REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED OCTOBER 2, 1996

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee, dated October 2, 1996, was considered clause by clause.

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

Councillor Thomas requested that Clause 1 be pulled from the Consent Agenda.

Councillor Vandal requested that Clause 3 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 2,4 and 5 was put and declared carried.

Her Worship The Mayor and Councillors:

Repayment to Winnipeg Enterprises Corporation - Winnipeg Jets
File F-5.1 (Vol. 6)

1098 - 1. The Executive Policy Committee has been advised that when Council adopted the 1996 Current Property Tax Supported Budget, it was assumed that proceeds from the sale of the Winnipeg Jets would be fully utilized to cover operating losses and other related obligations.

In a communication from Winnipeg Enterprises Corporation dated August 19, 1996, the following two issues were addressed, namely: repayment of $787,137.00 and the outstanding balance of the Jets loan in the amount of $811,059.92.

Before discussing each of these issues in turn, it is important to review the impact of the Jets sale on the 1996 City Budget:

Approved Budget:

Anticipated Revenues after Capital Repayment	$8.4 million
Anticipated Expenditures	$8.4 million
Balance	0

Actual as at August 6, 1996:

Revenues from sale proceeds [18%],		
Cash received	$ 8,892,000	
Hold back receivable	$ 1,233,000	
Provision for Capital Fund		$ 3,913,000
Sub-total		$14,038,000
Less repayment to Capital Fund		$ 3,913,000
Total Revenue	$10,125,000	

Report of the Executive Policy Committee dated October 2, 1996

Expenditures as at August 6, 1996:

Team Losses [1996 Budget] & Private Sector Interest and Management Fees as per 1991 Agreement	$ 6,590,000
Net proceeds to City as per Section 10.1 of Agreement	$ 3,535,000

In May of 1996, City Council approved a recommended adjustment to the 1996 Current Budget which allocated $2.2 million of the net proceeds to partially offset a projected shortfall in 1996 salary allocations. Therefore, the surplus position at this point is $1,335,000.00. From this total, provision was made in the City staff calculations to address the issues which were explained in the above-referenced communication from Winnipeg Enterprises Corporation.

The repayment of $787,187.00 is not a legal obligation, but in 1993 the City requested Winnipeg Enterprises Corporation to cover the first payment on its behalf. The informal message at the time, certainly conveyed an intention to repay from the ultimate proceeds of sale, if sale became necessary. City staff have assumed this repayment will be made but formal approval is required from Council.

The outstanding balance on Winnipeg Enterprises Corporation Jets loan is $811,059.92 and this issue was not contemplated in the 1991 Agreement. At that time, the period during which losses would be paid was not expected to be as extended as it turned out to be. Losses also escalated more quickly than anticipated at the time of negotiating the Agreement. In short, it was originally believed that after the Province and the City had been repaid in accordance with Section 10.1 of the Agreement, sufficient funds would remain for Winnipeg Enterprises Corporation to discharge its loan. Since this did not happen as anticipated, an unsuccessful approach was made to the Province, suggesting that the City and the Province share equally in this obligation. There is no legal requirement to pay Winnipeg Enterprises Corporation these funds but City staff have planned to cover 50% and the recommendation is submitted accordingly.

The Executive Policy Committee recommends:

I. That the City of Winnipeg grant formal approval to repay funds to the Winnipeg Enterprises Corporation, in the amount of $787,137.00;

II. That the City of Winnipeg agree to make a payment to Winnipeg Enterprises Corporation of 50% of the balance of the Jets loan.

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

Moved by Councillor Clement,

Adoption of the clause.

The Speaker called the Deputy Speaker, Councillor Prystanski, to the Chair in order to participate in the debate.

The motion for the adoption of the clause was put.

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

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

Nay: Councillors Golden, Lazarenko, Murray, O'Shaughnessy, Thomas, Vandal and Prystanski. 7

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

Report of the Executive Policy Committee dated October 2, 1996

Reactivation of Levies for Local Improvements Deferred in River Road which were deferred under By-law No. 5974/92 File SL-3 (Vol. 14)

1099 - 2. The Executive Policy Committee has been advised that the new owner of the following property has requested reactivation of the Local Improvements deferred, namely:

Realty Roll Number	- 08-36480
Legal Description	- Lot 410, Plan 1052, 41/44 St. Vital
Owners	- Shirley C. Gelskey
Address	- 104 River Road

Conditions set forth in Deferment By-Law No. 5974/92 stated:

"The deferment permitted under this By-Law will cease upon the occurrence of any of the following:

iv) any other condition which, in the opinion of Council, would remove or alter the reasons originally advanced to support the deferment, such as to convey a portion of the site to a developer, where a change in land use is contemplated.

When the lands herein become subject to special assessments as a result of cessation of deferment, such special assessment will be levied against the said lands at the then prevailing rates and paid at the prevailing cash cost or amortized at the then current capital borrowing rates."

On August 28, 1996, the new owner's solicitor advised that due to construction of a single family dwelling unit requiring hook up to the sewer, a deferment is no longer permitted.

The Executive Policy Committee recommends:

I. That the deferments authorized under By-Law No. 5974/92 cease, and that the appropriate assessments are reactivated with a requirement for payment to be made in either of the two ways defined hereunder:

	Cash Payment	Term	Annual Levy
Wastewater Sewer	$3,800.00	1996-2015	$423.72
Land Drain Sewer (Laterals only)	1,800.00	1996-2015	200.71
	$5,600.00 (a)		$624.43(b)

(i) Any one or both of the local improvements may be paid for at the prevailing cash cost up to and including the last day of the month subsequent to that during which the cash cost statement is mailed (immediately pursuant to the passing of the reactivating By-Law).

(ii) First levy(s) payable at par up to and including the last day of the month subsequent to that during which the tax statement is mailed (immediately pursuant to the passing of the reactivating By-Law).

(iii) The second and all the following levies will be scheduled to appear on the City's normal annual tax bills for the prescribed terms with the usual provisions for prepayment by commutation to apply.

II. That the foregoing reactivation is assessed against Lot 410, Plan 1052, 41/44 St. Vital C.T. 1452991.

III. That the reactivation By-Law prepared by the City Solicitor be adopted by City Council.

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

Adopted by consent.

Report of the Executive Policy Committee dated October 2, 1996

Request for Proposals for Contracting Out of Janitorial Services At 55/65 Garry Street Files GL-9 (Vol. 9) [c/r FB-1 (Vol. 6)]

1100 - 3. The Executive Policy Committee has been advised that on June 6, 1996, the Joint Committee of Council and CUPE representatives considered a Business Plan submitted by the Civic Buildings Department to contract out the janitorial services at 55/65 Garry Street. The Joint Committee of Council and CUPE representatives concurred with the recommendation in the Business Plan to contract out the janitorial work, and directed the Department to structure a Request for Proposal for the contracting out of Janitorial Services at 55/65 Garry Street, and that the Administration submit a summary of the Request for Proposals to the Committee for their information.

The tender call for building cleaning services at 55/65 Garry Street was initiated by the Civic Buildings Department in July of 1996. In response to the tender call, the following firms submitted bids for a one (1) year period:

FIRMS	TOTAL BID PRICE
Bison Building Services	$20,700.00
Modern Building Cleaning Inc.	$30,401.00
Expert Building Cleaning Ltd.	$31,830.00
N & L Building Cleaning	$32,600.00
Correia Enterprises Ltd.	$34,320.00
Associated Building Maintenance of Canada	$34,728.00
Spartan Building Services Ltd.	$35,880.00
Sun and Moon Cleaning Services	$40,920.00
Leader Building Cleaning Services	$48,727.80

The Civic Buildings Department awarded the contract to Modern Building Cleaning Inc., as Bison Building Services was declared non-responsive, due to calculation errors in their tender.

The Business Plan submitted to the Joint Committee had estimated that the contract cleaning cost would be in the order of $53,694.00. The successful bid was $30,401.00. Including G.S.T., the total bid becomes $31,313.03.

The lower than estimated bid can be attributed to the Department using an estimated average unit cleaning cost and the extremely competitive nature of the cleaning industry.

The Executive Policy Committee submits this to Council for information and recommends:

I. That the Business Plan to contract out janitorial work at 55/65 Garry Street be approved.

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

Moved by Councillor Steek,
Adoption of the clause.

Carried.

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

Report of the Executive Policy Committee dated October 2, 1996

Academy Road Business Improvement Zone - Proposed Program, Zone Levy and Budget Estimates for 1997
File FL-7.11 (Vol. 1)

1101 - 4. On September 27, 1995, Council adopted By-law No. 6688/95, being a By-law of The City of Winnipeg to designate a Business Improvement Zone to be known as the Academy Road Business Improvement Zone and to establish a Management Board for the Zone. By-law No. 6688/95 requires that the Academy Road Business Improvement Zone prepare its proposed program, zone levy and budget estimates for the consideration of Council.

The Academy Road Business Improvement Zone at its Annual General Meeting held on September 10, 1996, approved the proposed annual budget and program as outlined in Appendix "A".

The Executive Policy Committee recommends that pursuant to By-law No. 6688/95, Council request the City Centre Community Committee to conduct a public meeting to hear representations with respect to the proposed program, zone levy and budget estimates for the year 1997 and to provide recommendations to Council within 60 days from receipt of Council's request.

Adopted by consent.

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

Request for Expenditure of Funds from Land Dedication Reserve - East Kildonan-Transcona Community
File EP-2 (Vol. 23)

1102 - 5. On September 17, 1996, the East Kildonan-Transcona Sub-Committee on Parks and Recreation considered an expenditure of funds from the East Kildonan-Transcona Land Dedication Reserve Fund for Playground Improvement Projects, and a Park Athletic Field/Hard Landscaping Project.

The Sub-Committee, as ratified by the Community Committee, recommended approval for the expenditure of funds in the amount of $32,920.00 from the East Kildonan-Transcona Land Dedication Reserve Fund for the following projects:

Playground Improvement Projects

1.	Essar Park	$ 19,220.00
2.	Malcana Park	5,700.00

Park Athletic Field / Hard Landscaping Project

3.	Keenleyside Park - Baseball Diamond renovations	8,000.00
	Total	$ 32,920.00

The Executive Policy Committee concurs with the recommendation of the Community Committee to fund the above mentioned projects, in the amount of $32,920.00, from the East Kildonan-Transcona Land Dedication Reserve Fund and submits same to Council for approval.

Adopted by consent.

REPORT "A" OF THE

EXECUTIVE POLICY COMMITTEE

DATED OCTOBER 9, 1996

On motion of Her Worship Mayor Thompson, Report "A" of the Executive Policy Committee, dated October 9, 1996, was considered clause by clause.

Moved by Her Worship Mayor Thompson,
That the Consent Agenda, Clauses 1 and 2 be adopted.

Councillor Lazarenko requested that Clause 2 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clause 1 was put and declared carried.

Her Worship The Mayor and Councillors:

Proposed amendment to Plan Winnipeg (By-law No. 5915/92) by redesignating lands located between Gateway Road and the City of Winnipeg Hydro Transmission Line, south of Springfield Road from a "Neighbourhood" policy area to an "Industrial" policy area - East Kildonan-Transcona Community
File EP-1.1 (PW 4/96) (Vol. 1)

1103 - 1. On September 25, 1996, Council adopted Clause 1 of the Report of the Executive Policy Committee dated September 11, 1996, approving a petition to amend Plan Winnipeg By-law No. 5915/92 by redesignating lands located between Gateway Road and the City of Winnipeg Hydro Transmission Line, south of Springfield Road from a "Neighbourhood" policy area to an "Industrial" policy area. Appendix "A" outlines the chronology of events in the proposed amendment to Plan Winnipeg.

The subject site, comprising approximately 55 acres, was purchased in 1988 from the Canadian Pacific Railway (CPR) by Palliser Furniture Ltd. At the time, the land was designated as an "Industrial" policy area under Plan Winnipeg and had an M2 zoning consistent with that designation. The Plan Winnipeg designation was changed in January 1989 to a "Neighbourhood" policy area following a successful application by the owner. A subsequent rezoning application was filed. Although the rezoning application was supported, it was not formerly executed by the applicant due to a change in plans. Therefore, the residential subdivision they intended to develop was not proceeded with. As a result, the zoning remains M2 which is inconsistent with the current Plan Winnipeg designation.

In 1994, the owner submitted an application to redesignate the land back to an "Industrial" policy area in order to develop a private industrial park that would include a manufacturing plant for their furniture business. Consultation with neighbouring residents raised some concerns. However, the administration felt that these concerns could have been addressed satisfactorily through site design. Therefore, the application was supported by the administration. Nevertheless, in May, 1994, Palliser opted not to proceed with the development in order to review their expansion options.

Earlier this year, Palliser decided to move 50% of the manufacturing capability from its North Carolina plant to Winnipeg. In June 1996, they expressed their desire to resurrect the application to redesignate the land from a "Neighbourhood" policy area to an "Industrial" policy area. It was deemed to require a new application. That was filed on June 12, 1996. In September, consultation with the community was carried out in the form of an open house hosted by the applicant. Plans for the site were displayed for review and discussion.

Two main thrusts in Plan Winnipeg need to be considered in assessing the merit of this application: the desire to support and encourage opportunities for economic development and the need to protect existing neighbourhoods.

Report "A" of the Executive Policy Committee dated October 9, 1996

The proposed expansion of Palliser's manufacturing operations presents an opportunity for real economic growth that, if not supported in Winnipeg, will find its way elsewhere. Palliser Furniture Ltd. has a fifteen year history of expansion that amounts to the need for approximately 100,000 square feet of additional manufacturing and warehouse space per year. This translates into approximately 100 new jobs per year. This site can accommodate most of that growth over the next 5 to 10 years allowing Palliser to clearly focus its expansion plans in Winnipeg.

This site was originally designated as an "Industrial" policy area for very good reasons. It is adjacent to the Vulcan/Burnett industrial area to the south. It has clearly delineated boundaries on the remaining three sides with Gateway Road to the west, Springfield Road to the north, and the Hydro transmission line to the east. Furthermore, both Springfield and Gateway are designated as full-time truck routes.

Reports received from the administration indicate that, from a servicing point of view, there is nothing to prevent this application from proceeding. However, should the application be approved, a servicing agreement would be required to ensure that the applicant assumes the associated costs.

Clearly, there is a concern as to the impact of industrial development on this site with the surrounding residential neighbourhoods. Access to the site, if it is accommodated from Springfield, offers the potential for conflict. As a result, the applicant has agreed to provide access via Gateway to Burnett to Brunswick thereby minimizing the impact of truck traffic on adjacent uses.

Furthermore, to promote the protection of the adjacent neighbourhoods, measures need to be taken to introduce "buffers" between the uses. The current M2 zoning does not require that such considerations be met. Therefore, it is recommended that the applicant be required to file a concurrent rezoning application and that the redesignation from a "Neighbourhood" to an "Industrial" policy area be conditional upon the rezoning.

Discussions with the District Planner and the applicant have identified a compatible rezoning as being "C2" (commercial) for a portion of the site fronting onto Gateway, and an "MP" (industrial park standard) for the remaining industrial component. This rezoning has been agreed to by the applicant because it continues to allow Palliser to fulfill their manufacturing needs while offering protection to neighbouring residents.

The Executive Policy Committee recommends:

I. That the proposed amendment to Plan Winnipeg (By-law No. 5915/92) by redesignating lands located between Gateway Road and the City of Winnipeg Hydro Transmission Line, south of

Springfield Road, from a "Neighbourhood" policy area to an "Industrial" policy area be approved, subject to a concurrent rezoning of the subject lands to an industrial park standard.

II. That Council give first reading to the Plan Winnipeg amending By-law No. 6856/96.

III. That following first reading of the By-law, the Executive Policy Committee conduct a public hearing to be held on November 27, 1996, at the East Kildonan-Transcona Community Office.

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

Adopted by consent.

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

Report "A" of the Executive Policy Committee dated October 9, 1996

Council Seminar - New Directions
File GP-1 (Vol. 18)

1104 - 2. On September 26, 1996, Council at its reconvened meeting, ruled automatic referral of the following motion to the Executive Policy Committee, under Rule 16.1 of the Procedure By-law No. 5400/90:

Moved by Councillor Lazarenko,
Seconded by Councillor Thomas,

WHEREAS administrative organizational change resulting from "New Directions" represents an "enormous undertaking," as the Chief Commissioner describes in a News Release of April 15th, 1994, attached as Appendix A;

AND WHEREAS "New Directions" requires the implementation of a series of incremental changes and regular reports to Council;

AND WHEREAS the "Scurfield Report" raises questions about administrative organization which the City must address in order to avoid further problems;
AND WHEREAS the Executive Policy Committee has approved the hiring of a Chief Financial Officer at a grade equivalent to that of a Commissioner, in absence of a Council approved organization to accommodate this position;

THEREFORE BE IT RESOLVED that a Council Seminar be convened as soon as possible to hear a presentation by the Board of Commissioners on the status of the present, reformed administrative organization under "New Directions".

The Executive Policy Committee concurs with the recommendation outlined in the resolution and recommends that the Committee Clerk be requested to schedule the Council Seminar on a date suitable with the Mayor, the Chief Commissioner and Members of Council.

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

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

Carried.

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED OCTOBER 16, 1996

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee, dated October 16, 1996, was considered clause by clause.

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

Councillor Lazarenko requested that Clauses 4 and 5 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,2,3,6,7 and 8 was put and declared carried.

Her Worship The Mayor and Councillors:

Extension Of Date For Budget Submissions For The West End Business Improvement Zone For 1997
File FL-7.7 (Vol. 2)

1105 - 1. The Executive Policy Committee has been advised that due to the time frame required to complete the petitioning process for the West End Business Improvement Zone expansion, an extension of time for its budget submission is required as it cannot be completed by the end of October as is normally required.

In the spring of 1996, the present West End Business Improvement Zone Board decided to expand the boundaries of the present Zone. The required number of petitions were submitted to the City Clerk in June of 1996 and Notice of Objection did not go out until October. This process takes one month to complete before a recommendation can go on to the Board for approval of boundary expansion.

Following this approval, the Board of the Business Improvement Zone will have to circulate the 1997 Program and Budget and call for an annual meeting. This process will take a minimum of two weeks.

Once the West End Business Improvement Zone's Program and Budget is approved, it then must be approved by the Board, Council and Community Committee. This process will take until January of 1997. Therefore, the West End Business Improvement Zone is requesting an extension of time for budget submission to ensure that the 1997 budget reflects the new West End Business Improvement Zone area.

The Executive Policy Committee recommends:

I. That amending By-law No. 6902/96 be approved by Council to allow the West End Business Improvement Zone an extension of time to the end of January 1997, to submit their 1997 Program and Budget.

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

Adopted by consent.

Corydon Avenue Business Improvement Zone - 1997 Proposed Program, Zone Levy and Budget Estimates
File FL-7.2 (Vol. 4)

1106 - 2. On March 7, 1990, Council adopted By-law No. 5378/90, being a By-law of The City of Winnipeg to designate a Business Improvement Zone to be known as the Corydon Avenue Business Improvement Zone and to establish a Management Board for the Zone. By-law No. 5378/90 requires that the Business Improvement Zone prepare its proposed program, zone levy and budget estimates each year for the consideration of Council.

Report of the Executive Policy Committee dated October 16, 1996

The Corydon Avenue Business Improvement Zone at its Annual General Meeting held on October 1, 1996, approved the proposed annual program and budget for 1997, as outlined in Appendix "A".

The Executive Policy Committee recommends that pursuant to By-law No. 5378/90, Council request the City Centre Community Committee to conduct a public meeting to hear representations with respect to the proposed program, zone levy and budget estimates for the year 1997 and to provide recommendations to Council within 60 days from receipt of Council's request.

Adopted by consent.

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

North Main Business Improvement Zone - 1997 Proposed Program, Zone Levy and Budget Estimates File FL-7.10 (Vol. 2)

1107 - 3. On November 17, 1993, Council adopted By-law No. 6220/93, being a By-law of The City of Winnipeg to designate a Business Improvement Zone to be known as the North Main Business Improvement Zone and to establish a Management Board for the Zone. By-law No. 6220/93 requires that the Business Improvement Zone prepare its proposed program, zone levy and budget estimates for the consideration of Council.

On October 7, 1996, the North Main Business Improvement Zone at its Annual General Meeting approved its proposed annual budget and program, as outlined in Appendix "A".

The Executive Policy Committee recommends that pursuant to By-law No. 6220/93, Council request the Lord Selkirk-West Kildonan Community Committee to conduct a public meeting to hear representations with respect to the proposed program, zone levy and budget estimates for the year 1997 and to provide recommendations to Council within 60 days from receipt of Council's request.

Adopted by consent.

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

Request to The Province of Manitoba to take over responsibility for Property Assessment in The City of Winnipeg File AB-2 (Vol. 9)

1108 - 4. On March 20, 1996, Council ruled automatic referral of the following motion to the Executive Policy Committee, under Rule 16.1 of the Procedure By-law No. 5400/90:

Moved by Councillor Lazarenko,
Seconded by Councillor Vandal,

WHEREAS, on February 27, 1996, the Chief Commissioner, the Mayor and the Deputy Mayor announced an immediate unbudgeted requirement of approximately $54.5M for unanticipated Assessment Appeal Refunds as follows (in $ Millions):

	1990-93	*1994*	*1995*	*1996*	*TOTAL*
SHORTFALL	*$25.1*	*5.3*	*7.5*	*12.1*	*$50.0*
PROVISION FOR UNCERTAINTY					*$ 4.5*
TOTAL					*$54.5*

due to the following causes:

Report of the Executive Policy Committee dated October 16, 1996

1) The Financial Model did not predict the Tax Impact accurately,
2) Insufficient assumptions, knowledge and communication,
3) Insufficient insight due to complexity of calculation;

and the following factors:

FINANCIAL MODEL		
Experience Change		*$32.1*
Assessment Reductions by the Municipal Board		*4.4*
NEW FACTORS (Not included in original Model)		
Municipal Board - New Appeals		*5.5*
Business Tax Appeals	*7.2*	
More Appeals in 1996 than Anticipated		*0.8*
Provision for Uncertainty		*4.5*
TOTAL		*$54.5*

AND WHEREAS, on March 2, the City Assessor resigned;

AND WHEREAS, on March 18, Council approved drawing the total requirement from Account Restructuring ($17.5M) and Reserves ($37.0M);

AND WHEREAS, as the situation now stands, it is likely that, from 1990 to the end of 1996, the City will have to pay out more than $200M in Assessment Appeal Refunds;

AND WHEREAS, on March 18, the Mayor advised that implementation of the computer assisted mass appraisal system was six months behind schedule and that the delay will force the City to ask the Province to postpone the 1997 Assessment;

AND WHEREAS the City lacks the staff and resources to carry out the 1997 Assessment;

AND WHEREAS the Province of Manitoba is responsible for assessment in Manitoba outside the City of Winnipeg;

THEREFORE BE IT RESOLVED that the City ask the Province to takeover responsibility for property assessment within the City of Winnipeg.

On April 3, 1996, Executive Policy referred the matter to the Board of Commissioners for report back.

Inasmuch as the City has requested the Province of Manitoba to takeover responsibility of property assessment within the City on three occasions since 1985, and the Minister has indicated that they are willing to discuss this matter in the near future, the Executive Policy Committee recommends that the resolution be received as information and filed.

Moved by Deputy Mayor Eadie,

That the recommendation of the Executive Policy Committee, that the clause be filed, be adopted.

The Speaker here resumed the Chair.

The recommendation of the Executive Policy Committee was put and declared carried.

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

Report of the Executive Policy Committee dated October 16, 1996

Winnipeg Jets Hockey Club
File F-5.1 (Vol. 6)

1109 - 5. On April 24, 1996, Council ruled automatic referral of the following motion to the Executive Policy Committee, under Rule 16.1 of the Procedure By-law No. 5400/90:

Moved by Councillor Lazarenko,
Seconded by Councillor Thomas,

WHEREAS the Winnipeg Jets Hockey Club has ended its current season;

AND WHEREAS the hockey club will be shifting play to Phoenix, Arizona for the 1996-97 season;

AND WHEREAS the revenue generating capacity of the hockey club has now been reduced to negligible amounts;

AND WHEREAS the expense side of the hockey club operations will continue to impose heavily upon the coffers of the City of Winnipeg;

AND WHEREAS negotiators for the City of Winnipeg and Province of Manitoba have not provided a copy of the contract for the sale of the Winnipeg Jets to the Phoenix group;

AND WHEREAS both the City and the Province have adhered to the letter and the spirit of the 1992 Interim Operating Agreement governing payment of the hockey club's losses;

AND WHEREAS the public has been deprived of an accounting for the losses because of secrecy provisions in the Interim Operating Agreement;

AND WHEREAS the public continues to fund losses exceeding 65 million dollars since 1991, with final 1995-96 figures yet to be compiled;

AND WHEREAS the marketing efforts of the Phoenix Coyotes have been underway for several months;

THEREFORE BE IT RESOLVED that the City of Winnipeg, in conjunction with the Province of Manitoba, set aside any expenses of the Winnipeg Jets Hockey Club incurred after the end of the season;

AND BE IT FURTHER RESOLVED that the management fee paid to the President of the Winnipeg Jets Hockey Club be pro-rated to coincide with the end of the hockey club's current season;

AND BE IT FURTHER RESOLVED that the goods and chattels belonging to the Winnipeg Jets Hockey Club consisting of hockey equipment, sweaters, sticks, souvenirs, posters, photos, press materials, pennants, trophies, etc. be set aside as now belonging to the people of Winnipeg and the Province of Manitoba and that a committee be formed to decide which of the goods and chattels are to be enshrined permanently in hockey museums and sports halls of fame, and which good and chattels will be sold off at public auctions or by other means, so as to offset the hockey club's losses.

On May 1, 1996, Executive Policy Committee laid the matter over and referred it to the Board of Commissioners for report back.

The Executive Policy Committee recommends that the resolution be received as information and referred for consideration to a Council Seminar to be held in the near future.

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

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

The motion to refer was put.

Report of the Executive Policy Committee dated October 16, 1996

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

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

Nay: Councillors Prystanski, Clement, Phillips, Silva, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Angus. 7

and the motion to refer the clause to the Executive Policy Committee was declared lost.

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

Council recessed at 11:59 a.m., and reconvened at 1:38 p.m., same members present, the Deputy Speaker in the Chair.

Councillors Angus, Clement, Golden and Steek entered the meeting after Council had reconvened.

Request for an Amendment to The City of Winnipeg Act to empower the Mayor to appoint Vice-Chairpersons for each Standing Committee
File GL-5.6 (Vol. 8)

1110 - 6. On May 23, 1996, Council at its reconvened meeting, 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 Angus,
Seconded by Councillor Prystanski,

WHEREAS a three Committee Structures is deemed appropriate and would allow the senior administration to be aligned with the decision-making structure;

AND WHEREAS the Committee Structure would be enhanced with the addition of a Vice-Chairperson who would act in the absence of the Chairperson and share the responsibility for policy development;

AND WHEREAS it would be more expedient to have the Standing Committees report directly to Council;

THEREFORE BE IT RESOLVED that Province of Manitoba be requested to amend The City of Winnipeg Act to provide for the following:

I. Empower the Mayor to appoint Vice-Chairpersons for each Standing Committee.
II. Provide for remuneration for Vice-Chairpersons at a rate of 1/3 of the level set for the Chairperson.
III. Allow the Vice-Chairpersons to sit and vote on Executive Policy Committee in the absence of the Chairperson.

The Executive Policy Committee recommends that the resolution be received as information and referred to a Council Seminar on Political Restructuring to be held in the near future.

Adopted by consent.

Report of the Executive Policy Committee dated October 16, 1996

Amendment to The City of Winnipeg's Organizational By-law No. 6550/95
File GL-5.6 (Vol. 8)

1111 - 7. On May 23, 1996, Council at its reconvened meeting, 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 Angus,
Seconded by Councillor Lazarenko,

WHEREAS Council approved the New Directions strategy at its meeting of April 27, 1994;

AND WHEREAS Council passed its current organizational by-law, By-law No. 6550/95, which provided for a "transitional model to meet the requirements of implementing the New Directions strategy";

AND WHEREAS, the transitional structure of four Standing Committees is not aligned to the senior administration created by New Directions;

AND WHEREAS the current decision-making structure and dual committee responsibility of Councillors can be onerous and can give rise to duplication of effort;

THEREFORE BE IT RESOLVED that a three Committee Structure be implemented as identified on Appendix "A" and include the following premises:

I. Each Councillor would sit on one Standing Committee
II. Each Standing Committee shall have Community Committee representation

and that the necessary by-law to amend By-law No. 6550/95, be forwarded to Council not later than September 25, 1996 to allow for implementation November 1, 1996.

The Executive Policy Committee recommends that the resolution be received as information and referred to a Council Seminar on Political Restructuring to be held in the near future.

Adopted by consent.

Development of Guidelines for the Ombudsman to follow
File GL-5. 8 (Vol. 11)

1112 - 8. On May 23, 1996, Council at its reconvened meeting, 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 Angus,
Seconded by Councillor Eadie,

WHEREAS subsection 66(2) of The City of Winnipeg Act provides for Council to pass a by-law in regard to the ombudsman, which may include guidelines for the ombudsman to follow in performing the duties of the position;

AND WHEREAS Council at its meeting of March 4, 1992, adopted By-law No. 5901/92 which provided for the appointment and position of ombudsman, but did not specifically identify guidelines for the ombudsman to follow in performing the duties of the position;

THEREFORE BE IT RESOLVED that Executive Policy Committee be requested to develop guidelines for the ombudsman to follow in performing the duties of the position, and that By-law 5901/92 be amended accordingly.

Report of the Executive Policy Committee dated October 16, 1996

On July 24, 1996, Council granted an extension of time of 90 days in order to further consider the matter.

The Executive Policy Committee requests an additional extension of time of 90 days in order to further consider this matter.

Adopted by consent.

EXECUTIVE POLICY COMMITTEE

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Moved by Councillor Murray,
Seconded by Councillor Thomas,
1113 - WHEREAS the railways are key to the economic future of the city and such initiatives as Winport, Winpark and the mid continent trade corridor;

AND WHEREAS the transportation sector is key to the successful development of the city's trade goals;

AND WHEREAS retention of high skill, railway jobs is critical to maintaining economic stability;

AND WHEREAS the significant numbers of jobs are being moved to Calgary, our major competitor in our efforts in expanding international national trade;

AND WHEREAS the retention of a heavy locomotive and car facilities in Winnipeg is important;

AND WHEREAS the future of the components shops are threatened by the move of the heavy repair locomotive facilities;

THEREFORE BE IT RESOLVED THAT the City of Winnipeg approach the Province of Manitoba and the Federal Government to develop a strategy for the retention of rail facilities in Winnipeg and the restoration repair facilities in our city.

The Speaker here resumed the Chair.

The motion was put and declared carried.

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by Councillor Timm-Rudolph,
Seconded by Councillor Phillips,
1114 - WHEREAS the Ombudsman has filed a report to Council in accordance with Section 71(4) of the City of Winnipeg Act;

AND WHEREAS the matter involves a complaint by Mr. William Byard of 22 Quiring Bay against the City of Winnipeg (Complaint File No. 400806) concerning damage to a private approach at said property;

AND WHEREAS both the Committee on Works and Operations and the Committee on Finance and Administration have jurisdiction in this case as follows:

> Committee on Works and Operations:
>
> To examine the question of whether the Private approaches By-law should be amended to prohibit placement of a private approach on a manhole, except when no other alternative exists. To further consider whether, in the future if / when a private approach is placed on a manhole, a higher standard of concrete reinforcement should be required,
>
> Committee on Finance and Administration:
>
> To examine whether homeowners whose private approaches are cracked as a direct result of the existence of a manhole on the approach (where the cracking impedes the functionality of the approach) should be reimbursed for any percentage of the actual cost of repairs that have been completed,

NOW THEREFORE BE IT RESOLVED that the investigation report of the Ombudsman be referred to the aforementioned Standing Committees for review and recommendation;

AND BE IT FURTHER RESOLVED that the Ombudsman be requested to appear (in the capacity outlined in letter dated October 15, 1996 addressed to City Clerk) before the respective Standing Committees during deliberation of the matter.

Carried.

Moved by Deputy Mayor Eadie,
Seconded by Councillor O'Shaughnessy,
1115 - WHEREAS in Manitoba there are two departments of the provincial government with responsibility for municipal government matters, namely the Department of Urban Affairs, and the Department of Rural Development, while all other Canadian provinces have only one department or government with responsibility for their respective municipal governments;

AND WHEREAS during the 1995 provincial election, the leaders of the Progressive Conservative, New Democratic and Liberal Parties came to the annual convention of the Manitoba Association of Urban Municipalities and indicated on behalf of their parties that they would not be adverse to reviewing the necessity of having two government departments dealing with municipal governments in Manitoba;

AND WHEREAS at the 1996 annual convention of the Manitoba Association of Urban Municipalities, the Ministers of Rural Development and of Urban Affairs both indicated that no internal review of the need for their two departments has taken place since the provincial election;

AND WHEREAS the public is asking governments at all levels to reduce overlap and duplication wherever possible in order to make government more cost-effective and efficient;

AND WHEREAS Manitoba's municipal governments are of the view that it would be more effective and efficient of all the legislative and administrative functions for municipal government in Manitoba were centralized in one government department with one minister instead of two;

Executive Policy Committee - Motions (continued)

THEREFORE BE IT RESOLVED that the Manitoba Association of Urban Municipalities requests the Government of Manitoba to make a commitment to work within its present term of office toward the amalgamation of the present departments of Urban Affairs and of Rural Development into one department, to be called the "Department of Municipal Government", complete with its own minister, and that the minister and Department of Municipal Government have responsibility for all municipal governments within the Province of Manitoba.

Carried.

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

1116 - On motion of Her Worship Mayor Thompson, By-law No. 6856/96, 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 first time.

Her Worship Mayor Thompson moved that this constitute the first reading of By-law No. 6856/96, which motion was carried.

On motion of Her Worship Mayor Thompson, By-law No. 6898/96, a By-law of the City of Winnipeg to reactivate certain local improvements on River Road deferred by By-law No. 5974/92, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed. File SL-3 (Vol. 14)

On motion of Her Worship Mayor Thompson, the rule was suspended and By-law No. 6902/96, a By-law of The City of Winnipeg to amend By-law No. 5650/91, as amended by By-law Nos. 6595/95, 6597/95 and 6598/95, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed. File FL-7.7 (Vol. 2)

EXECUTIVE POLICY COMMITTEE

QUESTION PERIOD

1117 - Councillor Murray requested an explanation of the City's position on the change in assessment evaluation procedures for railway and railway rights of ways.

Her Worship Mayor Thompson advised she would provide Councillor Murray with a response after consultation with members of the administration.

Councillor Murray questioned why the City did not make representation on the Bill when it was before the Provincial Legislature last month, and if the City did have a position on the matter.

Councillor Steek replied that both he and Councillor Eadie appeared before the Law Amendments Review Committee and made representation on Bill 43 and Bill 2, both of which received royal assent last evening.

Councillor Murray again questioned if the City had a position on this particular issue given its importance to the City's economy and the development of rail in the future of the City.

Councillor Steek replied that the issues of reassessment were addressed but that they did not specifically address the issues of railways in their presentations to the Law Amendments Review Committee.

Councillor Thomas referred to a copy of a communication she had received that had been sent by Mr. K. Lahr to the Provincial Government regarding upcoming proposed amendments to the Labour Relations Amendment Act. She questioned whether the matter had been taken up before the Board of Directors and whether or not they had concurred with the sending of the letter.

Councillor Silva replied that the letter forwarded by Mr. Lahr was not an official position of the Board of the Winnipeg Convention Centre, noting that if the General Manager of the Winnipeg Convention Centre had taken this position, he had taken the position as an individual. Councillor Silva expressed that it was unfortunate that the letter was on Winnipeg Convention Centre stationery and further advised that as a member of the Board, he would raise the issue at the next Board meeting.

Councillor Thomas questioned whether the Manager would be censured for his actions.

Councillor Silva responded that the matter would be raised at a Board meeting and that it would then be the responsibility of the Board of Directors to take whatever action they felt was appropriate to deal with the matter.

The Speaker called the Deputy Speaker, Councillor Prystanski, to the Chair in order to participate in the debate.

Councillor Angus requested an update on the status of the year end deficit projection.

Her Worship stated that the current projections indicated a year end deficit under $5 million, but that the direction was that the City continue to do everything not to incur a deficit at the end of the year.

Councillor Angus questioned if there would be a Council Seminar with respect to the 1997 and 1998 Current Estimates.

Her Worship advised that the Board of Commissioners and Executive Policy Committee had agreed to do a series of round table discussions over the next few weeks regarding the budget schedule. Her Worship further noted that the budget would not be concluded in December but in January or February.

Councillor Angus questioned whether all Members of Council and/or private/public sector partnerships and public meetings would be part of the budget considerations.

Her Worship advised that the public consultation process had already been conducted and noted that the budget process would include Community Committees, Standing Committees and Council.

Executive Policy Committee - Question Period (continued)

Councillor Murray requested the Business Liaison and Intergovernmental Affairs Department to review the proposed assessment changes for the railway properties in accordance with Bill 43 and Bill 2, and obtain a copy of the CPR's corporate position relating to the matter.

Her Worship advised that she would take Councillor Murray's question to the Director of Business Liaison and Intergovernmental Affairs.

Councillor Murray requested that the Mayor appoint a Committee of Councillors to further explore the matter.

Her Worship took the request under advisement.

Councillor Murray requested that the Mayor meet with the senior executive from CP and CN to discuss the property assessment tax issue and explore the suggestion that money be set aside for reinvestment in strategic infrastructure.

Her Worship responded that there had been meetings going on and noted that the Legal Department has advised her office that it would not be appropriate for her to meet with CP inasmuch as the matter is currently under appeal.

Councillor Angus referred to New Directions downsizing and noted that one of the measurement tools to be used to measure performance and mark wages and/or grade categories for managers was related to the number of employees that they had. He implied that the tone of the message was such that a manager would get paid more if he had more people to manage. Councillor Angus requested that the matter be explored.

Her Worship noted that she would look into the matter.

Councillor Angus requested a summary of the recent meeting with the Provincial Cabinet Members.

Her Worship noted that the meeting of Provincial officials was positive, which meeting included the Deputy Minister of Urban Affairs, and the Chief Commissioner. Her Worship advised she herself had requested a second meeting which would include Mr. Stefanson, herself, the Minister of Urban Affairs and their staff to deal with some of the very difficult issues between the City and the Province.

The Speaker here resumed the Chair.