REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JUNE 21, 1995

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee, dated June 21, 1995, was considered clause by clause.

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

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

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

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

Councillor Hyman requested that Clause 6 be pulled from the Consent Agenda.

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

Her Worship The Mayor and Councillors:

Amendments to City of Winnipeg By-Law No. 6402/94 Regarding French Language Services File GL-5.7 (Vol. 5)

898 - 1. On April 24, 1994 Council passed By-law No. 6402/94 regarding the provision of municipal services in both official languages. Attached to the by-law was a five-year implementation plan for the delivery of municipal services in French.

Since that time the City Administration has undergone major restructuring, and the number of departments has been reduced from 24 to 18, largely through amalgamation of services. The existing by-law reflects the organization as it was prior to February, 1995 and is now inconsistent with the new administrative structure.

The amending by-law has been revised to reflect the new structure.

Where responsibilities have been realigned, the amending by-law and implementation plan (Schedule "A") assigns French language service commitments to the appropriate department under the new structure. Except for the addition of service commitments regarding the newly created Business Liaison and Intergovernmental Affairs Department, and the newly created Corporate Communications Division, no deletions or changes have been made to service commitments. The implementation dates have not been changed.

The Executive Policy Committee recommends:

I. That the amending By-law and revised Schedule "A" be forwarded to Council for its approval.

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

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

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

The Speaker called the Deputy Speaker, Councillor Reese, to the Chair in order to participate in the debate, and after speaking, resumed the Chair.

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

Report of the Executive Policy Committee dated June 28, 1995

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

Review of the Mandate, Membership Selection Criteria and Structure of The City of Winnipeg Community and Race Relations Committee File CR (Vol. 9)

899 - 2. Council on December 14, 1994, adopted Clause 5 of Report "A" of the Executive Policy Committee dated December 7, 1994, which concurs in a motion adopted by the Community and Race Relations Committee "that the current memberships of the Community and Race Relations Committee continue with all the powers, rights and privileges thereto pertaining for an extended period of time not beyond March 31, 1995, to allow for the completion of the review and transition of authority to the new membership."

On March 22, 1995, Council adopted Clause 2 of the Report of the Executive Policy Committee dated March 8, 1995 extending the period of time from March 31, 1995 in order for the Community and Race Relations Committee to complete its review; and also striking a Transition Team composed of the Mayor, the Chief Commissioner (or his designate), Councillor Hyman, the Chief of Police (or his designate), and the current Chairperson of the Community and Race Relations Committee to review the Mandate, Membership Selection Criteria and Structure of the Committee for report back to the Executive Policy Committee.

The City of Winnipeg Community and Race Relations Committee was established in 1986 by City Council as a Committee of Council on the recommendation of the Executive Policy Committee. At that time Executive Policy Committee recommended to Council the membership structure of the Committee which was adopted by City Council. Initially, there were seven community-at-large members, seven institutional members, the Mayor, Chief of Police, Chief Commissioner and the Chairperson of Executive Policy Committee. The Mayor served as the Chairperson and the Vice-Chairperson was the Chairperson of Executive Policy Committee.

With the changes to The City of Winnipeg Act, the Mayor became the Chairperson of Executive Policy Committee and thus duplicated the role of Chairperson and Vice-Chairperson of the Race Relations Committee.

In 1988, the Management Committee reviewed the membership structure and roles. It was recommended to City Council that the Chairperson of the Committee be a citizen member and the Mayor be the Vice-Chairperson and further, the community-at-large membership be reduced from seven to three and the institutional membership be increased to eleven.

City Council concurred with the recommendation and approved same on June 11, 1988.

Criticisms have been directed in the past and continue to be heard that there is too much institutional representation on the Committee with minimal input from the broader community it serves. Public opinion suggested that the Committee should undergo a review of its membership. The Management Sub-Committee was mandated by the General Committee to explore means of determining a revised membership structure for the Committee.

During a review in June 1993 by the Management Sub-Committee to address the issue of a membership request from the Provincial Department of Heritage, Culture and Citizenship, it was decided that a further review would take place in 1994. The conduct of this review was left to the Management Sub-Committee and on March 10, 1994, the process for the hearings was established.

Subsequently, the Management Sub-Committee held two meetings and explored avenues of addressing this matter which would allow for maximum public input and participation. It was decided that a series of public forums would allow this process to take place.

Several meetings of the Management Sub-Committee were held with respect to the Restructuring of the General Committee's membership and related issues. The following questions were addressed:

1. Should the Committee structure be changed?
2. If so, what should it be changed too?
3. If so, how should it be changed?

Report of the Executive Policy Committee dated June 28, 1995

Since it was previously expressed that the General Committee's membership structure needed to reflect a more widely community based representation, it was deemed appropriate to meet with the groups named in a presentation to Executive Policy Committee to establish some foundation for their concerns and perhaps set the tone for further community consultations.

During the consultation with the community through a series of public meetings at various venues, it became very obvious that the outreach component of the City of Winnipeg Community and Race Relations Committee was seriously lacking. The community recognized the Committee as an essential resource, however, felt that there was a need for greater facilitation of information between the community and the Community and Race Relations Committee. It was felt that input from "grassroot" organizations was necessary and this could be accommodated through an improved outreach program. Presentations, written submissions, and discussions were received from the following organizations and individuals, namely:

> Manitoba Metis Federation, Project Peacemakers, Citizenship Council of Manitoba, OXFAM-Canada, CUSO, Workers of Colour Support Network, Winnipeg Labour Council, IDEA Centre, Winnipeg Jewish Community Council, Manitoba Association of Rights and Liberties, the Manitoba Intercultural Council as well as all members of the City of Winnipeg Community and Race Relations Committee and various individuals not specifically aligned with a particular group, but having an interest in race relations.

Subsequent to the public hearings and consideration of the suggestions made to the Hearing Panel, two options for a restructured Committee were presented to the General Committee for consideration. The first option recommended a Committee of 12 members with 4 Civic, 4 Community and 4 Institutional representatives. The second option provided for 12 members with 4 Civic and 8 Community members. It also proposed six Sub-Committees be established comprised mainly of individuals and organizations in the community addressing race relations issues. These Sub-Committees would be chaired by a regular Committee member. Both options were rejected and the Management Sub-Committee was directed to review and modify the options. All Committee members were invited to assist in the development of a new model.

One of the first tasks was to develop a set of Criteria for the selection of subsequent members to sit as members of the General Committee. The following criteria was submitted to the General Committee for consideration:

1. Candidates must be credible, i.e. prior demonstrated knowledge in race relations, human rights, employment equity and human equality issues.
2. Knowledge and sensitivity to community resources, e.g. The United Way.
3. Ability to network with institutions, community organizations, etc.
4. Ability to develop plans and strategies relative to race relations issues.
5. Awareness of financial and political implications of decisions.
6. Knowledge of relevant legislations, e.g. Federal and Provincial Human Rights, Employment Equity, Charter of Rights, Multiculturalism Act, etc.
7. Current involvement in grassroots activities involving race relations issues.

The Management Sub-committee considered the current Mandate of the General Committee which provides for fostering public understanding of race relations and human rights principles and to ensure non-discriminatory operational policies and procedures within the Corporation of the City of Winnipeg and the community as a whole.

Specifically, the General Committee shall:

1. Recommend policies, procedures, programs and projects:

    a) to reduce and prevent racial and ethnic tensions;
    b) to promote attitudinal and organizational changes that shall enhance improved community, ethnic and race relations in Winnipeg;
    c) to provide race relations training programs for employers and employees;
    d) to promote understanding, mutual trust and respect between racial, ethnic minorities and Aboriginal peoples and the agencies and institutions which provide services to them.

2. Advocate improvement in economic, social and educational conditions of racial/ethnic minorities and Urban Aboriginal peoples, who have been or are likely to be harmed by prejudice, racism and systemic discrimination.

Report of the Executive Policy Committee dated June 28, 1995

3. Refer complaints of Racial and Ethnic discrimination to appropriate agencies and monitor complaints to determine the action taken.

4. Encourage all groups to undertake programs and activities that will lead to better inter-ethnic and inter-racial harmony.

5. Provide the opportunity for individuals and groups to express concerns and opinions about Race Relations problems and to seek solutions.

6. Enhance the public's awareness of the Mandate of the City of Winnipeg Community and Race Relations Committee.

7. Work with other levels of government: Education Manitoba, Universities, institutions and organizations to collaborate in research, advance public opinion on current race relations issues and to determine future directions for their resolutions.

8. Advocate for policies and for community based training in the mediation of cross cultural conflicts and serve in a mediation role where there is ethnic and interracial conflict in the Community.

9. Review of education and community programming with a view to identifying and eliminating ethnic and racial bias.

The Management Sub-Committee recommended that both the Criteria for the Selection of New Members and the Current Mandate of the General Committee be accepted.

The Management Sub-Committee recommends that the following terms of membership be approved with the following rationale, namely:

The Mayor, Chief Commissioner, Chief of Police, and their alternates will serve on the Committee for the duration of their tenures in office.

The immediate past chairperson will serve for a period of one term of eighteen (18) months and not subject to renewal.

Each Community representative will be appointed for a period of eighteen (18) months. His/Her appointment may be renewed for ONE additional term of eighteen (18) months on the recommendation of the Committee. Appointments and renewals for the Committee may be staggered to maintain a fifty per cent rotation of members from one term to the next.

With respect to the Mayor and/or Deputy Mayor, it is expected that these memberships will have both Political and Financial accountability implications coupled with Policy decisions.

The City Councillor (EPC)/Alternate positions will serve as a conduit to City Council and an advocacy role at both City Council and Executive Policy Committee for issues raised by the Committee.

The Chief Commissioner's position will serve in a multiplicity of roles including Finance and Administration and policy implementation at the Civic level when such policies are developed by the Committee and approved by City Council, and have a direct impact on Civic administration, e.g. Employment Equity, Social Services, etc.

The Chief of Police will continue to provide the conduit between the community it serves and the Committee in a consultative and co-operative manner.

The Labour representative will provide the connection between organized Labour, the community, and the Community and Race Relations Committee on race relations issues.

The Aboriginal representative will provide advice on behalf of Aboriginal people in Winnipeg and advocate for improvement on issues and concerns surrounding race relations philosophies.

Report of the Executive Policy Committee dated June 28, 1995

The Youth representative will advocate for concerns relating to youth issues in a race relations context.

The Ethnocultural representative will advocate for the interests of the ethno-cultural communities on race relations issues.

The Business representative will provide the conduit between the business community and the Committee on race relations issues.

The Education representative will provide the link between the education community and the Committee on race relations issues.

The Management Sub-Committee recommends that there should be an Outreach Co-ordinator and Outreach Assistant that will report to the General Committee through the Chairperson. The Chairperson and the Management Sub-Committee will complete an Evaluation of the Outreach Co-ordinator and Outreach Assistant annually and may recommend remuneration adjustments on contract renewal. The proposed duties of the Outreach Workers are outlined in Schedule "A".

The General Committee will report to the Executive Policy Committee through Hearing Delegation every three (3) months providing full details on all matters relating to the Committee's Mandate, including financial, budgetary considerations, and staff relations.

The Executive Policy Committee recommends:

I. That the following membership of the Community and Race Relations Committee be approved:

1.	Mayor of the City of Winnipeg	-	Vice Chairperson
		-	Alternate - Deputy Mayor*
2.	City Councillor	-	one appointed by Council
		-	one alternate appointed by Council
3.	Chief Commissioner	-	Alternate - A Commissioner*
4.	Chief of Police	-	Alternate - A Deputy Chief
5.	Past Chairperson of the General Committee*		
6.	One Labour Representative		
7.	One Aboriginal Representative		
8.	One Representative from Youth*		
9.	One Representative from the Ethnocultural Community		
10.	One Representative from the Business Community		
11.	One Representative from the Education Community		

NOTE: * indicates a change from the present structure.

II. That the Staff of the Community and Race Relations Committee be comprised of one (1) fulltime Outreach Worker at an annual salary of $36,000.00; and one (1) part-time Outreach Worker at an annual salary of $16,000.00. Schedule "A" outlines the job descriptions of the outreach workers.

III. That office expenditures in the amount of $20,600.00 be approved.

IV. That the Executive Policy Committee review the Mandate, Membership Selection Criteria and Structure of the City of Winnipeg Community and Race Relations Committee within one year from the date of approval by Council.

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V. That the Executive Policy Committee's Selection Committee recommend to Council the appointment of citizen members to the Community and Race Relations Committee.

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

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

Adopted by consent.

Additional Appropriation for The Office of the Ombudsma File GL-5.8 (Vol. 9)

900 - 3. The Executive Policy Committee has been advised that the Office of the Ombudsman has requested an additional appropriation in the amount of $50,727.38 for two reasons, namely:

1) In the original 1995 budget submitted in December, 1994, it was predicted that it would be necessary to request an additional allocation of funds in the event that:

   a) the Access to Information By-law came into force; and

   b) the Ombudsman was required to provide services as a level of appeal under this by-law.

2) The linking of the Office of the Ombudsman with the Wide Area Network (WAN) of the City of Winnipeg Administration.

It is useful to examine the caseload of the Provincial Ombudsman when forecasting approximately how many Access to Information appeals the Winnipeg Ombudsman is likely to receive in one year. The provincial experience of receiving approximately 60 cases per year has remained fairly consistent over the past few years.

The Provincial Ombudsman has one investigator/researcher position dedicated exclusively to the area of Access to Information appeals. Furthermore, the staff member occupying this position is kept extremely busy.

Two factors support the view that the number of appeals that the City Ombudsman will receive will be as high, if not higher, than the number received by the Provincial Ombudsman:

1. The City of Winnipeg possesses the majority of the population of the Province of Manitoba; and

2. The Access to Information By-law apparently is eagerly awaited by the citizens of Winnipeg, judging by the number of requests for access that have been received by the City Ombudsman.

The position of investigator/researcher requires expertise and experience not possessed by existing staff, who in any event are already extremely busy.

Attendant on the addition of one new staff member are requirements for space and a computer to equip the person.

The City of Winnipeg has invested considerable resources to modernize the civic administration so that it (and by extension, the citizens of Winnipeg) may benefit from the many advantages offered by computerization. Many departments already are computerized and linked to one another via a Wide Area Network and those that are not, likely will become so in the not distant future.

The work of the Ombudsman requires constant communication with the various departments of the civic administration, and also that research on by-laws and information held by the City of Winnipeg be conducted on a daily basis.

If the Ombudsman's Office were linked to the City of Winnipeg Wide Area Network, it would greatly facilitate the efficiency of these vital operations.

Report of the Executive Policy Committee dated June 28, 1995

Another advantage offered by a linkage to the Wide Area Network, is access to the Internet. This would make it possible to conduct legal research and research into the work of other Ombudsman operations throughout the world.

This item was not budgeted for in the original 1995 budget estimates because it was unknown how long it would take to complete the establishment of the Local Area Network (LAN) that allows the office to function with only one clerical support staff member. The LAN is now fully operational.

The Executive Policy Committee recommends:

I. That an additional appropriation in the amount of $3,000.00 be approved for the Office of the Ombudsman to be linked up with the City of Winnipeg Wide Area Network (WAN).

II. That the balance of the request for an additional appropriation in the amount of $47,727.38 be referred to the 1996 budget deliberations.

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

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

Carried.

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

Consulting Study - Traffic, Transit and Pedestrian Facilities on Portage Avenue
File ST-7 (Vol. 13)

901 - 4. Council at its reconvened meeting held on January 26, 1995, 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 Golden,
Seconded by Councillor Lazarenko,

WHEREAS Council has delegated authority to the Committee on Works and Operations, to enter into contracts for approved budget matters for amounts up to $1 million;

AND WHEREAS the Committee on Works and Operations has used this delegated authority to approve a $250,000.00 study of traffic matters on Portage Avenue;

AND WHEREAS the said study was neither an urgent matter nor a matter directed by policy of City Council;

NOW THEREFORE BE IT RESOLVED THAT any contract (not of an emergency matter) authorizing a study or report, be first authorized by Council.

On March 5, 1995, the Executive Policy Committee referred the matter to the Committee on Works and Operations to examine the feasibility of integrating the budget and program evaluation of the Portage Avenue Consulting Study into that of Transplan 2010.

On April 7, 1995, the Committee on Works and Operations recommended that Council be advised that the $250,000.00 study of traffic matters on Portage Avenue be enhanced to develop a plan for the redevelopment of Portage Avenue to address the following concerns, namely; traffic and transit flow and access; commercial storefront enhancement and retention of business; public amenity, parks and pedestrian environment; and, identification of problem business locations and site specific solutions.

Report of the Executive Policy Committee dated June 28, 1995

Inasmuch as the final report from Administration has not been submitted for consideration, the Executive Policy Committee recommends that an extension of time of 60 days be approved in which to further consider this matter.

Adopted by consent.

Reintroduction of Money By-laws and Referenda during General Elections in Winnipeg File GL-5 (Vol. 4)

902 - 5. On June 14, 1995, 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 Golden,
Seconded by Councillor Lazarenko,

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 Executive Policy Committee investigate and report back to Council on the feasibility and cost of reintroducing the submission of money by-laws and referenda during general elections to the electorate of Winnipeg as a means of determining the acceptance, or lack thereof, of a particular proposal or question.

The Executive Policy Committee recommends that the resolution be forwarded back to Council for discussion.

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

Moved by Councillor Duguid,
That the Clause be referred back to the Executive Policy Committee.

Report of the Executive Policy Committee dated June 28, 1995

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

Yea: Councillors Reese, Boychuk, Clement, Duguid, Eadie, Golden, Hyman, Lazarenko, O'Shaughnessy, Prystanski, Silva and Angus. 12

Nay: Councillors Murray, Thomas, Fraser and Her Worship Mayor Thompson. 4

and the motion to refer was declared carried.

Citizen Appointments to Civic Boards and Commissions - Winnipeg Public Library Board
Files L-11 (Vol. 11) & GC-7 (Vol. 25)

903 - 6. By-law No. 4334/86, and amendments thereto, established the composition of the citizen membership of the Winnipeg Public Library Board to represent each Community for two year terms, with no citizen member of the Board serving more than three consecutive terms.

On June 6, 1995, the City Centre Community Committee recommended that Rochelle Blumenthal be appointed to the Winnipeg Public Library Board for the balance of the 2-year term expiring January, 1997.

The Executive Policy Committee concurs with the recommendation of the City Centre Community Committee and submits this appointment to Council for adoption.

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

The Speaker advised that the clause would be tabled until later in the meeting to allow Councillor Hyman to provide further information.

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JUNE 28, 1995

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee, dated June 28, 1995, was considered clause by clause.

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

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

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

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

Her Worship The Mayor and Councillors:

Financial Management Plan
File F-1 (Vol. 13)

904 - 1. The process to develop a financial management plan began in 1993 when Councillor O'Shaughnessy was named the Chairperson of a Committee to develop a revenue strategy for the City. In June of 1993, a draft revenue strategy was developed and the following month a revenue strategy workshop was held in Slave Falls with members of Council, the Board of Commissioners and representatives from labour and Business Improvement Zones.

In May of 1994, a Council Seminar was held to review a draft Financial Management Plan which was developed in an economic development context and included a revenue strategy, an operational expenditure plan, a capital investment plan, and a communication plan. Ten draft goals were set early this year as areas which are very important to the City in the development of a Financial Management Plan. These goals were introduced to all members of Council in a Council Seminar on April 21, 1995. A revised draft Financial Management Plan was prepared and presented to Council at a Council Seminar on May 31, 1995. This document introduced specific targets which are associated with each of the 10 goals and can be used to measure performance, guide decision making, and communicate our future financial plans.

Plan Winnipeg . . . Toward 2010 states:

> "The City shall prepare, implement and periodically review a financial management strategy that addresses alternative revenue sources and provides solutions for reducing property tax supported debt."

The 10 goals and associated targets are as follows:

1. Reduce property tax reliance:
   Decrease City's reliance on property taxes (as a percentage of total revenue) by 5% over the next 10 years.

2. Reduce debt:
   Stabilize City's per capita net external debt to $1,000 by 2017.

3. Stabilize expenditures:
   Program expenditures, adjusted for growth, should not exceed inflation.

4. Remove education support levy:
   Negotiate with the Province to remove the Province's Education Support Levy from the City's property tax bills by 1999.

Report of the Executive Policy Committee dated June 28, 1995

5. Renew infrastructure:
Develop a detailed list of total infrastructure liabilities with prioritized plans to repair them and identified funding sources during the next term of Council.

6. Combine utility charges:
Convert water and sewer bills to a more frequent billing cycle by 1998 and incorporate frontage levies and a garbage collection user fee into these bills.

7. Rebuild reserves:
Replenish reserves to 1990 levels by the end of 1998.

8. Develop contingency plan:
Develop a contingency plan during the next term of Council.

9. Reduce unfunded liabilities:
Decrease two major unfunded liabilities 9 (vacation credit and accumulated sick leave) by 75% by 2010.

10. Improve financial reporting:
Finish developing new Financial Management System by 2000.

Preliminary estimates forecast that the City faces a large gap between its anticipated revenues and expenditures. The first step Council must take is to identify various strategies to achieve its 10 targets and close this gap during its next term. Closing this gap might mean reshaping service levels, eliminating programs, negotiating with the Province and receiving legislative authority for new revenue sources, and increasing income from current revenue sources. The strategy can be incremental, but the earlier the gap is closed, the earlier the City can make progress on building a balanced strategy for a stronger financial future.

The Executive Policy Committee recommends:

I. That Council approve the Financial Management Plan, as outlined in Appendix "A".

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

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

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

In amendment,

Moved by Councillor Reese,
Seconded by Councillor Duguid,
THAT item No. 6 be amended to replace the words "Combine utility charges", with "Combine existing utility charges: (unless otherwise authorized by Council)".

Moved by Councillor Murray,
Seconded by Councillor Thomas,
THAT the "Financial Management Plan" be referred back to Executive Policy Committee to be completed, and an actual financial management plan be developed including a priorities statement, specific directions and timetable, and a more immediate response to the City's debt and tax dependency problems.

Council here reverted to the order of business - "Clause 6 of the Report of the Executive Policy Committee, dated June 21, 1995".

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JUNE 21, 1995

Citizen Appointments to Civic Boards and Commissions - Winnipeg Public Library Board
Files L-11 (Vol. 11) & GC-7 (Vol. 25)

Moved by Councillor Hyman,
Seconded by Councillor Murray,

That the clause be amended by deleting the name Rochelle Blumenthal and substituting the name Tim Sayeau, for the appointment to the Winnipeg Public Library Board for the balance of the 2-year term expiring January, 1997.

Carried.

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

Council recessed at 11:59 a.m., and reconvened at 1:36 p.m., same members present.

Councillors Duguid, Hyman, O'Shaughnessy, Thomas and Her Worship Mayor Thompson entered the meeting after Council had reconvened.

Moved by Councillor Golden,

That Rule 8.6 of the Procedure By-law be suspended to allow Councillors to remove their jackets.

Carried.

Council here proceeded to continue to consider the order of business - "Clause 1 of the Report of the Executive Policy Committee, dated June 28, 1995".

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JUNE 28, 1995

Financial Management Plan
File F-1 (Vol. 13)

The amendment proposed by Councillors Reese and Duguid was put and declared carried.

The Speaker called the Deputy Speaker, Councillor Reese, to the Chair in order to participate in the debate, and after speaking resumed the Chair.

The motion to refer the Clause with instructions was put and declared lost.

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

Councillors Boychuk, Lazarenko, Murray and Thomas 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 June 28, 1995

Winnipeg Real Estate Board - Electronic Database Licence Agreement
File GL-5.8 (Vol. 9)

905 - 2. In 1991, the Board of Commissioners struck an Access to Information Committee to develop and recommend guidelines pertaining to electronic access to information and to respond to requests for access to City databases. One component of the Committee's program involved a pilot project to test out the concept of electronic access in a controlled environment.

On August 6, 1992, the Board of Commissioners approved a pilot project to allow Legal Data Resources Corporation to access public tax data electronically on the clear understanding that this was to be a pilot project and that the Director of Computer Services would report to the Board, within six months, on the usage, the expenditures and the revenues of the project.

On October 29, 1992, the Board authorized the Administration to contract with Legal Data Resources Corporation, on a sole source basis. The contracts entered into with Legal Data Resources Corporation were to be on a prototype basis for Legal Data Resources Corporation Users only. This was be done for a period of six months with provision for an extension and/or an expansion of the service to other users at the end of the trial period. This period was chosen to allow the Legal Data Resources Corporation an opportunity to recoup its investment in the computer software that it was obliged to purchase for this project. The contracts with Legal Data Resources Corporation expressly permit the City to contract with other users to access the tax data electronically.

On April 1, 1993, the Board considered a progress report from the Director of Computer Services advising of the progress made on the Legal Data Resources Corporation pilot project. The Board further approved the continuation of the pilot project with Legal Data Resources Corporation and the expansion of the pilot service to the WREB.

On January 26, 1994, City Council concurred with the recommendations contained in the January 6, 1994 Report from the Acting Chief Commissioner to the Executive Policy Committee to provide the WREB with electronic access to the public tax records.

The aforementioned Electronic Access Agreements with the Legal Data Resources Corporation and the WREB are still in effect.

The WREB approached the City in March of 1994 with a request that the City provide it with a copy, rather than just electronic access, to the databases for the Assessment and Tax Rolls. The copy of the database is to populate WREB's new computer system, Stellar Multiple Listing Service, with a "snapshot" of Assessment's City of Winnipeg Realty data. This agreement would provide more data fields, e.g. building characteristics, than that provided through the Electronic Access Agreement now in place.

This agreement also gives the WREB electronic access to the entire "set" of roll data, whereas the current Electronic Access Agreement only allows accessing one roll entry per enquiry.

A fee of $19,000.00 for the Assessment Database was arrived at on the basis of a $0.10 charge for each roll entry with the fee of $6,000.00 for the Realty Tax Database arrived at on the basis of $0.03 charge for each roll entry. The total fee is $25,000.00. The Realty Tax Database is good for approximately 6 months and has less information than the Assessment Database. The fees are for 1995 only and are not to be considered as a precedent for future years. This fee will permit both WREB and the Assessment/Tax Offices to assess the benefits from the licensing of the Database.

The Tax Branch currently has 8 telephone lines, manned by Clerk "A"'s who respond to verbal requests for tax data. The Real Estate Community is the largest user of these lines and it is hoped that entering into a license agreement with WREB with regard to the Database will substantially reduce service requests on the telephone lines and therefore staffing levels which will facilitate redeployment of staff to new programs such as TIPPS. The present system available electronically to WREB members does not completely address their data needs, so it has not had the anticipated benefit of reduced telephone enquiries originally envisioned.

The Tax Branch has also submitted a proposal to implement a service fee for telephone calls effective January 1, 1996. This should encourage Real Estate agents to utilize their own system.

Report of the Executive Policy Committee dated June 28, 1995

Entering into this Licence Agreement continues a long standing relationship of co-operation in the exchange of information between the Assessment Department and the WREB and of course, a modest source of new revenue.

The licence fee of $25,000.00 for the Database was arrived at through discussions with the WREB and comparisons with other jurisdictions. Extensions of the License Agreement for future years would require re-examining the fee in light of pending discussions re a City of Winnipeg policy on revenue from the sale of data.

City Council approval is required to enter into license agreements to provide third parties with copies of the City's electronic data bases.

The Executive Policy Committee recommends:

I. That City Council authorize the administration to enter into a non-transferable, non-exclusive license with the Winnipeg Real Estate Board ("WREB") to provide the WREB with a copy of an Assessment and Tax Database for the sum of Twenty-five Thousand ($25,000.00) Dollars, said license to expire on December 31, 1995, on substantially the same terms and conditions as outlined in Appendix "A".

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

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

Adopted by consent.

Fees for Services File E-1 (Vol. 11)

906 - 3. The Executive Policy Committee has been advised that the following fees for services are presently provided free of charge, namely:

1. A fee of $5.00 per property for account maintenance provided to institutions holding an interest in the property.

2. A fee of $5.00 per property for property tax status verification.

3. A fee of $2.00 per property for oral tax information provided to solicitors and banks on dedicated telephone lines.

4. A fee of $5.00 per property for custom data reports and services requested on an ad hoc basis.

5. A fee of $10.00 per property for a Tax Sale Redemption Certificate

6. Fees of $10.00 per property per year for a Tax Search of former years tax rolls and include a copy of the tax statement and/or applicable receipts.

These services carry costs presently being borne by taxpayers at large, and not the corporations requiring the service. Implementation of the proposed fee schedule would shift the cost to the user of the information.

Different levels of tax information historically have been provided to various agencies, free of charge, in various forms ranging from telephone requests, replies to written requests, and electronic data exchange.

Additionally, in recent years, a view of the City's Electronic Tax Roll has been made available electronically to the City's legal, financial and real estate community. This electronic access was made available for a fee of $0.24 per function key through agreements negotiated with Legal Data Resource Corporation and The Winnipeg Real Estate Board.

Recent studies indicate that in spite of the electronic medium available, the business community still continues to obtain most of the information required by telephone or paper copy, thereby avoiding the nominal cost associated with electronic access.

Report of the Executive Policy Committee dated June 28, 1995

The Province of Manitoba on July 7, l994, passed Bill 17 which provided legislated changes to The City of Winnipeg Act and included an amendment to Section 277 which states:

Section 277(4)

> "The council may fix the fees payable by a person, other than the owner of land charged with the taxes, or may prescribe the manner in which the fees are to be fixed, for a summary or detailed statement of current or past taxes or arrears of taxes for land described in a certificate of title and shown as a separate entry on the tax collector's roll."

The Province of Manitoba, when providing this enabling legislation indicated that the fees were not intended to be a source of revenue generation, but would be a means of recovering the costs incurred in providing the information. Therefore the fees recommended are based primarily on the City's costs associated with the provision of the various types of information.

Appendices "A" to "F" outline and describe the various processes and their associated costs, as well as the fees presently being charged for such services by several other western Canadian Cities.
On June 19, 1995, the Committee on Finance and Administration considered the matter and concurred in the recommendations included in the Report of the Chief Commissioner, dated May 18, 1995.
The Executive Policy Committee recommends:

I. That in accordance with Section 277(4) of The City of Winnipeg Act, Council impose a fee for services rendered in response to requests to provide tax information from parties other than the registered owner of the property.

II. That the following fees come into effect on January 1, l996:

i) a fee of $5.00 per property for account maintenance provided to institutions holding an interest in the property (e.g. mortgage companies with principal interest and tax accounts). The fee would be $3.00 if service is provided electronically. Anticipated annual revenue is $138,000.00, as outlined in Appendix "A".

ii) a fee of $5.00 per property for property tax status verification (requests typically are initiated by mortgage companies with Principal and Interest accounts where the property owner is responsible for payment of taxes). The fee would be $3.00 if the service is provided electronically. Anticipated annual revenue is $105,000.00, as outlined in Appendix "B".

iii) a fee of $2.00 per property for oral tax information provided to solicitors and banks on dedicated telephone lines. Anticipated annual revenue is $80,000, as outlined in Appendix "C".

iv) a fee of $5.00 per property for custom data reports and services requested on an ad hoc basis. In addition, an optional charge of $25.00 per hour which would be utilized in situations requiring extensive research or where more than 50 properties are involved. Anticipated annual revenue is $4,200.00, as outlined in Appendix "D".

v) a fee of $10.00 per property for a Tax Sale Redemption Certificate (to align with the fee presently charged by The Province of Manitoba at Land Titles Office). Anticipated annual revenue is $1,500.00, as outlined in Appendix "E".

vi) fees of $10.00 per property per year for a Tax Search of former years tax rolls and include a copy of the tax statement and/or applicable receipts. Anticipated annual revenue is $2,000.00, as outlined in Appendix "F".

(The total anticipated annual revenue if all fees were implemented would be $330,700.)

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

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

Report of the Executive Policy Committee dated June 28, 1995

Moved by Deputy Mayor Fraser,
Adoption of the clause.

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

The motion for the adoption of the clause was put.

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

Yea: Councillors Clement, Eadie, Hyman, Lazarenko, O'Shaughnessy, Silva, Fraser, Angus and Reese. 9

Nay: Councillors Boychuk, Golden, Murray and Thomas. 4

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

Amendment to The City of Winnipeg Act and the Act regulating the Manitoba Telephone System File EL-1.35 (Vol. 4)

907 - 4. On June 14, 1995, Council referred the following motion to the Committee on Finance and Administration:

Moved by Councillor Silva,
Seconded by Councillor Prystanski,

WHEREAS the City of Winnipeg has the right to assess and collect annual license fees from Dating and Escort Services, Massage Parlours and other similar businesses;

AND WHEREAS there are approximately 137 such businesses listed in the telephone book;

AND WHEREAS few if any of these businesses pay their annual license fees in any given year;

AND WHEREAS these businesses carry on their business by telephone;

BE IT RESOLVED THAT the Province of Manitoba be requested to amend The City of Winnipeg Act and the Act regulating the Manitoba Telephone System (MTS) to require that in order to receive and to continue to enjoy the privilege of having a telephone number in the Winnipeg Telephone Directory, these businesses must provide proof that their annual license fees are paid up to date, that these fees must be paid for each business listed in the directory, that these fees must be paid in full in arrears, and that the City, in cooperation with MTS, has the right to disconnect the phones of any one of these businesses failing to comply with these regulations.

On June 19, 1995, the Committee on Finance and Administration considered the Council referral and recommended the matter be referred to the Intergovernmental Affairs Committee of Council for discussions with the Provincial Minister.

The Executive Policy Committee concurs with the Committee on Finance and Administration and recommends:

I. The matter be referred to the Intergovernmental Affairs Committee of Council for discussions with the Provincial Minister.

II. 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 JULY 5, 1995

On motion of Deputy Mayor Fraser, the Report of the Executive Policy Committee, dated July 5, 1995, was considered clause by clause.

Moved by Deputy Mayor Fraser,

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

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

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

Councillor O'Shaughnessy requested that Clause 4 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1 and 5 was put and declared carried.

Her Worship The Mayor and Councillors:

Amendment to The City of Winnipeg Encroachment By-law No. 692/74 - outdoor patios adjacent to a restaurant
File ED (Vol. 2)

908 - 1. On June 20, 1995, the Committee on Planning and Community Services considered amending the Encroachment By-law No. 692/74 to reduce the approval process time for outdoor patios adjacent to a restaurant.

The matter was referred to the administration to prepare a draft amendment and the Committee on Planning and Community Services further instructed that the amendment proceed directly to the Executive Policy Committee for subsequent referral to the July 12, 1995 meeting of Council.

The amendment is summarized as follows:

Section 4(1)(c) is hereby amended by deleting subsection (c) thereof and substituting therefor the following:

"(c) In the case of an outdoor patio adjacent to a restaurant, the application must be referred to the Director of Land and Development Services for the purpose of negotiating a reasonable rental.

(d) Where the encroachment is of an unusual or commercial nature that it be referred to the Director of Land and Development Services of the City for the purpose of negotiating a reasonable rental and making recommendation to the Board of Commissioners for subsequent referral to Council."

The process required to reduce process time for an outdoor patio encroachment is proposed as follows:

1) Applicant submits proposed plans;
2) Plans are circulated to all concerned with a reply date of two weeks;
3) Administration and Ward Councillor approval given with comments to Land and Development Service Leasing Section;
4) Agreement process;
5) Agreement sent to Legal Services for approval;
6) Agreement signed by all persons of concern;
7) Applicant applies for development permit and occupancy.

Report of the Executive Policy Committee dated July 5, 1995

The Executive Policy Committee recommends:

I. That the amendment to the Encroachment By-law No. 692/74 to reduce the approval process time for outdoor patios adjacent to a restaurant be adopted.

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

Adopted by consent.

1995 Civic Election - Amendment to By-laws File GK-2 (Vol. 20)

909 - 2. Council at its meeting of June 14, 1995, adopted By-law No. 6650/95 which provided for the procedures for voting and the usage of optical scan vote tabulators. In further developing the election procedures, the Returning Officer has advised the members of the Ad Hoc Committee on Election Review, that procedures for the conduct of Hospital/Moving and Mail Ballots should be incorporated within the election procedure by-law.

Council at its meeting of September 19, 1990, adopted By-law No. 5550/90 and amendments thereto which provided for regulation of campaign expenses and contributions for candidates for the Office of Mayor and Councillor. Bill 7, received Royal Assent on June 30, 1995, pertaining to further amendments to Part IV of The City of Winnipeg Act, provided for Council to implement a program to issue tax credits and rebates to persons making campaign contributions to a candidate for the Office of Mayor or Councillor, and strengthened penalty provisions for violations of election expenses and contributions legislation violations.

At its meeting of June 29, 1995, the Ad Hoc Committee on Election Review considered the tax credit program and directed representatives from Corporate Finance to meet further with the Committee on the matter. In addition, the Committee directed that the "Campaign Expenses and Contributions" By-law No. 5550/90 be amended to incorporate the changes reflecting the strengthening of penalties for violations.

The Executive Policy Committee recommends:

I. That By-law No. 6650/95 be amended to accommodate Hospital/Moving and Mail Ballot procedures.

II. That By-law No. 5550/90 be amended to incorporate amendments arising from Bill 7.

III. That the Proper Officers of the City be authorized to implement the foregoing.

Moved by Deputy Mayor Fraser,
Adoption of the clause.

Carried.

1995 Civic Election - School Division Election Cost Recovery File GK (Vol. 20)

910 - 3. Council at its meeting of February 22, 1995, adopted Clause 4 of the Report of Executive Policy Committee dated February 15, 1995, pertaining to the 1995 Civic Election which directed that "the City Clerk's Department be authorized to charge School Divisions for all or any part thereof of the cost for conducting School Board Trustee Elections".

Traditionally the City of Winnipeg has conducted elections for the Winnipeg School Boards as a convenience to them. There is no provision by way of legal statute for this practice. Numerous other Canadian municipalities also conduct elections for their respective School Boards, but also levy a charge back to the School Boards, for costs or cost-sharing. This includes all municipalities in British Columbia, Alberta, and Saskatchewan. The portion of costs borne by the School Boards ranges from 25 percent upwards. In Edmonton and Regina, the School Boards pay 40-50 percent of the total election costs.

Report of the Executive Policy Committee dated July 5, 1995

In its request to the Province for election legislation amendments in October of 1993, the City also requested the approval to levy costs to the Winnipeg School Divisions for which the City conducts its elections. By letter dated July 21, 1994, the Minister of Urban Affairs, advised the City that "The current arrangement is not based on legislation, so legislative solution is not required; negotiated arrangement would be more appropriate".

At its meeting of February 22, 1995, Council directed that the Returning Officer seek cost recovery from the School Boards. By way of letters, dated March 30, 1995, and May 25, 1995, each School Division was apprised by the Returning Officer of Council's decision to seek cost recovery. The communication acknowledged that the School Divisions had not had advance notification of any charges and noted that in most cases, budgets had already been set, and stated that full cost recovery would not be sought until the 1998 elections and for the 1995 elections, a nominal charge would be levied.

The nominal charge for the 1995 elections was set at $15,000 (Norwood was assessed at $5,000 because of the limited number of electors, albeit five school trustees are elected at large). Notably, the average cost of conducting a school trustee by-election (one ward, one trustee) exceeds $17,000 (cost experience is summarized in Appendix "A"). The nominal charge also acknowledged the City's usage of school facilities, noting also that the number of schools utilized in 1995 would be reduced by as much as 57 percent in some areas.

By the end of June, the Returning Officer has received favourable response from only two of the ten School Divisions, namely Winnipeg School Division No. 1 and River East School Division No. 9.

Notably, the Election Budget of $1.4 million, includes the costs associated with lists of electors, candidate information, revision period costs, statutory notices, printing, ballots, election workers, and has accounted for a $140,000 cost recovery from School Divisions.

At its meeting of June 29, 1995, the Ad Hoc Committee on Election Review considered the responses from the School Divisions and determined that cost recovery was an essential component of the 1995 Election budget and reaffirmed the direction that the Returning Officer pursue cost recovery with each School Division. The Ad Hoc Committee noted that it will commence deliberations in 1996 to determine the cost to be borne by each School Division for future elections. The deliberations will include consultation with M.A.S.T. representatives and identify cost sharing practised in other Canadian municipalities. This strategy is in keeping with the Final Report of The Municipal Act and Related Statutes Review Committee, dated June 16, 1995, which recommends that:

> "The Municipal Electoral Officer must apportion costs among the municipalities".

Partnership and cooperation must also be cognizant of fiscal restraint and costs must be accurately accrued.

The Executive Policy Committee recommends:

I. That the Returning Officer be directed to continue to seek cost recovery from School Divisions for conducting the 1995 election of school trustees.

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

Moved by Deputy Mayor Fraser,
Adoption of the clause.

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

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

Hotel/Motel Accommodations Tax
File FE(1994) (Vol. 2)

911 - 4. Council on November 16, 1994 referred back to the Executive Policy Committee Clause 27 of the Report of the Executive Policy Committee dated November 9, 1994 relative to a Hotel/Motel Accommodations Tax.

Report of the Executive Policy Committee dated July 5, 1995

On April 19, 1995, Council adopted Clause 5 of the Report of the Executive Policy Committee dated April 12, 1995 granting a further extension of time of 90 days to allow for further consideration, inasmuch as the Hotel/Motel Accommodations Tax was scheduled to be discussed at a Financial Management Council Seminar.
The Executive Policy Committee recommends that Clause 27 of the Report of the Executive Policy Committee dated November 9, 1994, relative to the Hotel/Motel Accommodations Tax be filed, in view of the following: 1) the Hotel Industry does not support this tax; 2) Administration have provided sufficient information to all members of Council that there is a relatively small amount of revenue anticipated from this source of taxation and it could have a possible adverse impact on tourism in Winnipeg; and 3) the present Minister of Urban Affairs in a recent communication has advised that he will not recommend this additional form of tax.

Moved by Deputy Mayor Fraser,
Adoption of the clause.

The Acting Speaker, Councillor Boychuk, called the Deputy Speaker to the Chair.

Council here reverted to the order of business - "Introduction and Welcome of Guests and Announcements".

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

912 - The Deputy Speaker recognized former Councillor, Ray Brunka, in attendance in the gallery.

Council here proceeded to continue to consider the order of business - "Clause 4 of the Report of the Executive Policy Committee, dated July 5, 1995".

The motion for the adoption of the clause was put.

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

Yea: Councillors Clement, Eadie, Lazarenko, O'Shaughnessy, Prystanski, Fraser, Her Worship Mayor Thompson, Councillors Angus and Reese. 9

Nay: Councillors Boychuk, Duguid, Golden, Hyman, Murray, Silva and Thomas. 7

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

Appointments to the Access Advisory Committee
Files CR-3 (Vol. 3) and GC-7.1 (Vol. 1)

913 - 5. On January 25, 1995, Council adopted Clause 20 of the Report of the Executive Policy Committee dated January 18, 1995, approving the new Terms of Reference for the Access Advisory Committee including the composition of said Committee as follows:

- two members from City Council
- eight members with disabilities
- two members who may or may not have a disability, but are interested in access issues
- the Mayor as an ex-officio member

In addition, Council appointed five members to the Access Advisory Committee for a two-year term as well as three members for a one-year term and it would be in order to appoint two additional members (with or without disabilities) to effect the full complement of the Committee.

Report of the Executive Policy Committee dated July 5, 1995

On May 3, 1995, the Executive Policy Committee concurred in a request from the Access Advisory Committee to proceed with advertising for the remaining two appointments for a one-year term in accordance with the policy for Boards and Commissions.

On June 21, 1995, the Executive Policy Committee referred the applications received for these appointments to the Access Advisory Committee.

On June 28, 1995, the Access Advisory Committee considered the applications received and recommended that Mel Nickart, currently serving on the Committee be granted a leave of absence due to illness; that David L. Rapson be appointed to replace Mel Nickart for the balance of his term expiring December 31, 1995; and that Ricardo Dela Cruz and Louis L. Maric be appointed for the term expiring December 31, 1995 (citizens-at-large).

The Executive Policy Committee recommends:

I. That Mel Nickart, currently serving on the Access Advisory Committee, be granted a leave of absence due to illness.

II. That David L. Rapson be appointed to replace Mel Nickart for the balance of his term expiring December 31, 1995.

III. That Ricardo Dela Cruz and Louis L. Maric be appointed as citizens-at-large for the term expiring December 31, 1995.

Adopted by consent.

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by Councillor Angus,
Seconded by Councillor Eadie,
914 - THAT the 1995 Annual Report of the Ombudsman of The City of Winnipeg be referred to the Executive Policy Committee for consideration and recommendation to Council.

Carried.

Moved by Councillor Angus,
Seconded by Councillor Eadie,
915 - THAT the City Auditor's Annual Report to Council for the year ended December 31, 1994, be referred to the Audit Committee;

AND THAT the Audit Committee report to Council on its actions related to the report.

Carried.

Moved by Councillor O'Shaughnessy,
Seconded by Councillor Silva,
916 - WHEREAS Headingley seceded from The City of Winnipeg in 1992, and the residents of St. Germain are currently in the process of deliberating secession;

AND WHEREAS Council has, at numerous times, deliberated the issue of non-residents in relation to user fees, licensing of non-resident contractors, non-resident parking, and a capital region strategy;

AND WHEREAS there is a concern over the erosion of civic revenue through property taxation which is exacerbated by the problems associated with non-residents;

Executive Policy Committee - Motions (continued)

AND WHEREAS The City of Winnipeg is currently deliberating a long-term financial plan which rationalizes the levels of taxation and services provided;

AND WHEREAS on several occasions, Members of Council have raised the issue of non-residents as it applies to civic employees;

THEREFORE BE IT RESOLVED that Council consider a policy whereby all civic employees are required to have their principle residence in The City of Winnipeg;

AND BE IT FURTHER RESOLVED that such policy be effective upon the day of Council approval, but also apply to current civic employees applying for senior management positions, including Level I and Level II positions;

AND BE IT FURTHER RESOLVED that the Administration provide a related report to the Executive Policy Committee, identifying the specifics of this application, especially the number of employees by group affected, and the necessary legislation to accommodate this policy, and any related alternatives including some form of "work tax".

Automatic Referral to Executive Policy

Committee in accordance with Rule 16.1 of the Procedure By-law

Moved by Deputy Mayor Fraser,
Seconded by Councillor Angus,

917 - WHEREAS the Preliminary Report of the Task Force on Restructuring of City Council was adopted by Council on December 14, 1994;

AND WHEREAS since that time the Task Force has continued to explore and deliberate all aspects of the decision making process including roles and responsibilities and the delegation of authority;

AND WHEREAS the Task Force is in the process of finalizing its recommendations for Council's consideration;

THEREFORE BE IT RESOLVED THAT Council hold a seminar on Wednesday, July 26, 1995 from 2:30 - 4:30 p.m. to consider the report of the Task Force, and that the final report be considered by Council at its meeting of August 9, 1995.

The motion was put.

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

Yea: Councillors Clement, Duguid, Eadie, O'Shaughnessy, Prystanski, Silva, Fraser, Her Worship Mayor Thompson, Councillors Angus and Reese. 10

Nay: Councillors Boychuk, Golden, Hyman, Lazarenko, Murray and Thomas. 6

and the motion was declared carried.

Moved by Councillor Golden,
Seconded by Councillor Lazarenko,

918 - WHEREAS it is desirous to preserve NHL hockey in The City of Winnipeg;

AND WHEREAS The City of Winnipeg should build a new arena whether or not NHL hockey is preserved in Winnipeg;

AND WHEREAS the majority owners of the Winnipeg Jets have offered to guarantee the preservation of NHL hockey in Winnipeg for 20 years under a plan that could provide a new arena at no cost to the property owners of Winnipeg on their property tax bills;

Executive Policy Committee - Motions (continued)

AND WHEREAS the preservation of NHL hockey and the construction a new arena would be proceeded with on a "user pay" basis;

AND WHEREAS the group known as "Spirit of Manitoba" is requesting the property taxpayers of Winnipeg to provide their effort with substantial economic subsidy;

AND WHEREAS "Spirit of Manitoba" offers no guarantees to keep the Winnipeg Jets in Winnipeg;

AND WHEREAS "Spirit of Manitoba" is demanding a guaranteed rate of return from a government operated endowment fund;

AND WHEREAS "Spirit of Manitoba" is demanding that this same endowment fund pay any arena development cost overruns;

AND WHEREAS "Spirit of Manitoba" is demanding that this same endowment fund pay all arena operating costs;

NOW THEREFORE BE IT RESOLVED that the Administration advise Council:

a) Under what conditions will the existing owners guarantee for 20 years the preservation of NHL hockey in Winnipeg;

b) Under what conditions will "Spirit of Manitoba" guarantee for 20 years the preservation of NHL hockey in Winnipeg;

c) Under what conditions will either party use only their best efforts to preserve NHL hockey in Winnipeg.

Moved by Councillor Clement,
That the motion be referred to the Executive Policy Committee.

Moved by Councillor Golden,
That the rule be suspended to allow consideration of the motion at this time.

The motion to suspend the rule was put.

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

Yea: Councillors Duguid, Golden, Hyman, Lazarenko, Murray, Thomas and Reese. 7

Nay: Councillors Boychuk, Clement, Eadie, O'Shaughnessy, Prystanski, Silva, Fraser, Her Worship Mayor Thompson and Councillor Angus. 9

and the motion to suspend the rule was declared lost.

The motion to refer was put and declared carried.

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

919 - On motion of Her Worship Mayor Thompson, By-law No. 6662/95, a By-law of the City of Winnipeg to amend By-law No. 692/74 which regulates the construction and maintenance of certain encroachments in streets, 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 ED (Vol. 2)

On motion of Her Worship Mayor Thompson, the rule was suspended and 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. 6661/95, a By-law of the City of Winnipeg to amend By-law No. 6402/94 being a By-law for the provision of municipal services in both official languages. File GL-5.7 (Vol. 5)

By-law No. 6665/95, a By-law of the City of Winnipeg to amend The Campaign Expenses and Contributions By-law No. 5550/90. File GK-2 (Vol. 20)

By-law No. 6669/95, a By-law of the City of Winnipeg to amend By-law No. 6650/95 being a by-law respecting the procedure for voting and for the use of optical scanning vote tabulators. File GK-2 (Vol. 20)

Councillors Golden asked to be recorded as having voted against the second and third readings of By-law Nos. 6661/95, 6665/95 and 6669/95, in accordance with Rule 50.7 of the Procedure By-law.

EXECUTIVE POLICY COMMITTEE

QUESTION PERIOD

920 - Councillor Golden requested that the members of the Board of the Spirit of Manitoba be identified.

Her Worship Mayor Thompson noted that Mr. Sweatman was the Chairman of the Board and responded that she would follow-up the query with the Admininstration.

Councillor Lazarenko questioned the status of the Access to Information By-law and its scheduling for deliberation by Council.

Her Worship Mayor Thompson noted that the Administration had advised that they would attempt to have it at the August 9, 1995 meeting for Council's deliberation but that if that didn't happen, that it would be considered at Council's September meeting, and that the proposed schedule was for it to be considered by the Board of Commissioners at their meeting of September 7, Executive Policy Committee at their meeting of September 20, and to Council for its meeting of September 27, 1995.

Councillor Lazarenko referred to the in camera Council seminars surrounding the proposed new arena facility and questioned when Her Worship would convene a public seminar to inform the general public.

Her Worship Mayor Thompson noted that there had been public forums held on the matter and that she would take the direction of Council on the matter, which she would raise at the next seminar.

Councillor Lazarenko referred again to the Jets matter and questioned whether there would be a deal in place by the August 15, 1995 deadline.

Her Worship Mayor Thompson noted that everyone involved was working as hard as they could and that she couldn't answer the question.

Executive Policy Committee - Question Period (continued)

Councillor Hyman referred to a recent Council seminar on Child Poverty and inquired how many Councillors had attended the seminar, noting the significance of the matter and the short notice given on its calling. In response, Her Worship Mayor Thompson noted that 11 of the 16 Members of Council were in attendance.

Councilor Hyman referred to the Access to Information By-law schedule and questioned what direction was coming from the Office of the Mayor to the Administration to ensure that the matter was deliberated by Council on a timely basis.

Her Worship Mayor Thompson stated that she had corresponded with the Administration through Email on the matter and that she would request that a further explanation be provided.

Councillor Thomas referred to recent newspaper reports stating that The City and the Province would assume management of the Endowment Fund for the Winnipeg Jets, to allow for a charitable status for the donors and questioned whether this would require Council approval, and when Her Worship would call a meeting to deliberate such.

Her Worship Mayor Thompson noted that negotiations were underway with the Administration and that when a report was brought forward by the Adminstration, it would be considered by Council.

Councillor Thomas noted that Council had voted to not be responsible for future losses of the Jets' franchise and asked what safeguards would be in place, if the public took over the Endowment Fund and if the Endowment Fund ran out, and whether Her Worship would call a special meeting of Council to consider the matter.

Her Worship Mayor Thompson noted that it was her understanding that the Endowment Fund would be privately managed, and that until any specific information on the matter was forwarded that she was not in a position to answer, and that when there are some terms to be proposed to Council, that she would bring such forward for Council deliberation.

Councillor Angus noted the recent contract negotiation between CUPE Local 500 and The City of Winnipeg, and in referencing the section which could allow the City to explore the contracting out of certain services, questioned what action Her Worship and/or Executive Policy Commitee had taken on the matter.

Her Worship Mayor Thompson noted that she would request that the Administration provide such information.

Councillor Angus questioned what direction Executive Policy Committee had given to the Administration to look at services within the City that could be given serious consideration to developing a workable business plan to contract out certain functions.

Her Worship Mayor Thompson stated that Executive Policy Committee had requested that the Administration address contracting out within the budget guidelines and further noted that an appropriate business plan would accompany any related proposals.

Councillor Boychuk noted the absence of Council Hansard and questioned when such would be produced.

Her Worship Mayor Thompson noted that there were problems with the contractor and that the matter would be resolved by the City Clerk's Department within a week.

Councillor Boychuk noted a $32,000 bill outstanding in the Police Services Department pertaining to the Jets' support demonstation which closed down the intersection of Portage Avenue and Main Street and questioned if Her Worship was going to take action to collect the bill from Mr. Peter Warren and CJOB.

Her Worship Mayor Thompson noted that she had contacted the Police who had confirmed that a permit had not been taken out and that she had contacted Mr. Warren who had advised that he had not taken out a permit and that the rally was on behalf of the citizens of Winnipeg. She further noted that the Police Services Department had advised that there have been situations in the past that have required crowd control by the Police and that it is within their jurisdiction as to whether further action is taken.

Executive Policy Committee - Question Period (continued)

Councillor Murray noted that on June 23, 1995, written instructions were given to the Administration in the preparation of a budget and questioned under what authority that direction was authorized.

Her Worship noted the historical budgetary process and referred to correspondence from the then Minister of Urban Affairs, Mr. Ducharme, to the previous Mayor, dated December 22, 1989 wherein it was stated that it is the intent of The City of Winnipeg Act that the Executive Policy Committee assume responsibility for preparing and supporting draft budget estimates that are offered for review and approval to the public and to the Community Committees and to the Standing Commmittees of Council, and stated that the current budgetary process is no different than that followed in previous years.

Councillor Murray stated that authority to direct the Administration could only be given by Executive Policy Committee under certain authorizations, and in further noting that he did not consider seminars or informal meetings as valid authority, questioned when Her Worship would present at an Executive Policy Committee meeting, budget direction for 1996, and requested identification of the authority under The City of Winnipeg Act that was followed in the process.

Her Worship Mayor Thompson took issue with Councillor Murray's interpretation and noted that the process was consistent with The City of Winnipeg Act and By-law 6650/95. She further noted that the same process, though improved annually, had been in place since the commencement of her term and that Council had held budget consultation seminars on the matter, to allow for Council input, prior to forwarding the direction to the Administration, and the Executive Policy Committee would be following the historical process, but that she would further confirm that they were indeed following a proper process.

Councillor Golden noted that at a recent Winnipeg Enterprises' Corporation meeting, a document was tabled which stated that the City and the Province would take over the Endowment Fund, form a new company, which would bear and all operating costs for the new arena, and questioned whether Her Worship was aware of the deal.

Her Worship Mayor Thompson noted that she had received no documentation on the matter and could not identify the specifics of such.

Councillor Golden questioned why, as the Mayor, that she was not aware of the Winnipeg Enterprises information or the identity of the members of the Spirit of Manitoba.

Her Worship Mayor Thompson noted that she would advise Council accordingly upon confirmation from the Board.

Councillor Golden inquired what authority was the City proceeding on this matter without Council approval and given that the group had no status with Council.

Her Worship Mayor Thompson took the question as notice.