REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED FEBRUARY 7, 1996

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee, dated February 7, 1996, was considered clause by clause.

Moved by Her Worship Mayor Thompson,
That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8,9,10,11,12,13,14 and 15 be adopted.

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

Councillor Murray requested that Clause 9 be pulled from the Consent Agenda.

Councillor Lazarenko requested that Clause 11 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,2,4,5,6,7,8,10,12,13,14 and 15 was put and declared carried.

Her Worship the Mayor and Councillors:

Assessment Value and Grants-in-lieu of Taxes for Electric and Telephone Utilities
File FG-2 (Vol. 8)

365 - 1. Current legislation governing grants-in-lieu of taxes has been in effect for many years (dates to approximately 1950's) and is specific with regard to the value of properties (i.e. $1,200,000).

Manitoba is the only Province in Western Canada to have fixed value assessments on Utility Companies' property. Most other Provinces value utility lines and poles at market value with British Columbia basing the value on current cost of installation. The current practice followed in Manitoba causes great inequities which increase with the passage of time.

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

> "Utility companies' property
> 172(1) All pipes, wires, poles, tracks, rails or other property of electric light, telegraph or telephone companies, fixed or placed in a street shall, for the purposes of assessment and taxation, be deemed land, but the assessor shall not value such property nor the engines, boilers, dynamos and other plant used in any power house, generating house or building for generating, transforming or distributing power, or electricity, but shall assess them by entering in the general assessment roll each year the value of the properties to fixed or placed in the streets and the plant in the buildings in the following gross amounts:
>
> (a) each company supplying electric light for gain, as a valuation of the electric plant, the sum of $1,200,000;
> (b) each telephone company, the sum of $1,200,000.
>
> 172(2) The property and plant assessed as aforesaid, excepting properties belonging to or held in trust for the Crown, shall be subject to all the general levies and rates to which taxable land in the city is subject, as well as the local improvement rates or special assessments that are made applicable by the provisions of the Act, and may be sold for arrears of taxes in the same manner that real estate in arrears may be sold and become absolutely vested in the purchaser, and the taxes accrued on the property shall be a special and first lien and shall have a preference over every other lien, claim or encumbrance."

The assessed value for Manitoba Hydro's, Winnipeg Hydro's and Manitoba Telephone System's distribution system are broken down by school division as outlined in Appendix “A”.

Report of the Executive Policy Committee dated February 7, 1996

It should be noted that real property owned by Manitoba Hydro and Manitoba Telephones is classified as commercial property. These are exempt from taxation, but subject to a grant-in-lieu of taxes under Section 22 1(a)(v) and (vi) of The Municipal Assessment Act. The fixed assessment of $1,200,000 resulted in each of the three Utilities paying a grant-in-lieu of taxes for municipal purposes of $25,226.75 in 1995.

The City Assessor has attempted to identify the historical source of the valuation used, but has been unable to discern whether these amounts had some direct association with an inventory of utilities equipment of the day or whether they were simply arbitrary amounts chosen to produce a predetermined amount of revenue.

If the $1.2 million assessment value for Manitoba Hydro, Winnipeg Hydro and Manitoba Telephones respectively, were inflated by the Consumer Price Index from 1950 to 1994, this would result in an assessment value of $10,675,000 or $219,000 of municipal taxes in 1994. This may still be a poor valuation due to the fact that the City has no way of knowing how accurately the $1.2 million represented the value of distribution systems in the 1950's. It is highly unlikely that the distribution systems of Manitoba Hydro, Winnipeg Hydro and Manitoba Telephone all had equal values of $1.2 million. The use of the Consumer Price Index as an inflationary factor does not reflect additions to the distribution system since the 1950's. To give a better perspective to these values, Centra Gas will pay approximately $3.5 million in municipal taxes for 1995 on its distribution system.

British Columbia assesses telephone, hydro, pipeline and railway roadway properties based on current cost rather than market value. Current costs are provided annually by the affected companies. These costs are confirmed in mutual discussion with British Columbia assessment authority staff. The unit of measurement varies depending on the type of property involved, such as dollars per diameter inches of pipeline, dollar cost per access line for telephone company, etc. This approach may be an appropriate alternative to market value, which would be extremely difficult to ascertain.

To derive an estimate of value of pipes, wires, poles, tracks, rails or other property of Winnipeg Hydro, Manitoba Hydro and Manitoba Telephone System would be both difficult and time consuming, but Winnipeg Hydro has prepared a rough estimate of the replacement value of their distribution system as defined by Section 172(1) of The City of Winnipeg Act. It is valued at $234,063,000 in 1995 dollars which when portioned at 65% and taxed at 1995 rates equates to $4.9 million in Municipal Taxes. Before undertaking a detailed valuation for each utility it is recommended that the Province be asked to review the applicable legislation to establish the policy on which to pay, be it assessed value or an alternative thereto.

Other matters which should be reviewed with the Province are grants-in-lieu of realty taxes on the Legislative Building. By legislation, the Province has paid $100,000 in statutory grants-in-lieu, and since 1974, as a result of the Walter Weir Report, an additional special grant of $260,000 for a total of $360,000. If the Province paid a grant-in-lieu based on full assessment, the payment in 1995 would have been $1,637,884.

If the Province is willing to eliminate all fixed assessments, this action will cut both ways for the City. Significant benefits will be derived from a change to statutory values outlined above, but the City also currently benefits from the following situations:

> The City of Winnipeg currently pays a grant-in-lieu of taxes equal to 10% of full taxes to the Rural Municipalities of Springfield and Tache, and the Local Government District of Reynolds for the City's water system property in these jurisdictions.

The following Table shows the grant-in-lieu and the equivalent if full grants were paid:

	1995 Grant-in-lieu	Grant payable at full value
Springfield	$200,973.27	$2,009,732.70
Tache	13,291.33	132,913.30
Reynolds	58,199.31	581,993.10
	$272,463.91	$2,724,639.10

> The City pays the equivalent of full taxes for all its other properties in other jurisdictions with the exception of park land or green spaces (i.e. John Blumberg Golf Course in Headingley) where the practice has been to not pay any grant.

Report of the Executive Policy Committee dated February 7, 1996

If the City paid grants-in-lieu in 1995 for the land considered green space it would have amounted to $118,502. The breakdown by municipality is as follows:

		1995 Grant if Payable
R.M. of Headingley	John Blumberg Golf Course	$ 95,608
R.M. of West St. Paul	Parkland at Red River & Perimeter	1,625
R.M. of Rosser	Little Mountain Park	3,524
R.M. of Springfield	Transcona Cemetery	5,501
R.M. of RichotLa Barriere Park		7,936
R.M. of RichotRichot Park		4,308
		$118,502

The Executive Policy Committee recommends:

I. That the Province of Manitoba be requested to review Section 172 subsections (1) and (2) of The City of Winnipeg Act, which governs the grants-in-lieu of taxes for the distribution system of utilities, to establish the principle of paying such grants-in-lieu and to determine what is the best vehicle available to keep values current.

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

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

Adopted by consent.

Amendment to Section 672 of The City of Winnipeg Act File GL-5.1 (Vol. 43)

366 - 2. The Executive Policy Committee has been advised that an amendment to Section 672 of The City of Winnipeg Act would allow the City to appoint such constables as are deemed necessary to enforce the law and City by-laws within public parks and within such other properties owned by the City or over which it has jurisdiction and will expand the authority to such appointed special constables to enforce City by-laws and certain provincial statutes and regulations throughout the City generally.

Section 672 of The City of Winnipeg Act presently provides:

> "Appointment of watchmen
> 672(1) The city may employ special watchmen who, within public parks and within such other properties owned by the city or over which it has jurisdiction, as may be specified by-law of the council, shall enforce the law, including the by-laws of the city.
>
> Authority and powers of watchmen
> 672(2) A watchman appointed under this section has, within any area or place in which he is authorized to act, all the authority and powers of, and is subject to the same liability and to the performance of the same duties as, a constable under The Provincial Police Act."

Although the City has the power to appoint special watchmen, the authority of such watchmen is restricted to enforcing the law and City by-laws only on City properties. Accordingly, no appointments have been made pursuant to Section 672 of The City of Winnipeg Act.

Report of the Executive Policy Committee dated February 7, 1996

The City currently has well over one hundred employees in various departments of the City that have been appointed as special constables pursuant to The Provincial Police Act. These appointments are made by the Attorney General's Department at the request of City Council. The duties of these special constables are to enforce the numerous by-laws of The City of Winnipeg. The main reason for such appointments is to empower the constable with the authority and powers of a constable under The Provincial Police Act thereby authorizing them to use common offence notices (instant summonses) when enforcing by-laws such as the Streets By-law, Parks By-law, Traffic By-law, etc.

The process of requesting and making the appointments of special constables is cumbersome and time consuming. In instances where seasonal employees are used to enforce the City's by-laws, such appointments are not completed until well after the commencement of employment and the effective deployment of City employees is greatly hampered.

The Attorney General's Department has indicated that it would not be opposed to the City assuming responsibility for making appointments of Special Constables.

It is the Administration's opinion that the amendment to Section 672 of The City of Winnipeg Act provide that the City be authorized to pass a by-law setting out the procedure for making special constable appointments - such by-law could include provisions for the appointments to clearly specify the limits of the authority given to the special constables and, as well, could provide for background checks of applicants by the City Police Department.

The Executive Policy Committee recommends:

I. That the City of Winnipeg request the Province of Manitoba to amend Section 672 of The City of Winnipeg Act to authorize The City of Winnipeg to appoint special constables who would have general authority to enforce City by-laws and other relevant statutes and regulations.

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

Adopted by consent.

Delegation of Authority for Special Constable Appointments
File GC-11 (Vol. 6)

367 - 3. On February 27, 1995, the Committee on Finance and Administration requested the administration to review the process for the appointment of special constables and to pursue the matter of designating the Committee on Finance and Administration as the final authority to approve their appointments as required by the various City departments, without the need for council approval.

It has been the practice of the administration to refer all special constable appointments to council for final approval. This process was developed as a result of the Provincial Government requiring a bond of indemnity from the City for every special constable appointment.

The City of Winnipeg has had ongoing discussions with the Attorney General's Department of the Province of Manitoba with respect to the number of special constable appointments and, in particular, discussed the possibility of an amendment to The City of Winnipeg Act, wherein the City could appoint special constables to enforce City by-laws without having to request the approval of the Attorney General of the Province of Manitoba. A report is being submitted which would amend Section 672 of The City of Winnipeg Act.

The proposed amendment would expand the authority of special constables to enforce all by-laws of The City of Winnipeg without confining such enforcements to City properties. The Attorney General's Department has indicated that it would be in favour of such a proposed amendment, however, it is projected that the final authorization would probably not be given until the latter part of 1996. The proposed amendment to the City's Organizational By-law would allow the delegation of special constable approvals to the Committee on Finance and Administration in the interim.

Report of the Executive Policy Committee dated February 7, 1996

The Executive Policy Committee recommends:

I. That the City's Organizational By-law No. 6550/95 be amended to empower the Committee on Finance and Administration to authorize the appointment of special constables necessary for the enforcement of City by-laws.

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

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

Carried.

North Main Business Improvement Zone - Proposed Program, Zone Levy and Budget Estimates for 1996
File FL-7.10 (Vol. 1)

368 - 4. 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.

The North Main Business Improvement Zone at its Annual General Meeting held on October 10, 1995, approved the proposed annual budget and program.

On November 29, 1995, Council requested 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 1996 and to provide recommendations to Council.

On January 16, 1996, the Community Committee considered the proposed program, zone levy and budget estimates for the North Main Business Improvement Zone.

The Community Committee passed the following motion:

WHEREAS a public meeting to review the proposed program, zone levies and budget estimates for the North Main Business Improvement Zone was duly advertised in The Winnipeg Free Press and The Winnipeg Sun on Tuesday, January 2, 1996, in accordance with Section 17 of By-law No. 6220/93;

AND WHEREAS no objections were received in respect to the Board's proposals;

NOW THEREFORE BE IT RESOLVED that the Lord Selkirk-West Kildonan Community Committee recommends to Executive Policy Committee that the proposed program, zone levy and budget estimates for the North Main Business Improvement Zone, as adopted, be ratified by Executive Policy Committee and City Council.

The Executive Policy Committee recommends:

I. That the proposed program, zone levy and budget estimates for the North Main Business Improvement Zone for the year 1996 be adopted.

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 February 7, 1996

Selkirk Avenue Business Improvement Zone - Proposed Program, Zone Levy and Budget Estimates for 1996
File FL-7.5 (Vol. 2)

369 - 5. On September 25, 1991, Council adopted By-law No. 5770/91, being a By-law of The City of Winnipeg to designate a Business Improvement Zone to be known as the Selkirk Avenue Business Improvement Zone and to establish a Management Board for the Zone. By-law No. 5770/91 requires that the Business Improvement Zone prepare its proposed program, zone levy and budget estimates for the consideration of Council.

The Selkirk Avenue Business Improvement Zone at its Annual General Meeting held on October 30, 1995, approved the proposed annual budget and program.

On November 29, 1995, Council requested 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 1996 and to provide recommendations to Council.

On January 16, 1996, the Community Committee considered the proposed program, zone levy and budget estimates for the Selkirk Avenue Business Improvement Zone.

The Community Committee endorsed the following motion:

WHEREAS a public meeting to review the proposed program, zone levies and budget estimates for the Selkirk Avenue Business Improvement Zone was duly advertised in The Winnipeg Free Press and The Winnipeg Sun on Tuesday, January 2, 1996, in accordance with Section 17 of By-law No. 5770/91;

AND WHEREAS no objections were received in respect to the Board's proposals;

NOW THEREFORE BE IT RESOLVED that the Lord Selkirk-West Kildonan Community Committee recommends to Executive Policy Committee that the proposed program, zone levy and budget estimates for the Selkirk Avenue Business Improvement Zone, as adopted, be ratified by Executive Policy Committee and City Council.

The Executive Policy Committee recommends:

I. That the proposed program, zone levy and budget estimates for the Selkirk Avenue Business Improvement Zone for the year 1996 be adopted.

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

Adopted by consent.

Old St. Vital Business Improvement Zone - Proposed Program, Zone Levy and Budget Estimates for 1996
File FL-7.13 (Vol. 1)

370 - 6. On November 29, 1995, Council adopted By-law No. 6715/95, being a By-law of The City of Winnipeg to designate a Business Improvement Zone to be known as the Old St. Vital Business Improvement Zone and to establish a Management Board for the Zone. By-law No. 6715/95 requires that the Business Improvement Zone prepare its proposed program, zone levy and budget estimates for the consideration of Council.

The Old St. Vital Business Improvement Zone at its Annual General Meeting held on January 16, 1996, approved the proposed annual budget and program as outlined in Appendix "A".

Report of the Executive Policy Committee dated February 7, 1996

The Executive Policy Committee recommends that pursuant to By-law No. 6715/95, Council request the Riel Community Committee to conduct a public meeting to hear representations with respect to the proposed program, zone levy and budget estimates for the year 1996 and to provide recommendations to Council within 60 days from receipt of Council's request.

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

Adopted by consent.

Academy Road Business Improvement Zone - Proposed Program, Zone Levy and Budget Estimates for 1996
File FL-7.11 (Vol. 1)

371 - 7. 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 January 22, 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 1996 and to provide recommendations to Council within 60 days from receipt of Council's request.

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

Adopted by consent.

Amendment to Section 58 of The City of Winnipeg Act File GL-5.1 (Vol. 43)

372 - 8. The Executive Policy Committee has been advised that currently, Section 58(2) of The City of Winnipeg Act restricts the City of Winnipeg from hiring a City Auditor who has been employed by the City in the immediately preceding year.

In order to eliminate this restriction, this section of the act would have to be amended.

On January 17, 1996, the Audit Committee passed the following resolution, namely:

> *"That the following suggested amendment to Section 58 of The City of Winnipeg Act be concurred in and forwarded to the Board of Commissioners for inclusion in future amendments to the Province of Manitoba, namely:*
>
> *58(2) A person shall not be appointed as City Auditor where the person*
>
> *(a) is, or was in the immediately preceding year, the mayor or a councillor of the city; or*
>
> *(b) has, or had in the immediately preceding year, directly or indirectly, alone or with another person, a share or interest in a contract, other than an employment contract, with or on behalf of the City."*

Report of the Executive Policy Committee dated February 7, 1996

The Executive Policy Committee recommends:

I. That Section 58(2) of The City of Winnipeg Act be amended to read as follows:

58(2) A person shall not be appointed as City Auditor where the person

(a) is, or was in the immediately preceding year, the mayor or a councillor of the city; or

(b) has, or had in the immediately preceding year, directly or indirectly, alone or with another person, a share or interest in a contract, other than an employment contract, with or on behalf of the City.

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

Adopted by consent.

Joint Committee of City Council and C.U.P.E. Representatives - Letter of Understanding - Changes in Staffing Levels Files GU-4.1 (Vol. 20) & GC-7 (Vol. 26)

373 - 9. The Executive Policy Committee has been advised that the Letter of Understanding agreed to on January 30th, 1995, by The City of Winnipeg and the Canadian Union of Public Employees provides for a Joint Committee of City Council and C.U.P.E. Local 500 to deal with Changes to Staffing Levels.

The Executive Policy Committee recommends that Councillors Angus, O'Shaughnessy and Steek be appointed to the Joint Committee of City Council and C.U.P.E. Representatives.

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

The motion for the adoption of the clause was put.

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

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

Nay: Councillors Golden, Lazarenko, Murray, Thomas and Vandal. 5

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

Report of the Executive Policy Committee dated February 7, 1996

Proposed Policy - City Employees Being Required to have their Principle Residence in The City of Winnipeg
File GP-1 (Vol. 17)

374 - 10. On January 24, 1996, Council referred back Clause 22 of the Report of the Executive Policy Committee dated January 17, 1996, with the following motion, namely:

Moved by Councillor Thomas,
Seconded by Councillor Murray,

WHEREAS Clause 22 of the Report of the Executive Policy Committee dated January 17, 1996 attempts to get land use issues through controlling a very small percent of the Winnipeg area population;

WHEREAS Clause 22 will not address the problem of proliferating suburban communities which continue to utilize the infrastructure, services and facilities while the residents of the City of Winnipeg subsidize those in the outlying district;

WHEREAS the new capital region centre does not have the same make-up or controls which the additional zone addressed;

THEREFORE BE IT RESOLVED THAT this clause be referred back to the Executive Policy Committee to develop a more wide ranging solution which deals with the issue of flight from the City.

The Executive Policy recommends that Council be advised that the proposed policy of city employees being required to have their principle residence in the City of Winnipeg, will be discussed within the context of the Capital Regions Strategy, and upon completion, a report will be submitted to Council.

Adopted by consent.

Inquiry to Purchase Majority Owners' Shares of The Winnipeg Jets Hockey Club
File F-5.1 (Vol. 5)

375 - 11. On January 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 Golden,

WHEREAS, in August and September 1994, a group of business interests representing the private sector in the City of Winnipeg organized themselves as the Manitoba Entertainment Complex Inc. (MEC) for the purpose of purchasing the Majority Owners' shares of the Winnipeg Jets by May 1, 1995 and constructing a new arena in Winnipeg;

AND WHEREAS, on October 14, 1994, City Council and subsequently the Province agreed to provide financial assistance to MEC to promote its project in the amount of $1.5M;

AND WHEREAS Council approved this assistance on the basis that MEC would make a final "go or no go" decision by May 1, 1995;

AND WHEREAS, on February 1, 1995, City Council adopted Principles and Guidelines to provide general direction to MEC and to be incorporated into proposals for a new arena;

AND WHEREAS, up to the end of April, the City undertook various approvals concerning MEC's chosen site at the Forks;

Report of the Executive Policy Committee dated February 7, 1996

AND WHEREAS, on March 22, 1995, City Council requested MEC to present its full and comprehensive formal proposal and business plan by April 12 to permit public review and the exercise of due diligence;

AND WHEREAS MEC kept its considerations from the public until April 27, then failed to produce a viable business plan and subsequently announced on May 3 that it would no longer pursue its project;

AND WHEREAS, as a consequence of this failure, the City and the Province asked the Majority Owners to sell the team as soon as possible under the 1991 Agreement and the Jets retired their logo at a public assembly in the arena;

AND WHEREAS, as a consequence of the failure of public expectations, demonstrations occurred;

AND WHEREAS a subsequent attempt by MEC to purchase the team and to construct a new arena with the involvement of Mr. I. Asper, Q.C. led the Province to announce an increase in its contribution to the project from $10M to $37M, led to a public fundraising campaign which raised $13.5M in one week, led City Council on May 17 to approve conditional participation in principle in the amount of $37M plus related services and led the federal government to announce a contribution of $20M from Infrastructure and Pan Am Games funds already allocated to Manitoba;

AND WHEREAS these contributions were assembled on the basis that, without a local offer by noon of May 18, the team would be sold and also on the basis that the Majority Owners would make a final decision on whether the team would stay or be sold by the afternoon of May 18;

AND WHEREAS MEC did not present a local offer by noon May 18 and the Majority Owners made no final decision and, again, more public demonstrations occurred;

AND WHEREAS, in June, MEC reorganized itself as Spirit of Manitoba Incorporated (Spirit), whose membership included the City's Chief Commissioner, the Secretary of the Province's Treasury Board and business people;

AND WHEREAS, by deposit of $10M on June 16, Spirit agreed to acquire the Majority Owners' 64% interest in the Winnipeg Jets for a total payment of $32M by August 15, subject to the following conditions, among others:

a) Spirit must raise a total of approximately $80M of which approximately $60M had already been raised or pledged

b) The National Hockey League must approve the transaction and

c) An acceptable tax ruling must be obtained from Revenue Canada;

AND WHEREAS, on June 30, the City provided $200,000 to Spirit to continue engineering and planning, detailed design, site preparation, material and other project costs necessary to maintain the schedule;

AND WHEREAS, on July 24, the Manitoba Securities Commission issued a Confidential Information Circular concerning the Initial Offering of Spirit of Manitoba Limited Partnership Units which identified thirteen substantial Risk Factors;

AND WHEREAS, on July 25, the NHL advised Spirit that it required for consideration for approval the following items, among others:

a firm purchase and sale agreement,

a firm and binding commitment to construct a new arena, including all necessary government approvals such as any tax or security rulings, coverage of cost overruns, completion of environmental reviews and the absence of pending litigation which would pose a risk to the project's success,

a firm and binding lease that guarantees the Jets all revenue streams and provides that the team would stay in Winnipeg for at least five years,

an endowment fund in place of at least $111M,

Report of the Executive Policy Committee dated February 7, 1996

the presence of one or more personal or corporate guarantors who would be prepared to make up any shortfall or inadequacy in the endowment fund;

AND WHEREAS, on July 26, City Council refused Spirit's request that the City accept donations to an endowment fund for which receipts for income tax purposes would be issued subject to a Revenue Canada ruling;

AND WHEREAS, on August 3, at the urging of the Premier, City Council agreed to accept donations to the endowment fund subject to a Revenue Canada ruling;

AND WHEREAS, on August 10, City Council resolved:

that the City of Winnipeg shall use its best efforts to maintain any and all support raised in the community towards the effort to maintain NHL hockey in Winnipeg;

and that in the event the Spirit effort is stalled, the City of Winnipeg shall investigate options to transfer support to other parties who may satisfy Council of their ability to achieve the stated goals;

AND WHEREAS, on August 15, Spirit failed to meet its closing deadline and abandoned its efforts to purchase the Majority Owners' shares and to construct a new arena, substantially short of its fundraising objectives, without an acceptable Revenue Canada ruling and without NHL approval;

AND WHEREAS, subsequently, Spirit proceeded to return and to dispose of funds and pledges raised since the initial efforts of MEC, contrary to the Council resolution of August 10;

AND WHEREAS, on September 27, in light of these failed efforts, City Council resolved to ask the Province to conduct a joint Audit by the Provincial Auditor and the City Auditor which shall include complete audits of all necessary aspects, including all expenditures made by:

a) the Interim Steering Committee (ISC) as established in the 1991 Agreement
b) Manitoba Entertainment Complex Inc.
c) Spirit of Manitoba Inc.;

and all expenditures made by the Province and the City related to the above initiatives;

AND WHEREAS, on January 18, 1996, the audited financial statements of MEC and Spirit to September 30, 1995 reported a combined federal, provincial and city contribution of $6.1M out of total expenses of $6.9M and that firms related to spokespersons for MEC and Spirit received payments of approximately $1,440,500;

AND WHEREAS, on January 19, the NHL approved the sale of the Winnipeg Jets to Phoenix, Arizona for approximately $85M;

AND WHEREAS, on January 22, the Joint Audit reported that the Province and the City spent a total of $37M for the period from July 1, 1991 to September 30, 1995 on the ISC, MEC, Spirit and related initiatives;

AND WHEREAS team losses for the 1995-96 season estimated at $22M bring total provincial and city expenditures to at least $59M, offset by sale proceeds of $30M, resulting in a net loss of at least $29M, of which the City will bear approximately $15M;

AND WHEREAS, on January 22, the Minister of Finance stated publicly that both the federal and provincial treasuries have enjoyed a substantial net gain as a result of the 1991 Agreement and subsequent developments;

AND WHEREAS, again, according to the Minister of Finance, the provincial treasury would still enjoy a net gain, if the City were to retain the entire sale proceeds in the amount of $30M;

AND WHEREAS the Joint Audit failed to deal with the roles and responsibilities of the parties involved or to recommend measures to prevent a reoccurrence of similar events and circumstances;

AND WHEREAS Spirit acted as an agent of the City of Winnipeg;

AND WHEREAS the Manitoba Evidence Act, Chapter E150, Part V, subsection 83(1) provides:

Report of the Executive Policy Committee dated February 7, 1996

Where the Lieutenant Governor in Council deems it expedient to cause inquiry to be made into and concerning any matter within the jurisdiction of the Legislature and connected with or affecting

(a) the good government of the province or the conduct of any part of the public business thereof;

(b) the conduct of any provincial institution or of any institution within the province receiving provincial aid;

.

.

(e) the affairs of any municipality, municipal district, or corporation, existing for any municipal purpose; or

(f) any matter which, in his opinion, is of sufficient public importance to justify an inquiry; he may, if the inquiry is not otherwise regulated, appoint one or more commissioners to make the inquiry and to report thereon.

THEREFORE BE IT RESOLVED THAT, in view of the public concern shown and the amount of public funds involved, City Council ask the Minister of Finance to initiate an inquiry into all necessary aspects of the project to purchase the Majority Owners' shares of the Winnipeg Jets Hockey Club and to build a new arena by the appointment of (an) independent commissioner(s) in accordance with the Manitoba Evidence Act, in the public interest;

AND BE IT FURTHER RESOLVED THAT the inquiry determine, among other things, whether Spirit violated its duty of agency.

The Executive Policy Committee does not concur with this motion and recommends the resolution be filed.

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

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

The Speaker returned to the Chamber and resumed the Chair.

The motion for the adoption of the clause was put.

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

Yea: Councillors Prystanski, Clement, Lubosch, O'Shaughnessy, Phillips, Silva, Steek, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Angus. 10

Nay: Councillors Golden, Lazarenko, Murray, Thomas, Timm-Rudolph and Vandal. 6

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

Report of the Executive Policy Committee dated February 7, 1996

Power to Impose Minimum Fines for License and Zoning By-law Violations Files EL-1 (Vol. 29) & EZ-DAZ

376 - 12. On July 12, 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 Silva,
Seconded by Councillor Prystanski,

WHEREAS The City of Winnipeg's License and Zoning By-laws are being constantly violated by a growing number of businesses;

AND WHEREAS many of these businesses see the fines imposed as simply the cost of doing business;

AND WHEREAS our enforcement officers lack the authority to effectively close these businesses down immediately and therefore these businesses can operate for months without penalty;

THEREFORE BE IT RESOLVED that The City of Winnipeg request from the Provincial Government the power to impose minimum fines for violations of the License and Zoning By-laws for those businesses who refuse to comply;

AND BE IT ALSO RESOLVED that The City of Winnipeg request from the Provincial Government the power to padlock such businesses by the License and Zoning Departments for those businesses who continually violate License or Zoning orders.

On July 19, 1995 the Executive Policy Committee referred the motion to the Administration for report back to Executive Policy Committee, to provide information as to how the City can implement this legislation if given authority to do so.

The Council of The City of Winnipeg has requested the Provincial Government to authorize Council to establish, by by-law, minimum and maximum fines. This request, which included draft amendments to The City of Winnipeg Act, was originally approved on March 1, 1989 and forwarded to the Province on March 13, 1989, July 3, 1992 and in September of 1994. Discussions with the Province indicate that this matter will be dealt with as part of a comprehensive review of Part 5 of The City of Winnipeg Act. A date for commencement of this review has not been scheduled to date.

The motion forwarded by Council to the Administration on July 19, 1995, contains reference to the issues of minimum fines and padlocking businesses that continually violate License or Zoning orders. The Executive Policy Committee requested information as to how the City can implement this legislation if the Province provides authority for the City to proceed on these matters. The issue of minimum fines relates directly to a number of Departments of the City. These Departments include but are not limited to Community Services - Environmental Health Services - Health Inspections; the License Branch; Animal Services Division; and the Land and Development Department - Zoning and Permits Branch. To facilitate a report on this complex issue an Administrative Coordinating Team has been established. The team members include Managers from Community Services, the Chief License Inspector, the Zoning Administrator and a representative from Legal Services.

The Administrative Team has reviewed the process for implementing any proposed amendments to The City of Winnipeg Act that would allow Council to establish minimum fines and padlocking. The following is the implementation process recommended, following the enactment of enabling legislation by the Province:

(i) Review City of Winnipeg legislation to identify existing penalty provisions;

(ii) Convene Public Hearings on the proposed by-law changes to solicit public input regarding the establishment of minimum fines/padlocking and procedures for enforcement of the proposed legislation;

(iii) Prepare draft by-law amendments based on input from the public hearings;

(iv) Identify special interest groups to ensure that these groups' concerns are taken into consideration when preparing the draft by-law amendments;

Report of the Executive Policy Committee dated February 7, 1996

(v) Submit draft by-law amendments to Council for approval;

(vi) Develop a general advertising campaign to inform the general public and the business community of the changes to the by-laws; this will include direct mailings, advertising in the two daily newspapers and other communication vehicles deemed to be appropriate;

(vii) Identify target groups affected by the by-law changes or persons subject to the provisions of the amended by-laws and provide direct information on the impact of the changes to the by-laws.

The Executive Policy Committee recommends:

I. That the City convey to the Province of Manitoba the urgency of this matter, and request that Part 5 of The City of Winnipeg Act be amended to accommodate a minimum fine.

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

Adopted by consent.

Appointment of Member of Council to the Management Board of the Downtown Transcona Business Improvement Zone
File FL-7.12 (Vol. 1)

377 - 13. On January 24, 1996, Council passed the following motion, namely:

Moved by Councillor Timm-Rudolph,
Seconded by Councillor Lubosch,

WHEREAS Council on December 20, 1995, passed By-law No. 6729/95, a By-law of The City of Winnipeg to designate a Business Improvement Zone to be known as the "Downtown Transcona Business Improvement Zone", and establish a Management Board for the Zone;

AND WHEREAS Section 6(1)(b) of the by-law provides that the membership shall consist of ten (10) members who each shall be from a business which is located in the Zone, and who shall be appointed in accordance with the process provided in Sections 8 to 11 inclusive, of By-law No. 6729/95;

AND WHEREAS nominations for Zone members were received in the Office of the Clerk from ten (10) persons from amongst the businesses in the Zone:

AND WHEREAS Section 9(4) of the by-law provides that if the number of persons nominated is ten (10) or less, then those nominated shall be considered to be selected by acclamation and the names of those persons selected by acclamation shall be forwarded to Council for appointment;

AND WHEREAS Section 7(c) of the by-law provides that the initial term of office of the ten (10) Zone Board members shall be as follows:-

(i) five (5) Zone Board members shall hold office from the date of appointment to the first meeting of Council in January, 1997;

(ii) five (5) Zone Board members shall hold office from the date of appointment to the first meeting of Council in January, 1998;

Report of the Executive Policy Committee dated February 7, 1996

AND WHEREAS the ten (10) persons deemed selected by acclamation are:

WYATT, Reg
MOFFAT, Murray
KUCHMA, Diane
OSESKY, Ron
SLAA-DE VOS, Catherine
ROMANCE, Greg
KRAUS, Dave
ROSNER, Bruce N.
MCMILLAN, Dave
GEORGE, J. David

NOW THEREFORE BE IT RESOLVED that the following Zone Board members hold office from the date of appointment to the first meeting of Council in January, 1997, namely:-

GEORGE, J. David
MCMILLAN, Dave
MOFFAT, Murray
OSESKY, Ron
WYATT, REG

AND FURTHER THAT the following Zone Board members hold office from the date of appointment to the first meeting of Council in January 1998, namely:-

ROSNER, Bruce N.
ROMANCE, Greg
KRAUS, Dave
SLAA-DE VOS, Catherine
KUCHMA, Diane

NOW THEREFORE BE IT FURTHER RESOLVED that matter of appointment of a member of Council to the Management Board of the Downtown Transcona Business Improvement Zone be referred to the Executive Policy Committee for recommendation.

The Executive Policy Committee recommends that Councillor Timm-Rudolph be appointed to the Management Board of the Downtown Transcona Business Improvement Zone.

Adopted by consent.

Appointment of Citizen Members to the Boulevard Provencher Advisory Committee
Files DAZ 220/84 & GC-7 (Vol. 25)

378 - 14. On January 24, 1996, Council referred Clause 5 of the Report of the Executive Policy Committee dated January 17, 1996, to the Committee on Planning and Community Services with the following motion, namely:

Moved by Councillor Vandal,
Seconded by Councillor Angus,

WHEREAS the matter of citizen appointment to the Boulevard Provencher Advisory Committee was referred to the Selection Committee and the Selection Committee has recommended re-appointment of the existing members;

AND WHEREAS the Boulevard Provencher Advisory Committee, under By-law No. 3993/85 was mandated to address the regulation of uses, heights of buildings, and control architectural and other details of building (except residences) to be built or remodelled within the "Boulevard Provencher District";

Report of the Executive Policy Committee dated February 7, 1996

AND WHEREAS IT is desirable to review the mandate of the Committee;

THEREFORE BE IT RESOLVED that Clause 5 of the Executive Policy Committee dated January 17, 1996 be referred to the Committee on Planning and Community Services to conduct a review of the Committee's mandate prior to finalizing citizen appointments.

On January 30, 1996, the Committee on Planning and Community Services concurred in the recommendations of the Selection Committee appointments to the Boulevard Provencher Advisory Committee and further recommended that the Boulevard Provencher Advisory Committee continue until such time as the Riel Community Committee can review the mandate.

The Executive Policy Committee concurs with the Committee on Planning and Community Services and recommends that the current members of the Boulevard Provencher Advisory Committee continue until such time as the Riel Community Committee can review their mandate.

Adopted by consent.

Personal Services Contract - Co-ordinator of the Winnipeg Safe City Committee
File GF-2.7 (Vol. 10)

379 - 15. On December 20, 1995, Council adopted Clause 6 of Report "A" of the Executive Policy Committee dated December 13, 1995 which approved an extension of the personal services contract of the Co-ordinator of the Winnipeg Safe City Committee until February 29, 1996.

On January 31, 1996, Council adopted Clause 1 of the Report of the Executive Policy Committee dated January 25, 1996 relative to the 1996 Current Estimates which included monies for the personal services contract of the Co-ordinator of the Winnipeg Safe City Committee.

The Executive Policy Committee recommends:

I. That a personal services contract be entered into with Ms. Chris Balicki for the balance of 1996, from March 1, 1996, to December 31, 1996, at a per annum fee for service of $40,000.

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary agreement between The City of Winnipeg and Chris Balicki subject to the same terms and conditions contained in the previous agreement dated September 27, 1994.

Adopted by consent.

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED FEBRUARY 14, 1996

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee, dated February 14, 1996, was considered.

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

Carried.

Her Worship The Mayor and Councillors:

Unused Capital Borrowing Authority
File FC-1 (1997-2001) (Vol. 1)

380 - 1. Council at its meeting held on September 27, 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 O'Shaughnessy,
Seconded by Councillor Murray,

WHEREAS the City is faced with fiscal restraint and a Council directive to decrease the amount of capital borrowing;

AND WHEREAS all capital borrowing authority is approved by Council prior to the actual expenditure;

AND WHEREAS surplus borrowing authority arises due to under expenditure or cancellation of projects;

AND WHEREAS this unused capital borrowing authority is often appropriated for other projects, which may not have been priorized by Council in the 5-year Capital Program;

AND WHEREAS in the event of special or emergency circumstances which give rise to projects which cannot be delayed until the following year's annual capital budget, a supplemental capital budget could be approved;

THEREFORE BE IT RESOLVED that the practise of continuing unused capital borrowing authority be terminated and that no surplus borrowing authority be transferred to any other project.

On November 15, 1995, the Executive Policy Committee laid the matter over until its November 22, 1995 meeting, and requested the Board of Commissioners to report back on the pros and cons of implementing this motion.

On November 29, 1995, Council granted an extension of time of 60 days to further consider this matter.

For the information of Council, the Corporate Finance Department has undertaken a comprehensive review of all aspects related to the borrowing authority issue. Each City Department is currently in the process of reviewing their Capital Work Orders to determine whether there is continuing need for the project to remain open and/or update their cost estimates. At this time that review is incomplete. In addition, questions regarding certain sections of The City of Winnipeg Act have arisen and been referred to Legal Services for opinion and clarification. Therefore the Corporate Finance Department, along with Departmental input required, will undertake to complete it's review, present a response to the proposed policy, and provide Council with a Cancellation By-law by mid May, 1996.

Inasmuch as Administration have not completed their review with respect to this matter, the Executive Policy Committee recommends that Council grant a further extension of time of 90 days to allow for consideration of this matter.

Adopted by consent.

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED FEBRUARY 21, 1996

On motion of Her Worship Mayor Thompson, the rule was suspended and the Report of the Executive Policy Committee, dated February 21, 1996, was considered.

Her Worship The Mayor and Councillors:

Appointment of a Director to The Board of
The Winnipeg Enterprises Corporation
Files F-5 (Vol. 20) & GC-7 (Vol. 26)

381 - 1. The Executive Policy Committee recommends the following motion be approved and forwarded to Council for favourable consideration, namely:

WHEREAS THE Winnipeg Enterprises Corporation was incorporated by Private Act of the Manitoba Legislature in the year 1952;

AND WHEREAS the mandate of the corporation is to carry on activities to provide and maintain entertainment and sporting facilities;

AND WHEREAS The Winnipeg Enterprises Corporation Incorporation Act provides that six (6) of the Directors of the Corporation shall at all times be nominees of The City of Winnipeg;

AND WHEREAS the Board, by By-law, has delegated power regarding membership;

AND WHEREAS the "General By-laws" of the Corporation have recently been amended to no longer require that Council appointees be members of Council;

AND WHEREAS Councillor Golden, by letter dated January 3, 1996, submitted his resignation from Winnipeg Enterprises Corporation; said resignation accepted by Winnipeg Enterprises Corporation in letter dated January 5, 1996;

THEREFORE BE IT RESOLVED that Mr. Bob Silver be appointed to fill the vacancy created by the resignation of Councillor Golden on the Winnipeg Enterprises Corporation.

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

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

Carried.

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by Councillor Lazarenko,
Seconded by Councillor Steek,

382 - WHEREAS the Misericordia General Hospital has served the community for almost 100 years;

AND WHEREAS, in 1991, the Misericordia received three-year accreditation status, the highest award given to a hospital, reflecting excellence in patient care and services, an award reserved only for health care facilities that meet the highest standards;

AND WHEREAS the Misericordia introduced the "Fast Track" system to Winnipeg Urban Hospital Emergency Departments, in which patients with simple problems could be assessed, diagnosed, treated and released within one hour, instead of waiting four to six hours just to be seen;

AND WHEREAS the Misericordia also introduced the Breast Clinic, a one-stop centre for diagnosis, advice and treatment for women with known or potential breast disease;

AND WHEREAS Misericordia broke new ground by introducing the Health Links service, a health information line offering Manitobans one number to call to get information about any part of our health care system and how to access it, a model which other provinces now use;

AND WHEREAS patients to the Misericordia tend to be sicker and more elderly than patients in other hospitals, and more likely to be aboriginal;

AND WHEREAS, in its 1992 Action Plan, the Provincial Government recognized the need to have adequate health services in the community where people live;

AND WHEREAS ending the Misericordia as a general, acute care hospital will have a substantial negative impact on some of the poorest people in our province;

NOW THEREFORE BE IT RESOLVED that the City of Winnipeg urge the Province of Manitoba to maintain Misericordia General Hospital as a fully operational, acute care facility in order to provide ongoing service to the people of the inner city and surrounding areas.

Moved by Councillor Lazarenko,
Seconded by Councillor O'Shaughnessy,

383 - WHEREAS Seven Oaks Hospital has served the community since it first opened in 1981 and the dream of Seven Oaks Hospital has been in the community 30 years previous to that opening;

AND WHEREAS Seven Oaks Hospital has many unique features, including some of the best equipment in the city, technically advanced facilities, capacity to expand and the ability to offer programs that are not available at other hospitals, including wellness pioneering;

AND WHEREAS Seven Oaks Emergency Ward serves over 30,000 people per year;

AND WHEREAS Seven Oaks Hospital serves an area with a population in excess of 100,000 citizens, including centres outside of the City of Winnipeg;

AND WHEREAS, in its 1992 Health Action Plan, the Province recognized that services must be brought closer to the community where people live;

AND WHEREAS Seven Oaks was one of four facilities built on the perimeter of the city to serve an expanding community;

AND WHEREAS Seven Oaks offers a wide range of services including psychiatric, geriatric, emergency, surgery, critical care, teaching, X-ray, lab facilities and other aspects of an acute care hospital;

Executive Policy Committee - Motions (continued)

NOW THEREFORE BE IT RESOLVED that the City of Winnipeg urge the Province of Manitoba to maintain Seven Oaks Hospital as a fully operational acute care facility, in order to provide service to the people of the North End and its surrounding areas.

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

Moved by Councillor Murray,
That the motions proposed by Councillors Lazarenko and Steek, and Councillors Lazarenko and O'Shaughnessy, be laid over until the next Council Meeting.

The motion to refer was put.

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

Yea: Councillors Thomas, Timm-Rudolph and Vandal. 3

Nay: Councillors Clement, Golden, Lazarenko, Lubosch, O'Shaughnessy, Phillips, Silva, Steek, Deputy Mayor Eadie, Her Worship Mayor Thompson, Councillors Angus and Prystanski. 12

and the motion to refer was declared lost.

The Speaker here resumed the Chair.

The Speaker advised that in accordance with the direction of Council, the motions proposed by Councillors Lazarenko and Steek, and Councillors Lazarenko and O'Shaughnessy, would be considered and voted on jointly.

The motions were put.

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

Yea: Councillors Prystanski, Golden, Lazarenko, O'Shaughnessy, Silva, Steek, Thomas and Vandal. 8

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

and the motions were declared carried.

Moved by Councillor Lazarenko,
Seconded by Councillor O'Shaughnessy,
384 - WHEREAS on November 9, 1983, Council adopted Clause 4 of the Report of the Executive Policy Committee, dated November 9, 1983, which created a policy to provide for a maximum reward in the amount of $5,000.00 for information leading to the arrest and conviction of suspects to the offence of murder;

AND WHEREAS the policy provided for the amount be reviewed by Council every two years, and allowed Council to review requests for rewards for information pertaining to other crimes, such as kidnapping or vicious rapes;

AND WHEREAS the reward system has not received consideration by Council since 1983;

THEREFORE BE IT RESOLVED that the maximum reward amount of $5,000.00 for information leading to the arrest and conviction of suspects to the offence of murder be increased to $10,000.00;

Executive Policy Committee - Motions (continued)

AND FURTHER BE IT RESOLVED that the policy be amended to include a similar reward for information pertaining to other crimes, such as kidnapping or vicious rapes, including attacks.

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

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

385 - On motion of Her Worship Mayor Thompson, the following By-laws were each read a first time, namely:

By-law No. 6773/96, a By-law of the City of Winnipeg to levy a rate upon the assessed value of all the real property liable to taxation in the City to raise certain sums required for the 1996 annual estimates File FE (1996)

By-law No. 6775/96, a By-law of the City of Winnipeg to amend By-law No. 6550/95, being The City Organization By-law File GC-11 (Vol. 6)

Her Worship Mayor Thompson moved that this constitute the first reading of By-law Nos. 6773/96 and 6775/96, which motion was carried.

Councillors Golden, Lazarenko, Lubosch, Murray, Thomas and Vandal asked to be recorded as having voted against the first reading of By-law No. 6773/96, in accordance with Rule 50.7 of the Procedure By-law.

On motion of Her Worship Mayor Thompson, By-law Nos. 6773/96 and 6775/95 were read a second time.

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

Moved by Her Worship Mayor Thompson,
That this constitute the second reading of By-law No. 6773/96.

The motion was put.

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

Yea: Councillors Prystanski, Clement, O'Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Angus. 10

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

and the motion that this constitute the second reading of By-law No. 6773/96 was declared carried.

Her Worship Mayor Thompson moved that this constitute the second reading of By-law No. 6775/96, which motion was carried.

On motion of Her Worship Mayor Thompson, the rule was suspended and By-law No. 6775/96 was read a third time and was passed and ordered to be signed and sealed.

Executive Policy Committee - Consideration of By-laws (continued)

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. 6756/96, a By-law of the City of Winnipeg to provide for the assessment by special rate of the cost of installing Watermains in the said City of Winnipeg.
Files SL & FC-1 (1997-2001)

By-law No. 6757/96, a By-law of the City of Winnipeg to provide for the assessment by special rate of the cost of installing Wastewater Sewers in the said City of Winnipeg.
Files SL & FC-1 (1997-2001)

By-law No. 6758/96, a By-law of the City of Winnipeg to provide for the assessment by special rate of the cost of installing Land Drain Sewers in the said City of Winnipeg.
Files SL & FC-1 (1997-2001)

By-law No. 6759/96, a By-law of the City of Winnipeg to provide for the assessment by special rate of the cost of a Special Water Connection in an area of the said City set forth in Agreement No. 54. Files SL & FC-1 (1997-2001)

By-law No. 6760/96, a By-law of the City of Winnipeg to provide for the assessment by special rate of the cost of installing Street Pavements in the said City of Winnipeg.
Files SL & FC-1 (1997-2001)

By-law No. 6761/96, a By-law of the City of Winnipeg to provide for the assessment by special rate of the cost of installing Street Pavement with Boulevards in the said City of Winnipeg.
Files SL & FC-1 (1997-2001)

By-law No. 6762/96, a By-law of the City of Winnipeg to provide for the assessment by special rate of the cost of installing Sidewalks in the said City of Winnipeg.
Files SL & FC-1 (1997-2001)

By-law No. 6763/96, a By-law of the City of Winnipeg to provide for the assessment by special rate of the cost of installing Ornamental Lane Lights in the said City of Winnipeg. Files SL & FC-1 (1997-2001)

By-law No. 6764/96, a By-law of the City of Winnipeg to provide for the assessment by special rate of the cost of Lane Oiling in the said City of Winnipeg.
Files SL & FC-1 (1997-2001)

By-law No. 6765/96, a By-law of the City of Winnipeg to provide for the assessment by special rate of the cost of Lane Lighting in the said City of Winnipeg.
Files SL & FC-1 (1997-2001)

By-law No. 6766/96, a By-law of the City of Winnipeg to provide for the assessment by special rate of the cost of installing Land Drain Sewers in the said City of Winnipeg.
Files SL & FC-1 (1997-2001)

By-law No. 6788/96, a By-law of the City of Winnipeg to amend By-law No. 4860/88, being a By-law prescribing the fee for issuing tax certificates. File FL-2.1 (Vol. 2)

Councillors Golden and Lazarenko asked to be recorded as having voted against all three readings of By-law Nos. 6756/96 through 6766/96, both inclusive, in accordance with Rule 50.7 of the Procedure By-law.

Councillor Golden asked to be recorded as having voted against all three readings of By-law No. 6788/96, in accordance with Rule 50.7 of the Procedure By-law.

Council recessed at 11:58 a.m., and reconvened at 1:35 p.m., same members present.

Councillors O'Shaughnessy, Thomas and Timm-Rudolph entered the meeting after Council had reconvened.

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

386 - The Speaker recognized Councillor Lazarenko who recognized Ihor Symchych, President of the Ukrainian Youth Association of Ukraine, from Kiev, in attendance in the gallery.

EXECUTIVE POLICY COMMITTEE

QUESTION PERIOD

387 - Councillor Golden requested confirmation that assessment appeal refunds were going to be between $25 million and $30 million above the budgeted amount for this purpose.

Her Worship Mayor Thompson responded that she had received a memo from the Chief Commissioner indicating a warning and advised that accurate numbers regarding the issue were being prepared.

Councillor Golden questioned if there was any indication as to the range of where the number was expected to fall and whether a plan had been developed to address the problem.

Her Worship advised that she would not discuss the numbers until they had been confirmed, and that the Director of Corporate Finance was working on providing the numbers and further advised that Council would be briefed when they became available.

Councillor Golden questioned if a task force would be struck to deal with the issue and if so, when might it occur. Councillor Golden further questioned whether the task force membership would include persons outside of the Executive Policy Committee.

Her Worship advised the matter was being dealt with appropriately by the Audit Committee and that the Director of Corporate Finance had established an internal task force. Her Worship further advised that a Council briefing on the matter was tentatively scheduled for Friday, March 1 from 10:00 a.m. to 12 noon.

Councillor Golden noted a possible conflict with another Committee meeting on that date and was advised that it would be looked into.

Councillor Lazarenko questioned if the Executive Policy Committee had to be in compliance with an order or direction of Council or could they be in defiance of an order or direction, to which Councillor Clement responded in the negative.

Councillor Lazarenko questioned how the Executive Policy Committee could allocate monies for non-arbitration purposes from an account identified by Council for arbitration purposes.

Her Worship advised the account was in fact for professional and consultative services.