REPORT "A" OF THE

EXECUTIVE POLICY COMMITTEE

DATED JUNE 10, 1998

On motion of Her Worship Mayor Thompson, Report "A" of the Executive Policy Committee, dated June 10, 1998, was considered.

Moved by Her Worship Mayor Thompson,
That the Consent Agenda, Clause 1, be adopted.

Carried.

Land Dedication Reserve Expenditure - Community Wide Fencing Program - East Kildonan-Transcona Community Committee Files EP-2 (Vol. 24) and PR-7(33) (Vol. 1)

739 - 1. The Executive Policy Committee has been advised that the East Kildonan-Transcona Community Committee has concurred in a community wide fencing program being initiated utilizing the Land Dedication Fund and that the projects be priorized as follows:

LOCATIONS	DESCRIPTION	ESTIMATED COST
Wynford Park	753 lineal metres wooden bollard fence	$ 26,355
Bayview Park	595 lineal metres wooden bollard fence	$ 20,825
Armstrong Park	295 lineal metres chain link fence (4')	$ 11,505
Bunn's Creek Park	250 lineal metres wooden bollard fence	$ 8,750
Fraser's Grove Park	320 lineal metres wooden bollard fence	$ 11,200
Braeside Park	250 lineal metres replacement wooden bollard fence	$ 8,750
Gateway Community Centre	700 lineal metres 4' height chain link fence	$ 24,500
Nairn Overpass Park	570 lineal metres wooden bollard fence	$ 19,950
Kiwanis Park	100 lineal metres chain link 10' height fence	$ 7,500
Harold Hatcher Park	290 lineal metres replacement wooden bollard fence	$ 10,150
Crocus Park	107 lineal metres wooden bollard fence	$ 3,745
Concordia Avenue Buffer Strip	1,466 lineal metres replacement wooden bollard fence	$ 51,310
	TOTAL	$204,540

and that the community wide fencing program continue until such time as all the listed projects have been completed albeit some of the fencing projects will have to be placed in abeyance until such time as additional funds are allocated to the Land Dedication Fund.

The Executive Policy Committee concurs with the recommendation from the East Kildonan-Transcona Community Committee and recommends that the program be approved as outlined above and that funds be utilized from the East Kildonan-Transcona Community Committee Land Dedication Reserve Fund.

Adopted by consent.

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JUNE 17, 1998

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee, dated June 17, 1998, was considered clause by clause.

Moved by Her Worship Mayor Thompson,
That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8,9 and 10 be adopted.

Councillor Steek requested that Clauses 1 and 10 be pulled from the Consent Agenda.

Councillor Thomas requested that Clauses 2 and 9 be pulled from the Consent Agenda.

Councillor Lazarenko requested that Clause 8 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 3,4,5,6 and 7 was put and declared carried.

Establishment of the Grosvenor Square Business Improvement Zone
File FL-7.16 (Vol. 1)

740 - 1. The City of Winnipeg Act, Section 197(1) states the following:

"197(1) Subject to subsections (2), (3) and (4), the council may, by by-law, establish a business improvement zone when a petition signed by 10% of businesses that represent 10% of the total business assessment in the proposed zone is received by the council requesting that an area defined by the petitioners be designated as a zone."

On December 16, 1997, the City Clerk received a communication from Mr. Denis Fletcher, Business Improvement Zone Officer who submitted a petition to establish a business improvement zone in the Grosvenor area (the map of the proposed zone is outlined on Appendix "A").

The petitioners represent 40.00% of the businesses that represented 46.79% of the proposed zone's total business assessment (the results of the petitions are outlined on Appendix "B"). On February 20, 1998, the City Treasurer certified that the petitioners did constitute at least 10% of the businesses that represent 10% of the total business assessment in the proposed zone.

On February 26, 1998, the Chief Financial Officer directed to the Administration:

"1. That in accordance with Section 197(2) of The City of Winnipeg Act, notices be mailed to each business located in the proposed Grosvenor Square Business Improvement Zone advising that a sufficiently signed petition (certified by the City Treasurer) has been received for the establishment of this zone, thereby ensuring each business has an opportunity to submit a notice of objection.

2. That the final date by which notices of objection will be received be 30 days after the date the notices are mailed by the City."

On May 15, 1998, the City Treasurer certified that the objections to the zone did not constitute one-third of the businesses that represent one-third of the total business assessment in the proposed zone.

It should be noted that while the issuing of notices by the City after having received a petition for a zone is mandatory, the actual establishment of a zone by City Council, regardless of the number of objections thereto received, is not.

A tabulation of the notices of objection received to May 1, 1998, is provided as follows:

Report of the Executive Policy Committee dated June 17, 1998

	Number of Businesses	Business Assessments
Total businesses within the proposed zone:	30	$354,600
Businesses that submitted a notice of objection:	1	$ 5,220
Businesses that object to the zone represent:	3.33%	1.47%
Required percentage for preventing the establishment of the zone:	33.33%	33.33%

As the petitioners for the proposed Grosvenor Square Business Improvement Zone have now complied with all provisions of The City of Winnipeg Act, it is now left to City Council to determine whether to create the proposed zone.

The Executive Policy Committee recommends:

I. That the establishment of the Grosvenor Square Business Improvement Zone be approved by City Council.

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law designating a Business Improvement Zone to be known as the "Grosvenor Square Business Improvement Zone" and establishing a Management Board, be approved by City Council.

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

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

Moved by Her Worship Mayor Thompson,
Adoption of the clause.

Carried.

Bill 36 - The City of Winnipeg Amendment and Consequential Amendments Act
File GL-5.1 (Vol. 44)

741 - 2. The Executive Policy Committee has been advised that Bill 36 received first reading on April 28, 1998, and passed committee stage on June 15, 1998.

At its meeting of April 29, 1998, Council ruled automatic referral of the following motion moved by Councillors Angus and Silva to Executive Policy Committee:

"WHEREAS citizen participation plays a fundamental role in civic government decision-making;

AND WHEREAS Council previously resolved to request the Province of Manitoba for legislative authority to enable it to determine the process for citizen participation, including the option of Community Committee;

AND WHEREAS if this flexibility is accorded to the City, some alternatives to the existing Community Committee structure will have to be considered;

THEREFORE BE IT RESOLVED that Executive Policy Committee be requested to develop options for public input and report back to Council."

Report of the Executive Policy Committee dated June 17, 1998

At its meeting of May 13, 1998, Executive Policy Committee further referred the above motion to the Chief Administrative Officer for report back in consultation with the City Solicitor and City Clerk regarding process, time frames and format.

Council, on October 29, 1997, amended and adopted Clause 1 of the Report of Executive Policy Committee dated October 24, 1997, entitled George B. Cuff - Organizational Review and Performance Assessment Report. Included in the recommendations was a request that the Province amend *The City of Winnipeg Act* (CWA) in accordance with Appendix "B" of the report.

On April 29, 1998, The Minister of Urban Affairs advised that Bill 36 - *The City of Winnipeg Amendment and Consequential Amendments Act* received first reading. This Bill, upon Royal Assent, will necessitate certain by-law amendments.

Bill 36 repeals those sections of the CWA which establish Community Committees and set out certain of their duties and procedures. However, the requirements in the CWA for hearings to be held by committees made up of Councillors have been maintained. In addition, a number of by-laws include provisions for hearings by the Community Committees (e.g. the annual BIZ budgets, licence applications).

It is recommended that public consultations, through the Plan Winnipeg review process, commencing in the fall of 1998, be utilized to assist in determining the most appropriate structure for public participation in the governing process of the City.

However, Royal Assent of Bill 36 will require a transition process to ensure that the current public hearing processes are not interrupted while Council explores alternative options for public participation. The draft by-law will provide for the interim continuation of Community Committees, and incorporate a corresponding amendment to the Residents' Advisory Group By-law No. 6393/94.

Bill 36 enables Council to extend the provisions of the In Camera By-law to provide for Council considering matters in-camera. The proposed by-law extends the provisions of the In Camera By-law to cover this area.

It is recommended that the proposed by-law amendments be enacted by Council prior to the passage of Bill 36, s.4 of the by-law provides that it will take effect only upon Royal Assent of Bill 36.

The draft amendments to the Procedure By-law, as outlined on Schedule "A", provide procedures consistent with the Act regarding the Mayor's tie-breaking vote, the time of the inaugural meeting, and the Committee appointment process. Pursuant to s.4 of the Procedure By-law, these amendments are to be referred to the Secretariat Committee for report to council

The Executive Policy Committee recommends:

I. That Community Committees be continued in their present form, with their current powers and duties, on an interim basis pending further consideration and direction by Council, so as to continue the public hearing processes established by The City of Winnipeg Act and by various By-laws, and that Council enact corresponding amendments to the Organization By-law No. 7100/97.

II. That Council direct that the public consultations regarding Plan Winnipeg concurrently consider options for public input in the decision making process of the City.

III. That amendments to the In Camera By-law No. 5288/89 be made to reflect amendments to The City of Winnipeg Act.

IV. That Council enact the proposed By-law necessary to accomplish the above noted amendments to the Organization By-law and the In Camera By-law.

V. That the draft amendments to the Procedure By-law No. 5400/90, as outlined on Schedule "A", be referred to the Secretariat Committee for report to Council.

Report of the Executive Policy Committee dated June 17, 1998

VI. 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.

Moved by Deputy Mayor Eadie,
Adoption of the clause.

At the request of Councillor Thomas, Council considered the third recommendation separately.

The third recommendation was put.

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

Yea: Councillors Prystanski, Angus, O'Shaughnessy, Phillips, Silva, Timm-Rudolph, Deputy Mayor Eadie and Her Worship Mayor Thompson. 8

Nay: Councillors Golden, Lazarenko, Lubosch, Murray, Steek, Thomas, Vandal and Clement. 8

and the third recommendation was declared lost in accordance with Rule 58 of the Procedure By-law.

The first, second, fourth as amended, fifth and sixth recommendations were put and declared carried.

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

Pan Am Pool - Aquatic Hall of Fame and Museum of Canada Addition
File PR-2.2 (Vol. 18)

742 - 3. The Executive Policy Committee has been advised that the Pan Am Pool has been the home of the Aquatic Hall of Fame and Museum of Canada since the pool was constructed for the Pan Am Games in 1967.

Under the Canada / Manitoba Infrastructure Program, approximately $2,000,000 was allocated to the upgrading and expansion of Pan Am Pool and surrounding site in preparation for the Pan Am Games. This project is near completion.

On September 24, 1997, Council approved the expenditure of $150,000 for foundation reinforcement to house a future proposed Aquatic Hall of Fame addition. This foundation work was carried out in conjunction with the above referenced expansion and upgrade.

The Aquatic Hall of Fame is presently housed in the main foyer and side hallways of Pan Am Pool. Over the years it has grown significantly as many new artifacts have been acquired and added to the collection of memorabilia. The present display, although very well kept, is difficult to fully appreciate given space and layout constraints.

The proposed addition will create a dedicated display area for the Hall of Fame and will be designed in a manner to allow for receptions and gatherings. As well, the addition which will be on the front face of the building (west elevation) will significantly improve the aesthetic appeal of the facility.

The tourism potential for the Aquatic Hall of Fame has been largely untapped to date. Housing the museum in a central location within Pan Am Pool allows for special displays and shows which can be marketed to the local population and visitors to the city.

Report of the Executive Policy Committee dated June 17, 1998

It is expected that contributions to the project from the Province of Manitoba and the Government of Canada will come in the form of an allocation from the recently announced Canada - Manitoba Economic Development Partnership Program. The City would be viewed as the proponent and responsible for a contribution of one third of the total project cost.

Funding for the City's share of the project ($333,333) has been identified within the building maintenance sections of the former Civic Buildings ($207,000) and Parks and Recreation ($126,333) budgets.

Annual operation and maintenance costs associated with a proposed 10,000 sq.ft. addition is estimated at $30,416. Given the preliminary nature of project planning, accurate cost projections cannot be identified. Upon preparation of final plans and specifications, detailed operating cost estimates will be prepared and submitted for consideration in the 1999 current budget estimates. The addition is not expected to be complete until early 1999 and as such, there is not expected to be any operating costs in 1998.

The Executive Policy Committee recommends:

I. That the City of Winnipeg contribute $333,333 as a one third share toward the construction of an addition to Pan Am Pool to house the Aquatic Hall of Fame and Museum of Canada conditional upon the federal and provincial governments each matching the City contribution.

II. That funding for the ongoing operation and maintenance of the addition be identified and considered in the preparation of the 1999 current budget estimates.

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.

Councillor Murray asked to be recorded as having voted against the clause, in accordance with Rule 50.7 of the Procedure

Subdivision and Rezoning of Land Bounded by the Perimeter Highway on the West, Charleswood Road on the East, the Abandoned CNR Cabot Subdivision (Ridgewood Corridor) on the North and the CNR Mainline/Wilkes Avenue on the South - Assiniboia Community

File DASZ 7/91

743 - 4. Council at its meeting held on December 15, 1993, granted the Executive Policy Committee an extension of time of 120 days to deal with Clause 6 of the Report of the Committee on Planning and Community Services, dated May 11, 1992, relative to the above.

On October 5, 1994, the Executive Policy Committee referred the matter back to the Committee on Planning and Community Services, whereupon the matter was laid over until the September 5, 1995 meeting of the Committee on Planning and Community Services, or until such time as TransPlan 2010 was to be adopted by Council.

On January 28, 1998, Council granted a further extension of time of 60 days inasmuch as it was anticipated that TransPlan 2010 would be completed in the near future.

On March 25, 1998, Council granted an extension of time of 90 days, inasmuch as TransPlan 2010 is near completion.

Inasmuch as Transplan 2010 is near completion, and in accordance with Section 61.5 of the Procedure By-law No. 5400/90 as amended, the Executive Policy Committee recommends that Council grant a further extension of time of 180 days for consideration of this matter.

Adopted by consent.

Report of the Executive Policy Committee dated June 17, 1998

Alternative Service Delivery Proposal for Primary Material Services
File GL-5.6.1 (Vol. 1) [c/r CR-5 (Vol. 1)]

744 - 5. On December 17, 1997, the Executive Policy Committee laid over Clause 3 of the Report of the Standing Committee on Fiscal Issues dated December 8, 1997 and referred same to the Chief Administrative Officer for a detailed analysis and report on the following options for the Primary Materials Branch: 1) Alternate Service Delivery; 2) Sale; 3) Temporary Lease; 4) Contracting Out.

On March 25, 1998, Council granted an additional 90 day extension for consideration of this matter.

The business plan presented to the Executive Policy Committee was termed a feasibility study which examined alternative forms of operation for Primary Materials such as the continuation of a line function within the Equipment and Material Services Division, contracting out (Out Sourcing and Leasing) and Special Operating Agency. The feasibility study was presented to the Executive Policy Committee with the expectation of receiving direction on which alternative and delivery form should be pursued in terms of developing a comprehensive business plan. The one area the feasibility study did not consider was the sale of the operation.

The Primary Materials operation consists, in part, of a gravel pit operation in the Pine Ridge area just north east of the City which supplies the granular material for the operation. This pit is a mine with an underground asset. Similar to any mining operation the extent and quality of the "ore" must be evaluated in order to determine the sale value of the mine. The sale value of the mine must also be evaluated against the impact of buying the City's granular needs on the "open market".

In order to determine the potential selling price of the gravel pit and the impact to the City acquiring all of its granular material from the private sector, a consultant must be hired to prepare a report with recommendations. Following receipt of the report, it will be forwarded on to the Executive Policy Committee.

The Land and Development Services Department, Real Estate Division, was consulted and concur in this approach as they do not have the internal resources to conduct an evaluation of the potential selling price of this property.

They, together with representatives from Corporate Finance and the Equipment and Material Services Division would be part of a team evaluating the consultant's work.

The work of the consultant will take a couple of months after they are engaged. In order to provide the requested information on the selling price of the gravel pit operation, it is requested that Council approve an additional 120 day extension to provide this information.

The proposed hiring of consultants does not have a financial impact to the City at this time, other than the expense of hiring them and the cost of exploratory drilling and excavation of the site.

In accordance with Section 61.5 of the Procedure By-law No. 5400/90 as amended, the Executive Policy Committee recommends that Council grant an additional extension of time of 120 days for consideration of this matter.

Adopted by consent.

Land Dedication Reserve Expenditure - Redevelopment of Clifton Community Centre - City Centre Community
Files EP-2 (Vol. 24) and PR-2(32) (Vol. 3)

745 - 6. The Executive Policy Committee has been advised that on May 5, 1998, the City Centre Community Committee directed the Administration to provide a report outlining the status of the redevelopment of Clifton Community Centre. Subsequently on June 2, 1998, the Project Management Coordinator submitted a report outlining the funding (Capital), cost estimate, cost estimate for items not included in the tender, total estimated price, potential funding shortfall ($68,096.00), project schedule and Burlington Northern easement.

Report of the Executive Policy Committee dated June 17, 1998

The City Centre Community Committee has recommended that an expenditure of $40,000.00 be approved from the City Centre Land Dedication Fund to assist with the cost of redevelopment of Clifton Community Centre.

The Executive Policy Committee concurs with the above and recommends that funds in the amount of $40,000.00 be approved from the City Centre Community Land Dedication Reserve Fund for the project.

Adopted by consent.

Site Access Plan for access to the Forks
File FR-4.1 (Vol. 3)

746 - 7. 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 11, 1997, the Executive Policy Committee referred the matter to the Standing Policy Committee on Property and Development.

On November 25, 1997, the Standing Policy 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 the matter.

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

On April 29, 1998, Council granted a further extension of time of 60 days to further consider the matter.

The Executive Policy Committee recommends that an extension of time of 60 days be approved to further consider this matter in accordance with rule 16.4 of the Procedure By-law No. 5400/90 inasmuch as CentrePlan is currently finalizing a digital layout of the downtown which will be the basis for all future CentrePlan efforts, including a site access plan for The Forks.

Adopted by consent.

Report of the Executive Policy Committee dated June 17, 1998

Award of RFP No. P.D. 97-171 - Request for Proposals for Operational Service Contracts with Community Centres and Non-Profit Ice Sport Organizations at City of Winnipeg Indoor Ice Arena(s
File GL-9 (Vol. 11) [c/r PR-2.1 Vol. 23]

747 - 8. The Reshaping Our Civic Government document as approved by Council on March 20, 1997 recommended that the City pursue the solicitation of community interest from community centres and non-profit ice sport organizations for the operation, management and maintenance of the sixteen City operated indoor ice arenas.

On December 15, 1997, the City officially advised the Canadian Union of Public Employees (CUPE) of the intention to pursue the arena contracting initiative. The notice is in accordance with the collective agreement. The City subsequently provided the union with the arena business plan document.

On March 11, 1998, Executive Policy Committee concurred with "The Business Plan: For the Potential of Entering into Service Contracts with Community Centres and/or Non-Profit Ice Sport Organizations for the Operation of The City of Winnipeg Indoor Ice Arenas" and instructed the Chief Administrative Officer to proceed with a proposal call for specific arenas.

The Request for Proposals closed on May 12, 1998. It was determined that no proposal security requirement would be requested for this proposal package. Performance security will be required following notification of acceptance of the offers and prior to the commencement of any work. The required proposal documentation of the recommended offerers meets the requirements and are in order. The proposal offers are open for acceptance until September 9, 1998.

The City received eight proposal offers from six qualifying responsive offerers for five of the six arenas offered for proposals. Five qualifying responsive offerers submitted a single proposal, while one offerer submitted proposals for three arenas. One of the arenas offered did not receive a single proposal.

The existing service contracts currently in effect for food concessions, skate sharpening concessions, rink board advertising, equipment maintenance and other minor incidental service contracts will not be impacted by these recommended service contracts. All existing contracts will remain in effect until such time as the contracts expire.

The three proposal offers recommended for award have identified sub-contractors to be utilized in the execution of the contracts. The list of sub-contractors for each proposal offer are outlined on Schedule "A" .

The administration has reviewed the proposal offers and supporting documentation of the recommended highest rated responsive offerers and is of the opinion that they are capable of providing the service and performing the work in accordance with the requirements of the specifications. The Legal Services Division of the Corporate Services Department has reviewed the report and is in agreement with the recommendations and content of the report.

The contracts are to commence August 1, 1998, therefore requiring the contracts to be awarded no later than the end of June 1998. This is necessary to allow sufficient time to the highest rated responsive offerers to prepare for the commencement of the contract.

Funding for the recommended contracts will be expended from the approved 1998 current budget for the specified arenas. Budget approval will be required for 1999, 2000 and 2001 in order to honour the contracts. It is expected that based on the proposals offers a cost savings will be achieved over the term of the 36 month contracts.

The anticipated cost of awarding the three contracts is estimated at $1,583,687 for the 36 month term of the contract. The financial impact of this contracting initiative is expected to realize a potential cost savings to the City in the amount of approximately $285,496 over the term of the contract for the three contracted arenas. This saving is based on the offerers ability to achieve the revenue targets projected in their respective proposal. Therefore the current arena budgets will be required unchanged, with the actual savings being realized at the end of each fiscal year. Financial impact analysis is outlined on Schedule "B".

Report of the Executive Policy Committee dated June 17, 1998

The Executive Policy Committee recommends:

I. That an award of contract (R.F.P. Item 1) be approved for Billy Mosienko Arena, to the Winnipeg Minor Hockey Association, who has submitted the proposal offer most advantageous to the City, said contract being a 36 month service contract to operate the Billy Mosienko Arena, as it is in the interest of the City to award the contract.

II. That no award of contract (R.F.P. Item 2) be approved for Grant Park Arena, as the proposal offer for this arena has been withdrawn.

III. That an award of contract (R.F.P. Item 3) be approved for the St. Vital Centennial Arena, to the St. Vital Minor Hockey Association, who has submitted the proposal offer most advantageous to the City for St. Vital Centennial Arena, said contract being a 36 month service contract to operate the St. Vital Centennial Arena, as it is in the interest of the City to award the contract.

IV. That no award of contract (R.F.P. Item 4) be approved for Maginot Arena, as no proposal offers were submitted for this arena.

V. That an award of contract (R.F.P. Item 5) be approved for the River East Arena to the Winnipeg Minor Hockey Association, who has submitted the proposal offer most advantageous to the City for River East Arena, said contract being a 36 month service contract to operate the River East Arena, as it is in the interest of the City to award the contract.

VI. That no award of contract (R.F.P. Item 6) for Vimy Arena be approved, as it is in the best interest of the City not to award a contract.

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

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

Moved by Councillor Angus,
Adoption of the clause.

Moved by Councillor Lazarenko,
That the clause be laid over to the Council Meeting scheduled for July 22, 1998.

The motion to lay over was put.

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

Yea: Councillors Golden, Lazarenko, Lubosch, Murray, Thomas and Vandal. 6

Nay: Councillors Prystanski, Angus, O'Shaughnessy, Phillips, Silva, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Clement. 9

and the motion to lay over was declared lost.

Moved by Councillor Silva,
That Rule 6.1 of the Procedure By-law be suspended to allow Council to remain in session until deliberation of the clause is concluded.

The motion to suspend the rule was put.

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

Yea: Councillors Prystanski, Angus, Lazarenko, O'Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Clement. 11

Nay: Councillors Lubosch, Murray, Thomas and Vandal. 4

Report of the Executive Policy Committee dated June 17, 1998

and the motion to suspend Rule 6.1 of the Procedure By-law was declared carried.

The motion for the adoption of the clause was put.

Councillor O'Shaughnessy called for the yeas and nays, which were as follows:-

Yea: Councillors Angus, O'Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Clement. 9

Nay: Councillors Prystanski, Lazarenko, Lubosch, Murray, Thomas and Vandal. 6

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

Council recessed at 12:08 p.m., and reconvened at 1:37 p.m., same members present.

Councillors Prystanski, Angus, Murray, O'Shaughnessy and Steek entered the meeting after Council had reconvened.

Council here proceeded to consider the order of business - "Clause 10 of the Report of the Executive Policy Committee, dated June 17, 1998".

Municipal Board in order number A-97-292 - reassessment of properties located on the north side of Wellington Crescent
Files AB-2 (Vol. 9) and AA-3 (Vol. 7)

748 - 10. On February 25, 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 Steek,
Seconded by Councillor Lazarenko,

WHEREAS the Municipal Board in order number A-97-292 of October 21, 1997 ordered the City Assessor to reassess the properties located on the north side of Wellington Crescent between the intersection of Academy Road on the east and 1125 Wellington Crescent on the west;

AND WHEREAS the years for reassessment which apply for tax purposes are 1994 and each year thereafter up to and including 1997;

AND WHEREAS nine homeowners brought forward the appeal but thirty eight homes were ordered reassessed;

AND WHEREAS as many home owners had previously agreed to the assessed values of their homes with the Assessment Department in good faith;

AND WHEREAS the reassessment resulted in 19 homeowners realizing increased assessments, 8 remained neutral and 11 decreased;

AND WHEREAS those homeowners with decreased assessments have received refunds of approximately $40,000, while those with increased assessments have received tax bills totalling approximately $140,000;

AND WHEREAS those homeowners with increased assessments must have filed an appeal with the Board of Revision by February 24, 1998 and have until March 31, 1998 to pay retroactive property taxes for 1994, 1995, 1996 and 1997 at par;

AND WHEREAS 15 of the 38 reassessed properties have changed ownership and current owners would be liable for former owners retroactive taxes, or have the city place a lien against their property;

Report of the Executive Policy Committee dated June 17, 1998

AND WHEREAS all property owners paid their property taxes in good faith and a retroactive reassessment is without precedent;

AND WHEREAS a retroactive reassessment will undermine the public confidence in the assessment process;

AND WHEREAS City Council by virtue of Section 242 of the City of Winnipeg Act can cancel in whole any taxes owing to the City;

THEREFORE BE IT RESOLVED that all taxes resulting from the above noted Municipal Board order for the years 1994, 1995, 1996 and 1997 be cancelled and all current and former home owners be notified.

On April 29, 1998, Council granted an extension of time of 60 days for further consideration of the matter.

Inasmuch as this matter is before the Court of Queen's Bench, the Executive Policy Committee recommends that Council approve an additional extension of time of 120 days for further consideration of the matter.

Moved by Her Worship Mayor Thompson,
Adoption of the clause.

Carried.

Council here reverted back to the order of business - "Clause 9 of the Report of the Executive Policy Committee, dated June 17, 1998".

Unsolicited Offer for the Operation of Maginot Arena from the Winnipeg Minor Hockey Association
File GL-9 (Vol. 11) [c/r CR-2.1]

749 - 9. The Reshaping Our Civic Government document as approved by Council on March 20, 1997 recommended that the City pursue the solicitation of community interest from community centres and non-profit ice sport organizations for the operation, management and maintenance of the sixteen City operated indoor ice arenas.

On December 15, 1997, the City officially advised the Canadian Union of Public Employees of the intention to pursue the arena contracting initiative. The notice is in accordance with the collective agreement. The City subsequently provided the union with the arena business plan document.

On March 11, 1998, Executive Policy Committee concurred with "The Business Plan: For the Potential of Entering into Service Contracts with Community Centres and/or Non-Profit Ice Sport Organizations for the Operation of The City of Winnipeg Indoor Ice Arenas" and instructed the Chief Administrative Officer to proceed with a proposal call for specific arenas.

The City recently solicited Requests for Proposals (RFP 97-171) for the operation of six City arenas that closed on May 12, 1998. Maginot Arena did not receive a single proposal offer from the proposal call. Winnipeg Minor Hockey Association had previously indicated an interest in operating three City arenas. After they became aware that the City had not received any offers for Maginot Arena, Winnipeg Minor Hockey Association submitted this independent, unsolicited offer for the operation of the Maginot Arena.

Performance security will be required following notification of acceptance of the offer and prior to the commencement of any work.

The existing service contracts currently in effect for rink board advertising, equipment maintenance and other minor incidental service contracts will not be impacted by the award of this recommended service contract. All existing contracts will remain in effect until such time as the contracts expire.

The offer identifies sub-contractors to be utilized in the execution of the contract. The list of sub-contractors for this offer are outlined on Schedule "A".

Report of the Executive Policy Committee dated June 17, 1998

The administration has reviewed this offer and supporting documentation and is of the opinion that Winnipeg Minor Hockey Association are capable of providing the service and performing the work in accordance with the requirements of the City's specifications.

The contract will commence August 1, 1998, therefore it is imperative that this offer be accepted no later than the end of June 1998. This is necessary to allow sufficient time to the service contract provider to prepare for the commencement of the contract.

Funding for the recommended contract will be expended from the approved 1998 current budget for the specified arena. Budget approval will be required for 1999, 2000 and 2001 in order to honor the contract. It is expected that, based on the offer, a cost savings will be achieved over the term of the 36 month contract.

The anticipated cost of the 36 month contract is estimated at $466,906. The financial impact of contracting the Maginot Arena is expected to realize a potential cost savings to the City in the amount of approximately $22,238 over the term of the 36 month contract. This saving is based on the ability of the contract service provider to achieve the revenue targets projected in the offer. Therefore the current arena budget will be required unchanged, with the actual savings being realized at the end of each fiscal year. Financial impact analysis is outlined on Schedule "B".

The Executive Policy Committee recommends:

I. That the unsolicited offer from Winnipeg Minor Hockey Association for the operation of Maginot Arena for 36 months commencing August 1, 1998, on the same terms and conditions as set out for offerers under RFP 97-171 be accepted, as it is in the interest of the City to do so.

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

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

Moved by Councillor Angus,
Adoption of the clause.

The motion for the adoption of the clause was put.

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

Yea: Councillors Angus, Golden, Phillips, Silva, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Clement. 8

Nay: Councillors Lazarenko, Lubosch, Steek, Thomas and Vandal. 5

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

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JUNE 24, 1998

On motion of Her Worship Mayor Thompson, the rule was suspended and the Report of the Executive Policy Committee, dated June 24, 1998, was considered clause by clause.

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

Winnipeg Development Agreement - Buildings Preservation Program: Assiniboine Park Pavilion Roof Replacement File FR-3.2(PA-13) (Vol. 2)

750 - 1. The Executive Policy Committee has been advised that on August 4, 1995, the Program Authorization for the Buildings Preservation Program was approved as part of the Winnipeg Development Agreement. The objective of the Program is to revitalize and find innovative uses for Winnipeg's vacant and under-utilized designated heritage buildings, that impact the city's tourism potential and small business, and be combined with the District and Cultural Landscape Preservation Subprogram to maximize socio-economic development.

On June 19, 1996, City Council authorized the establishment of two capital incentives to be offered through Program 13A: the Exchange District Grants Subprogram and the Heritage Conservation Grants Subprogram. Both subprograms are aimed at funding general building repairs essential to the preservation of the building, items related to ensuring structural integrity, and to preventing the loss of heritage features for designated heritage buildings.

The Economic Initiatives Unit of the CAO Secretariat received a request from The Dominion Company (o/b of Pavilion Gallery Museum Inc.) dated June 16, 1998 for funding for the roof replacement at the Assiniboine Park Pavilion. The request is for $100,000 for replacement of cedar shakes and rainwater gutters.

The Assiniboine Park Pavilion, built in 1927, is a designated heritage building. It is currently undergoing major renovations and building addition construction by Pavilion Gallery Museum Inc. This work is being undertaken to provide three art galleries and a restaurant. Total construction cost for the work is approximately $3.2 million.

At the onset of these renovations, the condition of the roof was closely inspected by the general contractor and determined to be in a poor state. This was subsequently confirmed by an independent roof consultant/inspector in late April, 1998. In addition to the roof replacement, some of the eavestroughing and downspouts need replacement. The roof work must begin immediately since interior renovations are now just getting underway and would be at risk of damage due to the roof's condition. Further, there is a tight construction schedule for all works to meet the scheduled gallery opening in early September, 1998.

In accordance with the process established under Program 13A, the request for funding was submitted to the Historical Buildings Committee. The Historical Buildings Committee met and reviewed the application and advised of the following,

> "Although the work proposed would be eligible under either the Winnipeg Development Agreement Program 13A or the Gail Parvin Hammerquist Fund (Capital Grants), all the funds have been allocated at this time. Program 13A will entertain proposals in late fall of 1998, while Gail Parvin Hammerquist Capital Grants will be available in 1999."

The Historical Buildings Committee further advised that they have "no jurisdiction to approve grant requests outside of the established deadlines. There have been a number of such requests and the Committee has advised the applicants that these requests are ineligible." Lastly, the Historical Buildings Committee "recommends that City Council alone should determine the appropriateness of such a grant outside of program regulations".

Report of the Executive Policy Committee dated June 24, 1998

Notwithstanding the advice of the Historical Buildings Committee, there are sufficient funds within each program. In the case of WDA Program 13A, the funds are allocated but a few of the approved applicants will not be proceeding with the works. It is estimated that these unspent funds will amount to approximately $200,000. A process to reallocate these unspent funds has not yet been finalized. In the case of the Gail Parvin Hammerquist fund, approved capital amounts to approximately $650,000, of which the Committee on Property and Development has approved $350,000 towards projects in 1998. The remaining $300,000 was to be held in reserve for projects in 1999.

The Pavilion roof replacement proposal is determined to meet the requirements of both the WDA Program 13A Buildings Preservation Program (Heritage Conservation Grants Subprogram) and the Gail Parvin Hammerquist Fund.

The Executive Policy Committee recommends:

I. That funding be approved under the Winnipeg Development Agreement Program 13A, Buildings Preservation (Heritage Conservation Grants Subprogram) in the amount of $100,000 for roof replacement at the Assiniboine Park Pavilion.

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

Moved by Her Worship Mayor Thompson,
Adoption of the clause.

The motion for the adoption of the clause was put.

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

Yea: Councillors Lazarenko, Lubosch, Murray, O'Shaughnessy, Phillips, Silva, Steek, Thomas, Vandal, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Clement. 12

Nay: Councillor Golden. 1

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

Proposed Amendment to Plan Winnipeg By-law 5915/92 by redesignating lands located west of Waverley Street and north of the proposed Bishop Grandin Boulevard extension from an "Industrial" Policy Area to a "Neighbourhood" Policy Area
File EP-1.1(PW 6/98)

751 - 2. On April 29, 1998, Council adopted Clause 1 of the Report of the Executive Policy Committee dated April 22, 1998, relative to the proposed amendment to Plan Winnipeg By-law No. 5915/92 by redesignating lands located west of Waverley and north of the proposed Bishop Grandin extension from an "Industrial" policy area to a "Neighbourhood" policy area and By-law No. 7169/98 was given second reading and forwarded to the Minister of Urban Affairs for approval pursuant to Section 580(1) of The City of Winnipeg Act.

The Province of Manitoba has now had an opportunity to review The City of Winnipeg By-law No. 7169/98. The Province of Manitoba, pursuant to Section 581(3) of The City of Winnipeg Act, recommends that By-law No. 7169/98 be approved.

The Executive Policy Committee recommends:

I. That pursuant to Section 581(3) of The City of Winnipeg Act, that By-law No. 7169/98 be given third reading.

Report of the Executive Policy Committee dated June 24, 1998

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 O'Shaughnessy,
Adoption of the clause.

The motion for the adoption of the clause was put.

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

Yea: Councillors Prystanski, Angus, Golden, Lazarenko, O'Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Clement. 12

Nay: Councillors Lubosch, Murray, Thomas and Vandal. 4

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

EXECUTIVE POLICY COMMITTEE

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Moved by Councillor Lazarenko,
Seconded by Councillor Golden,
752 - WHEREAS, between the years 1899 and 1968, the former City of Winnipeg submitted money by-laws and referenda to the electorate on a regular basis as a means of determining the acceptance, or lack thereof, of a particular proposal or question to its citizens;

AND WHEREAS, after unification of the City of Winnipeg in 1972, this practice has not been used to determine the opinion of the citizens of Winnipeg other than in the year 1983;

AND WHEREAS Section 120 of *The City of Winnipeg Act* reads as follows:

> PLEBISCITES
> 120 The council may submit any question, within or without the powers of the council, to an expression of opinion of the electors or resident electors of the whole or any part of the City but the result of the expression of opinion is not binding on the council, and the council shall make such expenditures as it considers necessary and advisable for the purposes of holding the vote and for providing information to the electors or resident electors on the question that is submitted to an expression of opinion and the information provided may be favourable or unfavourable, or partly favourable and partly unfavourable, to the question to be submitted to the expression of opinion.

AND WHEREAS the City is faced with very high expenditures and the elected representatives often do not have the benefit of a clear mandate from the electorate to proceed to expend municipal funds;

AND WHEREAS, on June 9, 1995, the Deputy City Clerk advised that the cost of conducting a referendum would be approximately $500,000, using new automated voting equipment and a limited number of polling locations and that such a referendum would require a minimum of three weeks lead time following the statement of question;

AND WHEREAS the cost of conducting a referendum during a general election will be minimal;

THEREFORE BE IT RESOLVED THAT the matter of money by-laws and referenda be introduced during general elections to the electorate of Winnipeg as a means of determining the acceptance, or lack thereof, of a particular proposal or question.

Executive Policy Committee - Motions of Which Notice Has Been Given (continued)

The motion was put.

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

Yea: Councillors Prystanski, Golden, Lazarenko, Steek and Thomas. 5

Nay: Councillors Angus, Lubosch, Silva, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Clement. 7

and the motion was declared lost.

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by Councillor Lazarenko,
Seconded by Councillor Golden,

753 - 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.

Automatic Referral to Executive Policy Committee in accordance with Rule 16.1 of the Procedure By-law

Executive Policy Committee - Motions (continued)

Moved by Councillor Angus,
Seconded by Councillor Silva,

754 - WHEREAS it is desirable to have a vibrant and successful downtown;

AND WHEREAS the City has taken steps to reconstruct the downtown including making it clean, attractive and safe;

AND WHEREAS Winnipeg's downtown has numerous spaces suitable for multi-use development including housing;

AND WHEREAS it is desirable to encourage multiple family dwellings and particularly high density dwelling units in the downtown;

AND WHEREAS By-law No. 7199/98 established a program of property tax credits or refunds to encourage and to assist in the construction or purchase of new dwellings;

AND WHEREAS there are a number of Heritage incentive programs which can be applicable to designated buildings;

NOW THEREFORE BE IT RESOLVED that By-law No. 7199/98 be amended to allow for all tenure forms of owner-occupied dwellings, whether as condominiums or free-holds: and all built-forms such as detached, attached ground floor access, or multi-story for tax assistance to new or renovated buildings to create multiple unit properties within the downtown area as defined by By-law No. 4800/88;

AND BE IT FURTHER RESOLVED THAT the Administration be requested to prepare a zoning by-law amendment to allow for residential, mixed use, commercial and live/work spaces on properties in the downtown;

AND BE IT FURTHER RESOLVED THAT the Administration prepare building code equivalencies on building conversion projects in the downtown;

AND BE IT FURTHER RESOLVED THAT the City include funding for a public awareness program to promote the opportunities for incentives for development including housing in the downtown area.

Automatic Referral to Executive Policy Committee in accordance with Rule 16.1 of the Procedure By-law

Moved by Councillor Vandal,
Seconded by Councillor Murray,

755 - WHEREAS property taxes in Winnipeg are among the highest in Canada;

AND WHEREAS the provincial education levy of property taxes contribute significantly to the high level of property taxes in the City of Winnipeg;

AND WHEREAS a disproportionate amount of the provincial education levy collected from the City of Winnipeg is used to support the education system in rural Manitoba;

AND WHEREAS section 120 of the City of Winnipeg Act states:

> The council may submit any question, within or without the powers of the council, to an expression of opinion of the electors or resident electors of the whole or any part of the City;

AND WHEREAS the cost of conducting a referendum during a general election will be minimal;

THEREFORE BE IT RESOLVED that during the next civic election the following question be added:

> Do you support the removal of the provincial education levy from the City of Winnipeg property tax?

Automatic Referral to Executive Policy Committee in accordance with Rule 16.1 of the Procedure By-law

Executive Policy Committee - Motions (continued)

Moved by Councillor Lubosch,
Seconded by Councillor Murray,
756 - WHEREAS the City has well considered Land Use Policies on regional malls;

AND WHEREAS two new "power centre" shopping centres are proposed and in various stages of civic approvals;

AND WHEREAS the City is not treating these facilities as regional malls under Plan Winnipeg Policies;

AND WHEREAS Winnipeg's downtown has experienced a significant decline in retail commerce;

AND WHEREAS this decline has contributed to major negative impacts on the general tax base;

AND WHEREAS the impact positive or negative on the City retail market, transportation systems, land use patterns and downtown, inner city and suburban development has not been assessed and should be before further approvals are granted;

THEREFORE BE IT RESOLVED that the Administration be directed to provide to Council, a full-cost benefit analysis of existing Big Box retail development proposals and future Big Box retail developments and that this study be used to develop a policy for the due diligence evaluation of future Big Box retail development proposals;

AND BE IT FURTHER RESOLVED that the a moratorium be placed on future suburban Big Box retail development until Council approves a policy and plan for large scale suburban retail development.

The Speaker advised that the motion would be tabled until later in the meeting to allow Councillor Lubosch to make some wording revisions.

(See Minute No. 785 for disposition)

Moved by Councillor Golden,
Seconded by Councillor Lazarenko,
757 - THAT an audit be performed on the development of the Pavilion at Assiniboine Park which would include:

1. The permit process and inspections

2. The tender process

3. The structural completeness of the building

4. The completion of the proponent's obligations vis-a-vis the agreement between The City of Winnipeg and the proponent.

Automatic Referral to Executive Policy Committee in accordance with Rule 16.1 of the Procedure By-law

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

758 - On motion of Her Worship Mayor Thompson, 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. 7234/98, a by-law of The City of Winnipeg to amend By-law No. 7100/97, being The City Organization By-law Files GL-3.2 (Vol. 40) & GL-5.6 (Vol. 9)

By-law No. 7235/98, as amended, a by-law of the City of Winnipeg to amend by-laws as a consequence of amendments to The City of Winnipeg Act. File GL-5.1 (Vol. 44).

On motion of Her Worship Mayor Thompson, By-law No. 7169/98, a by-law of The City of Winnipeg to amend By-law No. 5915/92, a by-law establishing Plan Winnipeg, being a statement of the City's policy and general proposals in respect of development or use of land in the City, was read a third time and was passed and ordered to be signed and sealed. File EP-1.1 (PW 6/98)

Councillor Thomas asked to be recorded as having voted against the third reading of By-law No. 7169/98, in accordance with Rule 50.7 of the Procedure By-law.

EXECUTIVE POLICY COMMITTEE

QUESTION PERIOD

759 - In noting that the Federal Government audit has been unavailable at this point in time to Members of Council and the Pan Am Games Society, Councillor Murray asked Her Worship Mayor Thompson to undertake to provide all Members of Council with a complete list of additional costs associated with the Pan Am Games and respond to the concerns raised in the City Auditor's Report about unforeseen costs.

Her Worship agreed to take the question under advisement and report back to Council.

In reference to recent media reports about the cost of transporting athletes participating in the Pan Am Games, Councillor Murray questioned if Her Worship was familiar with the costs and further inquired if she was aware of the amount to which those costs are additional to the existing budget and who would be responsible for payment.

In noting that the media coverage was inaccurate, Her Worship advised that the information provided by the Pan Am Host Society to all Members of Council refuted the media reports and provided the actual details. Her Worship further advised that she would refer Councillor Murray's question to the Pan Am Host Society for a response to Council.