REPORT OF THE

STANDING POLICY COMMITTEE ON

PROTECTION AND COMMUNITY SERVICES

DATED FEBRUARY 8, 1999

On motion of Councillor Vandal, the Report of the Standing Policy Committee on Protection and Community Services, dated February 8, 1999, was considered clause by clause.

Moved by Councillor Vandal,

That the Consent Agenda, Clauses 1,2,3,4,5,7,8 and 9 be adopted.

Councillor Timm-Rudolph requested that Clause 4 be pulled from the Consent Agenda.

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

The motion to adopt the Consent Agenda, Clauses 1,2,3,7,8 and 9 was put and declared carried.

Approval to Participate and Enter into an Agreement for the Utilization of a Personal Pager System as a Tool in Preventing Crime File GF-2 (Vol. 50)

335 - 1. The Standing Policy Committee on Protection and Community Services has reconsidered Clause 1 of its Report dated January 11, 1999, as outlined on Schedule “A”, with respect to the approval to participate and enter into an agreement for the utilization of a personal pager system as a tool in preventing crime, which was referred back by Council on January 27, 1999.

On February 8, 1999, the Standing Policy Committee on Protection and Community Services reconsidered the matter and concurred in its previous recommendation and further requested the Legal Services Division to prepare a legal opinion for consideration when the matter is considered by the Executive Policy Committee on February 17, 1999.

The Standing Policy Committee on Protection and Community Services resubmits its previous recommendation, namely: -

I. That the Winnipeg Police Service receive permission to enter into an Agreement with the Government of Manitoba, and other independent organizations for the implementation of a Crime Prevention Pilot Project in which personal pagers are utilized as a warning system for those who participate in the project.

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

Adopted by consent.

(See Minute No. 367 for attachment)

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Infant Homicides Resulting From Being Shaken to Death (Shaken Baby Syndrome)
Files GF-2 (Vol. 50), GG-2 (Vol. 23)

336 - 2. The Standing Policy Committee on Protection and Community Services has been advised that in August of 1998, the City Centre Community Committee recommended that the Winnipeg Police Services, the Director of Community Services and the Provincial Child and Family Services Department be requested to provide reports with respect to the recent high number of infant homicides that had occurred in Winnipeg during the spring of 1998.

On August 24, 1998, the Standing Policy Committee on Protection and Community Services heard from Councillor Murray, in delegation with respect to this matter.

Shaken Baby Syndrome (SBS) refers to the constellation of injuries that result when an infant or young child is forcefully shaken by the arms, legs, chest or shoulders, often involving blunt impact to the head. Victims of SBS are primarily children under the age of 3, and most commonly those within their first year of life.

It is difficult to know how common SBS is since there is still considerable controversy about the diagnostic criteria. It is also likely under reported, and there is no central reporting registry to collect statistics. Two sources of Manitoba statistics vary somewhat probably due to the above factors. According to the Chief Medical Examiner records, there were 14 SBS deaths in Manitoba in 8 years (1990-1998). The Pediatric Death Review Committee of the College of Physicians and Surgeons of Manitoba identified 5 SBS deaths in 8 years in Manitoba (1988-1996). On the basis of this, an average of 1-2 SBS deaths occur in Manitoba per year. An unusual cluster of 3 SBS deaths which occurred within a 3 week period early in 1998, drew significant attention to this problem. However, it is difficult to identify any trends based on these numbers.

Of recognized cases of SBS, an estimated one out of four children die of their injuries. Many children who survive SBS are left with permanent brain damage. Consequences of SBS include partial or complete loss of vision or hearing, seizure disorders, cerebral palsy, or developmental, cognitive or behavioural impairments. Since treatment for SBS is often ineffective, prevention is of utmost importance.

Profile of the Abuser

Although abuse crosses all social class boundaries, factors associated with increased risk for SBS include young parents, unstable family situations, low socio-economic status, disability or prematurity of the infant, minimal training in child care, and a lack of coping skills to deal with stress.

In order of descending frequency, the perpetrators are the biological fathers, boyfriends of the baby's mother, female babysitters and the mother. Most commonly, young males inflict the injuries (65%-90% of cases). The profile of a typical shaken baby offender is a male in his mid 20's; lives at or near the poverty level; has a low educational level; has difficulty with stress; has experienced violence; may lack positive feelings for the child; has inadequate knowledge of child development; has unrealistic expectations of the child's behaviour.

Environmental Scan

Most of the information and research on Shaken Baby Syndrome (SBS) has come from the United States. Government, health and social service organizations, and community groups in the USA have developed a variety of prevention programs with public awareness and media campaigns as the key approach to decrease the incidence of SBS. A national information, support and referral service on SBS has been initiated with strategies like the use of websites to inform both the public and health professionals. The second American national conference on Shaken Baby Syndrome was held in September, 1998. Of the 800 participants, only 12 were from Canada.

Canada is now in the process of gathering statistics on both the incidence and the outcome of shaken baby occurrences. Provincial and municipal jurisdictions across the country are developing a variety of strategies and programs. Prevention strategies vary locally but include public education, targeted information, and support to families in stressful living circumstances.

Children's Hospital of Eastern Ontario and its partners are developing a Canadian video to promote awareness of the issue. In Alberta, law enforcement officers from various municipalities and jurisdictions are developing collaborative protocols to guide their response to shaken baby incidents.

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The first Canadian conference on Shaken Baby Syndrome, hosted by the Saskatchewan Institute on Prevention of Handicaps, will be held in Saskatoon in May, 1999. It will provide an opportunity to share information on SBS from a Canadian perspective and will provide the basis for a national strategy and multidisciplinary action plan for the prevention of SBS.

The Winnipeg Situation

The Children and Youth Secretariat and the Child Protection Centre hosted an information forum on June 2, 1998, to have interested professionals from key organizations, including representation from many City of Winnipeg departments, learn about SBS and to integrate this information into their services as they work with those at risk.

Numerous longstanding programs and services, delivered by various government and non-government service providers, aim to promote healthy partnering and prevent child abuse and neglect. Recently, Shaken Baby Syndrome has become a special focus within existing programs and services. In addition to ongoing programs, newly funded initiatives are being implemented or developed which are specifically targeted towards the reduction of child abuse.

The Provincial Advisory Committee on Child abuse, as a multidisciplinary, multi-agency, cross-departmental advisory body, has viewed Shaken Baby Syndrome as a major emerging priority and has served as a catalyst for supporting the project initiatives involving the Child Protection Centre and the Children and Youth Secretariat. The Provincial Advisory Committee on Child abuse, which brings together some of the best possible expertise in child abuse in Manitoba, views the development of such community-based preventive initiatives which are aimed at youth and young high risk parents as a significant move towards the reduction of child deaths due to child abuse, and in particular, the Shaken Baby Syndrome. The City of Winnipeg Police Services Child Abuse Unit is a member of the Provincial Advisory Committee.

The Provincial Government, through Family Services and the Children and Youth Secretariat, has recently announced new programs such as "Babies First" to educate youth, and assess and identify higher risk children and families and target community support services. The Babies First Program may provide funding for crisis lines in response to SBS concerns. It also supports assessing children at the most risk for adverse outcomes during their growth and development, and targets additional resources to support these families.

A pilot project initiated by the Child Protection Centre that targets education to those at greatest risk of shaking their child was successfully completed at the Manitoba Youth Centre, the Remand Centre, Headingley Jail, and Agassiz Youth Centre. A follow-up strategy utilizes a "train the trainer" approach for 'corrections staff' to educate their clients who are at greatest risk of abusing.

In schools, there are several programs that complement the curriculum in promoting a healthy family life, good self-esteem, and positive social behaviours. One such program, "Lion's Quest", which is sponsored by Lion's Club International and is endorsed by Winnipeg School Division #1, is a positive prevention program that helps youth develop positive social behaviours, self-esteem, responsibility, and good judgement. It reinforces anger management skills and teaches personal and social decision-making skills throughout the elementary and high school levels. Child Protection experts are advocating adding SBS information to the grade 6 curriculum.

Many of the strategies to best deal with the issue of SBS go beyond the capacity, resources and jurisdiction of the City of Winnipeg and local government responsibility, since SBS, as a form of child abuse, impacts many facets of our society. However, the City of Winnipeg does support a number of programs and initiatives which address key aspects of the Shaken Baby Syndrome.

Community Services

Within Community Services, specific examples of initiatives which directly or indirectly address preventative measures with respect to Shaken Baby Syndrome include:

Public Health Nurses provide education and information to higher risk families in their homes and neighbourhoods on child care and development with specific reference to SBS. Information on SBS is included with child safety infant care issues during prenatal classes, "Nobody's Perfect" parenting classes, babysitting courses, parenting classes for teens, family life education classes, and other community group discussions. SBS is also discussed in relation to anger management and control with adolescent male parents. The issue is also raised at the community level as PHNs work with community groups in their neighbourhoods to improve the health and social well-being of the citizens.

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Community Development and Recreation Services Division has developed and delivers, in partnership with the Manitoba Safety Council, guidelines and training kits for babysitters. The kits specifically reference the Shaken Baby issue and are targeted at the 12-13 year old population. The training is carried out by Recreation Services as a program offering (e.g. Magnus Eliason Recreation Centre, Freight House, Fort Rouge Leisure Centre, Grant Park) or as a program sponsored by specific community centres (e.g. Isaac Brock Community Centre and Robert A. Steen Community Centre).

The "Healthy Mom And Me" program is a community co-operative venture funded by the Canada Prenatal Nutrition Program, Health Canada, and the Winnipeg Foundation. Staffing and resources are provided by a number of service partners including Community Services, City of Winnipeg. The program's main objective is to
ensure that babies of low income, isolated pregnant teens and women who may not be comfortable in a traditional medical setting have a chance at a good beginning. Administrative space is provided out of the Community Health Clinic at 601 Aikins, and program space and support services are provided at Magnus Eliason Recreation Centre, 430 Langside Street and at Shaughnessy Park Recreation Centre, 1641 Manitoba Avenue.

Social Services Department

The Social Services Department has designated one unit of social workers to work specifically with clients who are in crisis situations or who have been identified as "at risk". This unit assumes responsibility for such vulnerable populations as at risk single parent mothers, parents who are minors, and families identified as "high risk". Social work intervention focuses on stabilizing the situation and ensuring the involvement of appropriate community agencies and support systems, including Child Welfare Authorities, Anger Management workshops, Young Parents Community Centre and various other agencies.

The department liaises with Child and Family Services on an ongoing basis and provides written referrals on all situations where children have been identified as being at risk. Departmental workers are actively involved with the Adolescent Parent Interagency Network which attempts to ensure quality service to adolescent parents.

In addition, Social Services administers long term funding agreements that the City has with a number of organizations including two inner city agencies that target high needs youth: Rossbrook House ($197,352) in 1998 and Pritchard Place/Andrews Street Parent Family Centre ($22,402 in 1998).

There is no financial impact.

The Standing Policy Committee on Protection and Community Services recommends:

I. That the City of Winnipeg departments of Community Services, Police Services and Social Services continue to respond to, and support the prevention of, Shaken Baby Syndrome through the programs and services they deliver.

II. That the City of Winnipeg continue to build its knowledge of, and capacity to respond to, the emerging issues surrounding Shaken Baby Syndrome.

III. That the City of Winnipeg consider sending a representative from one of the key service areas including Police, Community Services, or Social Services to participate in the first national conference on Shaken Baby Syndrome in Canada.

IV. That the City of Winnipeg encourage the Children and Youth Secretariat, the Winnipeg Community and Long-Term Care Authority, and other levels of government in their efforts to prevent Shaken Baby Syndrome.

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

Adopted by consent.

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Contract Extension - Provision of Technical Support for the Fire/Ambulance Computer Communications System (FACCS) - RFP No. PD 95-226

File GP-1.36 (Vol. 1)

337 - 3. The Standing Policy Committee on Protection and Community Services has been advised that an RFP No. PD 95-226 was awarded to Lynx Graphics Ltd. in February, 1996 for the provision of Technical Support for the Fire/Ambulance Computer Communications System (FACCS). The Contract called for a three year term, expiring February 1, 1999, but allowed for a two year extension to January 31, 2001, unless either the City or the Contractor wished to terminate the agreement after the initial three year period. The Contract was for the provision of 24 hour per day, 7 day per week, 365 day per year support for FACCS, and for the provision of a full-time resource to provide system development and maintenance services for the duration of the Contract, at a yearly cost of $225,000 per year, with an annual increase to be reflected by the annual Year over Year Consumer Price Index for Winnipeg.

FACCS, the Fire/Ambulance Computer Communications System, is the dispatch system used by the Emergency Response Service to command and control our resources during the mitigation of all incidents. Lynx Graphics Ltd., were the primary architects and developers of FACCS and currently are the contracted support agency for this mission critical dispatch system. The system was put into production in May, 1996 and since that time we have had 100% availability of the system. The system itself, and the support we have received, have both proven to be invaluable in our delivery of emergency response service to the Citizens of Winnipeg.

Since Lynx Graphics also provide IT support for all other departmental systems (under another contract), the administration have been able to make great strides to achieve their goal of integrating all of their IT systems to share information, avoid duplication of effort, and eliminate data redundancy among our systems.

To date, the department has been highly satisfied with the service and support provided by Lynx Graphics. It has been provided with a consistently high level of support, and with a reliable, leading edge dispatch system which is regularly being improved to incorporate changing requirements and state of the art technology. Because of this, it is recommended that Council approve the extension of the contract for another 2 year period to January 31, 2001, as allowed for in the contract.

The extension of this Contract will have no additional financial impact on the Emergency Response Service. Funds are allocated in the department’s current operating budget to meet the financial requirements of this contract. The Contract can be terminated if funds are not available for any fiscal year.

Council approval is required for an extension of a Contract where the funds are required from future budgets.

The Standing Policy Committee on Protection and Community Services recommends:

I. That Council approve an extension of the Contract with Lynx Graphics Ltd. for an additional 2 year period from February 1, 1999 to January 31, 2001 in the estimated amount of $235,000.00 per year, plus GST.

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

Adopted by consent.

Proposed Amendment to the Pound By-law No. 2443/79 - Cat Spay/Neuter Regulation

File EL-4 (Vol. 29)

338 - 4. The Standing Policy Committee on Protection and Community Services has been advised that on August 10, 1995, Council passed a motion that the City of Winnipeg examine the City of Regina's spay and neuter program and determine if such a program would be feasible for the City of Winnipeg. On September 26, 1996, Council adopted the recommendation of the Committee on Finance and Administration that this motion be filed.

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On November 19, 1997, Council adopted the recommendation of the Executive Policy Committee amending the Animal Control By-law to include a clause which prohibited cat owners from allowing their cats to run at large on property other than their own. This by-law amendment came into force January 1, 1998.

In November 1998, the City of Coquitlam, British Columbia, enacted a by-law, which prohibits the owning of a cat over the age of six months in the City of Coquitlam unless the cat is spayed or neutered or the owner possesses a breeding permit. Also, all cats are to have some form of owner identification (tattoo, or microchip, or tag).

In September 1998, the City of Surrey, British Columbia enacted a similar by-law.

On December 1, 1998 the Standing Policy Committee on Protection and Community Services received a request from the Winnipeg Humane Society, that the City of Winnipeg amend its Animal Control By-law to prohibit the owning of a cat in the City of Winnipeg over the age of six months unless it is sterilized or the owner possesses a breeder permit. The Humane Society also requested that this amendment include a requirement for all cats to bear sufficient identification (tattoo, or microchip, or tag).

The Humane Society Proposal

The Winnipeg Humane Society proposes that the City of Winnipeg Animal Control By-law be amended to include the following:

- That every owner of a cat be responsible for ensuring their cat bears sufficient identification, which may take the form of a tattoo, or a microchip, or a tag, or some other acceptable identification method.

- That it be unlawful for any person other than the Humane Society or Animal Services to remove any identification worn by a cat.

- That no person in the City of Winnipeg may own a cat over the age of six months unless the cat is:

    - spayed or neutered by a licensed Veterinarian Surgeon, or,
    - the person possesses a valid breeders permit provided by the City of Winnipeg, or,
    - the person is not normally a resident of the City of Winnipeg

- That the owner of any cat impounded without identification be fined an additional $10.00 each time the cat is impounded.

- That any unsterilized cat found running at large and impounded not be returned to their owner until the cat is spayed or neutered or the owner purchases a breeding permit.

- That the breeding permit be renewed annually from the date of issuance.

- That the fee for a breeding permit be $50.00 plus taxes.

The Winnipeg Humane Society proposes that the enforcement approach be based on prevention and education of the cat overpopulation problem and how cat owners can be responsible and not add to the problem. They also state that information about spay and neuter services, including their own low cost service would be widely distributed through the Humane Society and Animal Services. The Winnipeg Humane Society offers a low cost spay and neuter service for those who can not afford the regular rate. Their low cost rates are $35.00 for spaying and $30.00 for neutering. The Humane Society also suggests that both their Society and Animal Services could issue warnings in the course of their duties.

The Cat Overpopulation Situation

It is generally agreed within the animal care, rescue and control industry that the cat population in the City of Winnipeg is spiralling upwards with no easy solution in sight. Actual numbers of cats in the city are not available, as no formal study has been done for the City of Winnipeg. However based on a 1991 census done in the City of Calgary and figures from the National Pet Alliance (NPA) in the United States it is possible to calculate a reasonable estimate. In 1995 the City of Calgary asked homeowners in a civic census if they owned a cat. The results showed that there were approximately 75,000 owned cats for a citizen population of approximately 750,000.

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Applying a similar ratio to the City of Winnipeg would suggest that there are approximately 65,000 owned cats in the city. The NPA in a recent study found that 59% of cats are owned and 41% are feral. Using this percentage there are estimated to be approximately 110,000 cats in the City of Winnipeg.

In 1997 the Winnipeg Humane Society received approximately 7000 abandoned or unwanted cats. Of this number almost 5000 had to be euthanized as no homes could be found for them. This unfortunately is an annual occurrence for the Humane Society.

In January 1998, the City of Winnipeg enacted a by-law, which prohibited the running at large of cats. This by-law provided residents an option to rent a trap to capture any cat that may be causing a problem on their property. The traps are only available during the warmer months, about seven months. In 1998 there were 365 cats trapped by residents with 104 being returned to their owners or adopted to new homes. The remaining 261 cats had to be euthanized.

Cats are prolific breeders and if left unchecked can produce many offspring in the course of a year. A female cat normally becomes sexually active at five to six months and can become pregnant at that age. According to Dr. Niels Pedersen in *Feline Husbandry* the average domestic cat can have 2.1 litters per year with 4.25 kittens per litter. One cat left unchecked having two litters of four kittens each in one year could cause 120 cats to be born in that year. Assuming 33% of feral kittens die within the first year that still leaves 80 additional cats to continue breeding. One owned cat which is allowed to breed only once before being spayed, with the kittens been given away without assurances that they will be sterilized could cause 100 cats to be born in one year. Survival rates for kittens born to owned cats is higher than those born to feral cats. In general the average life span for an owned cat is 7-8 years versus 2-3 years for a feral cat. The domestically owned cat, from which a large number of strays come, is not native to this land. A large number of stray cats are the result of unnecessary and indiscriminant breeding of domestically owned cats and in some cases the irresponsible disposal of unwanted kittens.

Animal Services Analysis

Animal Services does not have the staffing resources to aggressively enforce a spay and neuter program and agrees that the proposed by-law amendment be enforced in more of a reactive fashion with the emphasis on prevention and education. That is, only specific public complaints or those cats impounded pursuant to the existing by-law or those cats rescued by the Humane Society should result in application of the proposed by-law. Owners of cats encountered in the normal course of duties would receive information on their responsibilities and the importance of sterilizing their cats and the available spay and neuter services. They would also receive a warning to have their cat sterilized within a pre-determined time period. Charges would be laid pursuant to the by-law against only those owners who refuse to comply.

Owners of unsterilized cats that are impounded pursuant to the by-law and who do not wish to have the Humane Society perform the spay or neuter, and instead purchase a breeding permit, should have the opportunity to receive a partial refund of the permit fee (less an administrative cost) if they have their cat sterilized within a predetermined time period; providing that the cat does not have a litter in that time.

The suggested fee of $50.00 for an annual breeding permit is within reason. It is high enough to cause owners to think about their decisions but not too high to be an unfair burden for those who wish to breed.

In 1996 the Province of Manitoba put in force the Animal Care Act. The Act outlines the requirement for Hobby and Commercial Breeders licenses. Anyone wishing to breed 3 to 4 litters of cats or dogs within one year must possess a Hobby Breeders license from the Province. Persons breeding 5 or more require a Commercial Breeders license. The breeding permit referred to in the proposed amendments to the Animal Control By-law should be limited to no more than two litters per year.

Requiring owners to place identification on their cats will greatly assist rescue and control agencies and the general public in reuniting found cats with their owners.

The existing by-law with the option for homeowners to trap offending cats on their property is not intended to control the cat population problem. The proposed by-law will encourage cat owners to be responsible and sterilize their cats, which in time will have an impact on the feral cat population. Unfortunately the feral cat population is large enough to be self-sustaining and without some form of direct interjection will continue to grow. Birth control programs for feral cat populations are difficult and costly to implement, although some smaller interest groups are

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trying by capturing feral cats and sterilizing them before releasing them back into their colonies. Animal Services recommends establishing a task group with the Humane Society, the Veterinarian Association and other similar rescue organizations to examine and report on possible solutions to deal with the uncontrolled feral cat population.

There is no financial impact associated with this initiative.

The agencies responsible for similar by-laws in Surrey and Coquitlam B.C. have stated that they have not experienced any noticeable increase in workloads since implementation of their by-laws. By taking a reactive and educational approach to the proposed amendments there should be minimal impact on Animal Services operation.

Given that Animal Services does not kennel cats impounded pursuant to the by-law it is not anticipated that this program would require any increase in resources. Any involvement by Animal Services would be done through the normal course of duties.

The Standing Policy Committee on Protection and Community Services recommends:

I. That the Animal Services By-law No. 2443/79 be amended as follows, to include a Cat Spay/Neuter regulation as requested, but not limited to, by the Winnipeg Humane Society in its communication dated December 1, 1998:

a) That every owner of a cat be responsible for ensuring their cat bears sufficient identification, which may take the form of a tattoo, or a microchip, or a tag, or some other acceptable identification method.

b) That it be unlawful for any person other than the Humane Society or Animal Services to remove any identification worn by a cat.

c) That no person in the City of Winnipeg may own a cat over the age of six months unless the cat is:

- spayed or neutered by a licensed Veterinarian Surgeon, or,
- the person possesses a valid breeders permit provided by the City of Winnipeg, or,
- the person is not normally a resident of the City of Winnipeg

d) That the owner of any cat impounded without identification be fined an additional $10.00 each time the cat is impounded.

e) That any unsterilized cat found running at large and impounded not be returned to their owner until the cat is spayed or neutered or the owner purchases a breeding permit.

f) That the breeding permit be renewed annually from the date of issuance.

g) That the fee for a breeding permit be $50.00 plus taxes, per person or premises.

h) That the breeding permit fee be refundable upon proof of sterilization within a predetermined time.

II. That the Animal Services By-law No. 2443/79 be amended to allow for issuance of an annual Cat Breeding Permit.

III. That Animal Services establish a task group with the Humane Society, the Veterinarian Association and other similar rescue organizations to examine and report on possible solutions to address concerns with the uncontrolled feral cat population.

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

Moved by Councillor Vandal,

Adoption of the clause.

Carried.

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

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Recommendations for Amusement Tax Exemption File FL-6 (Vol. 18)

339 - 5. The Standing Policy Committee on Protection and Community Services has considered recommendations received from the Winnipeg Arts Advisory Council for exemption to the Amusement Tax
By-law.

The Standing Policy Committee on Protection and Community Services submits draft by-law and recommends:

I. That the following list of exemptions be added to Schedule “E” of the Amusement Tax By-law No. 3107/81, namely:

Alliance Chorale Manitoba for:
Le Festival de la Chanson française at the Pantages Playhouse Theatre on April 24, 1999

Gilbert and Sullivan Society of Winnipeg Inc. for:
“The Gondoliers” at the Pantages Playhouse Theatre on April 15 to 18, 1999

Judo Manitoba for:
Judo Canada Senior National Championships at the Winnipeg Convention Centre on May 15 and 16, 1999

National Screen Institute - Canada for:
Local Heroes International Screen Festival at the Garrick Theatre on March 6 to 13, 1999

Rainbow Stage (1993) Inc. for:
Crazy For You at Rainbow Stage, Kildonan Park on August 3 to 29, 1999

Red Hen Productions Inc. for:
Viriditas at Prairie Theatre Exchange on May 25 to 30, 1999

University of Manitoba School of Music for:
Jorge Suarez Piano Recital at the Winnipeg Art Gallery on April 18, 1999

Winnipeg Chapter S.P.E.B.S.Q.S.A. for:
Parade of Quartets at the Pantages Playhouse Theatre on March 27, 1999

Winnipeg Jewish Theatre for:
Ghetto Tango at the Berney Theatre, Asper Campus, on April 10 and 11, 1999 and
Social Security at the Warehouse Theatre on May 6 to 16, 1999

Winnipeg Youth Chorus for:
“Mid Summer’s Night” at Franco Manitoban Cultural Centre on March 2 to 6, 1999 and
10th Anniversary Concert at the Pantages Playhouse Theatre on May 29, 1999

Chai Folk Arts Council Inc. for:
Chai in Concert at the Centennial Concert Hall on March 2 and 3, 1999

World Beat Festival and World Music Inc. for:
14th Annual Caribbean Carnival at the International Inn on February 20, 1999

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

Moved by Councillor Vandal,
Adoption of the clause.

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The motion for the adoption of the clause was put.

The Speaker called for the yeas and nays, which were as follows:-

Yea: Councillors Gerbasi, Lubosch, Prystanski, Steek, Deputy Mayor Thomas, Vandal, Eadie and His Worship Mayor Murray. 8

Nay: Councillors Angus, Clement, De Smedt, Golden, Smith, Timm-Rudolph and O'Shaughnessy. 7

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

Community Incentive Grant - Germanic Cultural Centre of Manitoba Inc.
File PR-2.4.2 (Vol. 2), PR-2.6(35)(Vol. 6)

340 - 6. On February 4, 1999, the Standing Policy Committee on Property and Development requested that the Standing Policy Committee on Protection and Community Services give favourable consideration to requesting Council to:

1. Waive the assessment process and eligibility criteria of the Community Incentive Grant Program in this instance;

2. Approve a Community Incentive Grant in the amount of $50,000.00 to the Germanic Cultural Centre of Manitoba Inc., for the purpose of satisfying operating costs at the Treffpunkt, Winnipeg Club, subject to receipt of an application for a Community Incentive Grant by the Germanic Cultural Centre of Manitoba Inc.

On February 5, 1999, the Community Services Department received a Community Incentive Grant Application from the Germanic Cultural Centre of Manitoba Inc. for a grant in the amount of $50,000.00. The Administration, advised that this request is for funds to cover net operating losses and not for facility development and therefore does not fall within the intent of the Community Incentive Grant Program criteria. The Administration has therefore recommended that this application be denied.

The Standing Policy Committee on Protection and Community Services recommends:

I. That the assessment process and eligibility criteria of the Community Incentive Grant Program be waived in this instance, namely: -

   a) The project is to make a significant contribution to the long-term benefit of the community-at-large in terms of improved facilities;

   b) The project is not to compete with or duplicate other community facilities;

   c) The project is to benefit the community-at-large and remain accessible to all members of the community;

   d) The application does not include confirmation of sufficient resources to maintain and operate completed projects; and

   e) The project is to clearly articulate a plan of activities including projected work schedules, material, labour, equipment and other project requirements and lead to the completion of a substantial physical product; and

II. That a Community Incentive Grant in the amount of $50,000.00 be approved to the Germanic Cultural Centre of Manitoba Inc., for the purpose of satisfying operating costs at the Treffpunkt, Winnipeg Club subject to:

   a) Confirmation of other funding sources, and

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b) The applicant entering into a formal agreement with the City of Winnipeg.

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

The Executive Policy Committee recommends that the recommendation of the Standing Policy Committee on Protection and Community Services be not concurred in.

Moved by Councillor Vandal,
That the recommendation of the Standing Policy Committee on Protection and Community Services be adopted.

In amendment,

Moved by Councillor Angus,
Seconded by Councillor Clement,

THAT the clause be amended by deleting recommendation No. II contained therein and substituting the following:-

II. That the Director of Property and Development Services be authorized to administer monies over the next 60 days as required, up to a maximum of $50,000, said funds to be allocated from the Land Operating Reserve account to assist the Germanic Cultural Centre of Manitoba Inc.

Council recessed at 11:56 a.m., and reconvened at 1:34 p.m., same members present.

Moved by Councillor Vandal,
That the clause be referred to the Executive Policy Committee.

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

Yea: Councillors De Smedt, Gerbasi, Smith, Deputy Mayor Thomas, Vandal, Eadie and His Worship Mayor Murray. 7

Nay: Councillors Angus, Clement, Golden, Lazarenko, Lubosch, Prystanski, Steek and O'Shaughnessy. 8

and the motion that the clause be referred to the Executive Policy Committee was declared lost.

The amendment was put.

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

Yea: Councillors Angus, Clement, Golden, Lazarenko, Lubosch, Prystanski, Steek, Timm-Rudolph and O'Shaughnessy. 9

Nay: Councillors De Smedt, Gerbasi, Smith, Deputy Mayor Thomas, Vandal, Eadie and His Worship Mayor Murray. 7

and the amendment was declared carried.

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

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The Speaker called for the yeas and nays, which were as follows:-

Yea: Councillors Angus, Clement, Golden, Lazarenko, Lubosch, Prystanski, Steek, Timm-Rudolph and O'Shaughnessy. 9

Nay: Councillors De Smedt, Gerbasi, Smith, Deputy Mayor Thomas, Vandal, Eadie and His Worship Mayor Murray. 7

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

Alternate Fees Proposal of MUST III Program File EH-1.6 (Vol. 3)

341 - 7. The Standing Policy Committee on Protection and Community Services has been advised that as of March 31, 1996, in accordance with By-law No. 5160/89, no person shall operate a food service establishment unless the person in charge has successfully completed the Certified Food Handler Training Program and no person shall operate a food service establishment employing more than five persons on duty at any one time unless there is a person in charge present during all operating hours who has successfully completed the Certified Food Handler Training Program.

The purpose of this requirement is to ensure persons operating or in charge of a food-handling establishment have received basic food safety training. This measure is one important prerequisite aimed at preventing the incidence food borne illness in food service establishments located within the City of Winnipeg.

Environmental Health Service delivers the City of Winnipeg Certified Food Handler Training Program. This is an eight-hour course with an exam that provides important food safety information in the areas of microbiology, foodborne illness, health and hygiene, serving and dispensing, food protection, receiving and storage, and cleaning and sanitizing. The present fee for this course is $52.00 per person. Persons wishing to challenge the exam without taking the course are charged a fee of $22.00.

The Canadian Council of Grocery Distributors offers a similar safe food handling course, referred to as the MUST III Program, within Winnipeg. Currently, persons who have successfully completed the MUST III program must still challenge the City of Winnipeg Food Handler Training Exam in order to qualify for the City of Winnipeg Food Handler Training Certificate at a cost of $22.00. As a result two exams must be completed by the same person to ensure that the person meets the City of Winnipeg Food Handler Training objectives.

At the request of the Canadian Council of Grocery Distributors, the MUST III course and exam was reviewed by City of Winnipeg Environmental Health Services to ensure that the course met the learning and testing objectives of the City of Winnipeg Certified Food Handler Training course and exam. Upon review of the MUST course and exam, additions to the subject course and exam were recommended. In having done this, Environmental Health Services feels that the content of the MUST III exam now meets the same objectives as the City of Winnipeg Certified Food Handler training exam. Persons completing the "modified" course and exam will now complete a food safety program that has been approved by the Medical Officer of Health as defined in City of Winnipeg
By-law No. 5160/89. It is therefore recommended that a fee be established for this arrangement.

In order to ensure ongoing compliance of the Must III Course and Exam with City of Winnipeg standards, the following have been agreed to:

- City of Winnipeg Environmental Health Officers will participate at the MUST III course (1 hr. max) by providing information on issues such as relevant legislation, role of the Environmental Health Officer and other topics Environmental Health Services feels important to include. This one-hour time frame will also provide the opportunity to promote a better understanding of the Environmental Health Officer's role in safe food handling.

- Environmental Health Services will be made aware of any changes to the MUST course or exam and a staff person from Environmental Health Services may be present during the delivery of any MUST III course in Winnipeg.

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- The exam will be proctored and marked by the MUST III staff. A staff person from Environmental Health Services may be present during the examination and the grading of the examination. The names and the marks of the persons successfully completing the exam will be forwarded to Environmental Health Services, and placed on a registry.

Environmental Health Services feels that this arrangement will meet the objectives of ensuring a minimum standard of food safety knowledge and providing a convenient certification process for persons taking the MUST III course. This arrangement provides an alternative means of certifying food handlers, while minimizing the demand on City staff resources. A fee of $20.00 per person registered is recommended. This will ensure the recovery of all City of Winnipeg costs incurred in this initiative.

The financial impact is on file in the Office of the City Clerk.

The Standing Policy Committee on Protection and Community Services recommends:

I. That Council approve a $20.00 per person fee to cover City of Winnipeg costs of recognizing persons who have completed the MUST III food safety course and exam as having completed a food safety program that has been approved by the Medical Officer of Health as defined in the City of Winnipeg By-law No. 5160/89.

II. That the City Solicitor be instructed to prepare the necessary by-law amendment to effect the intent of the foregoing.

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

Adopted by consent.

CANCOPY Licensing Agreement
File L-1 (Vol. 15)

342 - 8. The Standing Policy Committee on Protection and Community Services has been advised that in 1995 CANCOPY, which is a Canadian Copyright Licensing Agency, informed the Council of Administration of Large Urban Public Libraries (CALUPL) that they wished to negotiate a model license agreement for public libraries using a similar approach to that used with post secondary institutions.

A survey to determine the extent of photocopying in public libraries was prepared in 1996. In discussion with CALUPL, CANCOPY established tariffs for a three year period to compensate authors for the level of photocopying in public libraries.

On April 25, 1997, Bill C-32, which amended the Copyright Act was given Royal Assent by the Federal Government.

In 1998, various Canadian Library Systems signed agreements with CANCOPY. During this time Library Services Division worked with Legal Services to negotiate an agreement with CANCOPY.

The Canadian Copyright Licensing Agency (CANCOPY) is a copyright collective established in 1998 to represent the photocopying rights of creators and publishers. It does this by negotiating licenses with institutional and individual users under which fees are paid for copying which if done without the consent of the copyright owner would be an infringement of the Copyright Act.

The negotiated agreement with CANCOPY is based upon the level of copying in public libraries and the remuneration is based upon the number of machines.

All British Columbia Public Libraries, 90% of Ontario Public Libraries, all P.E.I. and New Brunswick Public Libraries have signed the CANCOPY agreement.

To ensure that the City and Library are indemnified against legal action by authors concerned with copyright infringement, signing of this agreement is necessary.

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As a result of negotiations between CANCOPY, Legal Services and the City, the Administration is recommending that the licensing agreement be signed and take effect retroactive to April 25, 1997.

The cost to the Library for the period 1997 through 1999 is $26,000. In 1999, CANCOPY will be negotiating a new national licensing agreement with public libraries. The operating costs associated with this contract will be absorbed under the Division's budget.

The Library Services Division requires Council approval to enter into an agreement with CANCOPY.

The Standing Policy Committee on Protection and Community Services recommends:

I. That the City of Winnipeg enter into a licensing agreement with CANCOPY, A Canadian Copyright Licensing Agency.

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

Adopted by consent.

Award of Contract for the Provision of High Speed TCP/IP Network Access for Winnipeg Public Libraries RFP No. 1496-98
File GL-9 (Vol. 12)[c/r L-1 (Vol. 15)]

343 - 9. The Standing Policy Committee on Protection and Community Services has been advised that in 1997 City Council approved the allocation of capital funds for the Library's Community Computer Access Program, a total of $3.9 million phased in over three years. The proposed contract falls within this previously approved capital program. The program has since been changed to a four year implementation. The capital project was based on the Nordicity report, a five year automation plan developed by a consulting firm commissioned by the Library to prepare the plan in 1995, and on the Library's Forward Thinking document.

One of the key goals of the program is to:

- upgrade the Library's network infrastructure and support systems so that the provision of public and staff access to a wide range of electronic resources would be possible,

An RFP for fiber optic services was issued and closed on November 2, 1998. Videon FiberLink Inc. was the only bidder. Negotiations have concluded and an agreement has been reached.

In order for the Libraries to provide public and staff access to a wide range of electronic resources ranging from the Library's on-line catalogue, to a collection of multimedia CD ROMs, to the Internet, a significant investment must be made to build an infrastructure that will support such a service accessible from any of the Library's twenty branches.

The advances in electronic resources, with many products now using some form of video and/or animation mixed with sound, has increased the network transmission requirements significantly. Fortunately, the advances in fiber optic networking have kept pace with the need and is now more readily available. The fiber optic service allows for centralized processing, centralized support, low risk for failure, high availability, high transmission rates(10 million characters/second), a simpler growth path, and a wider variety of add-on services such as voice transmission. In addition, once in place the infrastructure will allow the Library to take advantage of opportunities such as the Gates Foundation, the Connecting Communities program, and other funding agencies. It will also allow the Library to provide access to the ever growing breed of information products that are only available in electronic form, to which most Winnipeg citizens do not have access to.

The agreement details are as follows:

- The total contract cost is $913,880.00 including taxes; $82,280.00 in capital costs, $831,600.00 in operating costs, $166,320.00 annually. Net operating costs are on file in the office of the City Clerk.

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- Each branch will have a five year service agreement starting the day the branch is installed. The installation of branches will be staggered over two years. Pricing details are on file in the office of the City Clerk.

- If the service at a branch is discontinued by the City prior to the end of its five year term, the City must pay 50% of the balance of the service agreement for that branch upon termination. However, provision has been made in the agreement to allow the City the flexibility to move the service in the event of a library relocation or amalgamation of branches without penalty.

- Videon will upgrade the City's Internet link from its current 500,000 characters/second to 10,000,000 characters/second at no additional charge.

- Videon will distribute a Library produced insert in their monthly billing to market the new services at no additional cost.

- Videon will do some marketing of the new services on their Channel 11 at no additional cost.

- Videon will be managing the contract and will be subcontracting the east side of the city to Shaw Cable.

Videon FiberLink has the necessary experience and resources to complete the project satisfactorily. The bid is open for acceptance until March 2, 1999.

Additional funding is not required in the 1999/2000 Current Estimates, as this expense is being funded from the Library Reserve Fund. The ongoing operating costs associated with this contract will be funded through the department's existing budget for years 2001-2003.

Inasmuch as the contract commits payment by the City from future operating budgets, the award of contract requires Council approval.

The Standing Policy Committee on Protection and Community Services recommends:

I. That a contract be awarded to Videon FiberLink Inc. for the provision of high speed TCP/IP network access for Winnipeg Public Libraries at a total contract price of $913,880.00 including taxes.

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

Adopted by consent.

STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES

MOTIONS

Moved by Councillor Vandal,
Seconded by Councillor Eadie,
344 - WHEREAS On January 27, 1999, Council adopted Clause 8 of the Report of the Standing Policy Committee on Property and Development dated, January 5, 1999, with respect to the "Proposed Joint Use Development Agreement with The St. Boniface School Division in Island Lakes - Riel Community";

AND WHEREAS Recommendation IV., of the Clause provided that funding in the amount of $200,000.00 be allocated for the proposed joint use development project as follows:

- $150,000.00 from the Riel Community Committee Land Dedication Reserve Account.

- $25,000.00 from the Riel Community Committee's allocation of the Community Incentive Grant Program each in 1999 and 2000, on the proviso that Council approves funding for such program in each of those years.

Standing Policy Committee on Protection and Community Services - Motions (continued)

AND WHEREAS On January 11, 1999, the Standing Policy Committee on Protection and Community Services recommended the aforementioned funding from the Community Incentive Grant Program.

AND WHEREAS On January 20, 1999, the Executive Policy Committee considered the recommendations from both Standing Committees, but inadvertently did not include reference to the Standing Policy Committee on Protection and Community Services recommendation on Community Incentive Grant funding in the clause.

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to make the necessary amendments to Clause 8 of the Report of the Standing Policy Committee on Property and Development dated, January 5, 1999, in order to reflect the above and that the Proper Officers of the City be notified of the foregoing.

Carried.

STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

345 - On motion of Councillor Vandal, 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. 7382/99, a by-law of The City of Winnipeg to amend the Amusement Tax By-law No. 3107/81. File FL-6 (Vol. 18)

By-law No. 7383/99, a by-law of The City of Winnipeg to cancel certain monies owing to the city. File FL-6 (Vol. 18)

Councillor Clement asked to be recorded as having voted against By-law Nos. 7382/99 and 7383/99, in accordance with Rule 50.7 of the Procedure By-law.