Park for a "Blues by the Bridge" concert series and that the French Quarter Business Improvement Zone be directed to coordinate all activities to the satisfaction of the Ward Councillor and the Director of Public Works

and submits same to Council for approval.

Adopted by consent.

Proposed Acquisition of Bank of Commerce Building - 389 Main Street
Files FI-2.3 (32) (Vol. 4) & G-7 (Vol. 3)

724 - 16. The owner of 389 Main Street (Marwest Management Canada Ltd.) has offered to donate 389 Main Street to the City of Winnipeg in exchange for the City of Winnipeg entering into a lease extension arrangement for 395 Main Street.

On March 23, 1999, the Director of Property and Development Services Department received a letter from Marwest Management Canada Ltd. offering to sell 389 Main for $1.00, if the City agrees to extend the City's current lease 20 years. This proposal was initiated to make use of 389 Main Street to the Winnipeg Millennium Committee for the initiative of developing into a museum.

On April 8, 1999, the Standing Policy Committee on Property and Development referred the Marwest Proposal to Executive Policy Committee for direction.

On April 21, 1999, Executive Policy Committee requested the Administration commence negotiations with Marwest and Winnipeg Millennium Committee.

On June 3, 1999, the Standing Policy Committee on Property and Development directed the Administration to conclude negotiations with Marwest Management Canada Ltd. for the extension (4 five-year periods) of the current lease for 395 Main Street, subject to the acquisition of 389 Main Street for $1.00 as a Millennium project, and report back to the Special Meeting on June 15, 1999.

On June 9, 1999, Executive Policy Committee directed the Administration that no extension to the lease of 395 Main Street will be approved until a proposal for the 389 Main Street has been selected and the funding is in place.

Discussions have been ongoing between the City of Winnipeg and Marwest Management regarding the various options involved for the City of Winnipeg to acquire ownership of 389 Main Street. Also, discussions are ongoing between the City of Winnipeg, the Winnipeg Millennium Committee, potential tenants and possible sources of financing for the project.

Report of the Executive Policy Committee dated July 14, 1999

The Property and Development Services Department has worked closely with Marwest and the Winnipeg Millennium Committee in preparing an application for Federal Government funding through the Canada Millennium Partnership Program for the development of 389 Main Street. Notification regarding this application is anticipated in mid-August of this year.

The development of 389 Main Street was presented by the Winnipeg Millennium Committee in an effort to transform this vacant heritage building into a number of joint non-profit uses. The Winnipeg Millennium Committee has planned to utilize this space for a museum, studio space for the Faculty of Architecture, and a historic tour centre. To date there has been a private sector commitment of $1,000,000 towards this project. A formal business plan is, at present, being developed.

Development of 389 Main Street

Through correspondence with Marwest, it has been determined that redevelopment of the building could cost from $1.0 to $5.0 million to be fully redeveloped, depending on the ultimate use and the tenant improvements implemented. It has been estimated that the building could occupied at a lesser degree of development for approximately $500,000. The Winnipeg Millennium Committee estimates the development costs to be $4.5 million for their intended use.

To date the private sector has committed $1 million to the project. The values of Federal grants at this time are unknown, so without further commitment from other sources, the City's portion of the full development costs could be from $1 to $5 million. In addition, the annual operating costs would annually be about $300,000.

On July 14, 1999, the Executive Policy Committee considered a proposal from the Winnipeg Millennium Committee for the adoption of the former Commerce Building at 389 Main Street as a City of Winnipeg Millennium Project.

It is the opinion of the Property and Development Services Department that it is premature for the City of Winnipeg to enter into the four consecutive five year renewal terms to acquire 389 Main Street. As such, there is no Financial Impact associated with the Recommendation of this Report.

The Administration believes that it would be less of a financial burden to the City if it purchased 389 Main Street for the building's market value, rather than extending the lease on 395 Main Street. In recent meetings, Marwest indicated that 389 Main Street was not for sale to the City of Winnipeg, without the extension of 395 Main Street lease. This position has recently been reiterated by Marwest Management Ltd. Additionally, if the City was inclined to extend the lease at 395 Main it should determine the purchase price for that building prior to entering a long term lease. As the long term lease of the building may exceed the value of the building.

The Executive Policy Committee recommends:

I. That the City of Winnipeg endorse in principle the acquisition of 389 Main Street subject to the following:

   a) Satisfactory negotiations between the City of Winnipeg and Marwest Management Canada Ltd. relating to the transfer of ownership of 389 Main Street.

   b) That the Winnipeg Millennium Committee enter into an agreement with the City relating to the development and operation of 389 Main Street, to be approved by Council

   c) That the Management Group be required to provide confirmation of approval of the Federal Government funding for the proposal.

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

Moved by His Worship Mayor Murray,
Adoption of the clause.

Report of the Executive Policy Committee dated July 14, 1999

In amendment,

Moved by His Worship Mayor Murray,
Seconded by Councillor Vandal,

BE IT RESOLVED THAT the clause be amended by adding the following words to the end of Recommendation I. a): "to be approved by Council".

The Speaker here resumed the Chair.

The amendment was put and declared carried.

The motion for the adoption of the clause, as amended, was put.

Councillor Lazarenko called for the yeas and nays, which were as follows:-

Yea: Councillors Angus, Clement, Golden, Lazarenko, Lubosch, Prystanski, Steek, Deputy Mayor Thomas, Timm-Rudolph, Vandal, Eadie, His Worship Mayor Murray, Councillor O'Shaughnessy. 13

Nay: Councillors De Smedt, Gerbasi and Smith. 3

and the motion for the adoption of the clause, as amended, was declared carried.

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by Councillor Lazarenko,
Seconded by Councillor Golden,

725 - WHEREAS on July 12 and November 29, 1989, Council considered and approved the use of the Central Works Yard at Ross Avenue and Tecumseh Street as the site for the federal Laboratory for Disease Control;

AND WHEREAS Council based this approval on the complete assurances of the federal and provincial governments that the operation of the lab was without risk or hazard to the citizens of Winnipeg;

AND WHEREAS the recently opened Canadian Science Centre for Human and Animal Health is a Level 4 laboratory, one of about a dozen in the world with the strictest level of containment designed to handle the most deadly diseases;

AND WHEREAS according to media reports on July 13, 1999, an accident on June 23, due to "human error", resulted in the release of at least 2,000 litres of improperly treated effluent from the lab's waste-water system into the City's sewer system;

AND WHEREAS subsequently, in breach of its operating licence, lab officials failed to follow proper reporting procedures and, further, lab and government officials resorted to personal discretion in deciding whether to make the accident known to the public;

THEREFORE BE IT RESOLVED that the City of Winnipeg insist on an independent public review of the accident, a commitment that federal and provincial governments will handle future incidents with transparency and the establishment of iron-clad safety procedures, before the lab stocks Level 4 diseases.

The Speaker ruled automatic referral to Executive Policy Committee in accordance with Rule 16.1 of the Procedure By-law.

Moved by Councillor Lazarenko,

That the rule be suspended to allow consideration of the motion at this time.

Report of the Executive Policy Committee dated July 14, 1999

The motion to suspend the rule was put.

Councillor Clement called for the yeas and nays, which were as follows:-

Yea: Councillors Angus, Golden, Lazarenko, Prystanski, Steek and Vandal. 6

Nay: Councillors Clement, De Smedt, Lubosch, Deputy Mayor Thomas, Eadie, His Worship Mayor Murray and Councillor O'Shaughnessy. 7

and the motion to suspend the rule was declared lost.

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

726 - Pursuant to The Municipal Council Conflict of Interest Act, Councillor Timm-Rudolph advised that she would refrain from entering the discussion and from voting on By-law No. 7491/99, due to the employment of a family member with the Manitoba Lotteries Commision, and left the Chamber.

727 - On motion of His Worship Mayor Murray, 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. 7490/99, a by-law of The City of Winnipeg, being a by-law for the provision of municipal services in both official languages, and a by-law to repeal By-law Nos. 6402/94 and 6661/95 File GL-5.7 (Vol. 7)

By-law No. 7491/99, a by-law of The City of Winnipeg to open Owen Street, north of Regent Avenue West File DAO 2/99

Councillor Golden asked to be recorded as having voted against all three readings of By-law No. 7490/99, in accordance with Rule 50.7 of the Procedure By-law.

Councillor Timm-Rudolph here returned to the Chamber.

EXECUTIVE POLICY COMMITTEE

QUESTION PERIOD

728 - Councillor Timm-Rudolph questioned an administrative decision to not comply with a request forwarded by the East Kildonan-Transcona Community Committee, on behalf of the Royal Canadian Legion, Transcona Branch, for assistance for a dunk tank for a fund raising event. In addition, Councillor Timm-Rudolph asked His Worship Mayor Murray to ascertain why this situation was allowed to take place and questioned if an apology would be provided to the Transcona Legion.

His Worship noted that he had been involved in a number of community events involving dunk tanks and indicated that he was not aware of any time that Emergency Response Service was called upon to fill the tank. His Worship added that it was purely an administrative decision to not fill the tank. His Worship further suggested that Councillor Timm-Rudolph correspond directly with Chief Shoemaker but agreed to take the question under advisement.

In noting that Council concurred in the recommendation of the Executive Policy Committee to reduce the Winnipeg Police Service budget by $2.6 million, Councillor Prystanski questioned the number of officers that have been taken out of community policing duties and put back to general patrol. He also questioned the number of officers that were away on sick leave; the number that have entered into third party contracts and were not available to provide policing to the citizens at large; and the number that were not available to be in the job of policing for the summer months.

His Worship advised that Winnipeg has more police officers per capita than any other city in Canada, except one, and noted that the policing budget went up 6%, not down, and that a large portion of the increase was to cover salaries. His Worship stated that the Chief of Police had not advised of any budgetary concerns nor of any significant changes in the allocation of police services. He further indicated that he could follow up but suggested that Councillor Prystanski should correspond directly with the Chief of Police, stressing the importance of Councillors having access to senior management. He further suggested that Councillor Prystanski could go before the Standing Policy Committee on Protection and Community Services to raise those issues when Chief Ewatski gives his report to the Committee.

In noting that the Board of Adjustment met during Council's prorogue period in 1998, Councillor Clement requested His Worship to ascertain if Board of Adjustment meetings were scheduled during the month of August and, if so, that the situation be reviewed for 2000.

Inasmuch as the rules and regulations are not within the purview of the Mayor's Office, His Worship suggested that the issue be addressed by the City Clerk and the Secretariat Committee, to which the Speaker agreed to look into the matter.

In reference to the fact that certain senior citizens' non-profit housing projects have reduced municipal taxes and are exempt from paying school taxes, while seniors purchasing condominiums pay substantially more property taxes and pay school taxes, Councillor Golden requested that Executive Policy Committee study the issue and create a task force to make recommendation to the Provincial Government to provide equity so that seniors are not penalized by choosing one form of lifestyle over the other.

His Worship deferred the question to Councillor Clement, Chairperson of the Standing Committee on Fiscal Issues who agreed to look into the matter while noting that same is an assessment issue. His Worship further noted that he would explore the possibility of creating a task force.

In reference to the 2000 budget, Councillor Prystanski questioned if departments have been requested to increase, hold the line, or decrease their budgets.

His Worship replied that most departments were asked to contribute toward a 10% property tax cut over the next five years and to develop three year budgets along those lines. He noted that September 15, 1999 was the target date for the release of a policy document to explore options for expenditure savings. He further acknowledged that Hydro Utilities were being reviewed so that they were taxed consistently with other municipalities and other provinces. He also advised that a lot of work remained to be done but noted that there would certainly be expenditure reductions with emphasis on minimizing the impact on service delivery.

Executive Policy Committee - Question Period (continued)

Councillor Prystanski questioned when the community police office on Keewatin Street was opened.

His Worship confirmed that a summer opening was budgeted for and advised that it should be open imminently.

Councillor Prystanski inquired what reduction the Winnipeg Police Service would be expected to achieve for the year 2000.

The Speaker called the Deputy Speaker, Councillor Lazarenko, to the Chair and left the Chamber.

His Worship stated that would be a management decision which would include the Chief Administrative Officer, the Chief Financial Officer and the Senior Management team, who would review the matter. He added that a final number was not available as the first working draft of the budget had not yet been completed.

In reference to the MRM project, Councillor Prystanski noted that the budgets were to be based on service priorization and questioned whether the September document referred to by the Mayor would give Council the opportunity to priorize the services provided by the City of Winnipeg so that the budget would be based around those priorities.

His Worship advised that the MRM process was not complete, that all of the services have not been identified and that the departmental business plans were not expected until sometime in the fall. He further advised that a governance seminar report would be released to all Members of Council by the end of the week, noting that it would be considered by the Executive Policy Committee and Council. In addition, he noted that the City would be undertaking a human resource strategy and that Council would convene a budget seminar in early September.