REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JANUARY 30, 1995

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee dated January 30, 1995, was considered.

Her Worship The Mayor and Councillors:

General Guidelines to assist Manitoba Entertainment Complex in preparing a Business Plan

File F-5.1 (Vol. 3)

448 - 1. The Executive Policy Committee has been advised that the Chief Commissioner has prepared a list of principles or guidelines which City Council might consider providing to the Manitoba Entertainment Complex (MEC) in order to give some direction in its efforts to construct an new arena facility. At this time, MEC is not yet in a position to provide Council with a formal proposal and business plan. While the private sector has made substantial progress over the past few months, there are still many unanswered questions.

Unfortunately, there is also great pressure to proceed further with the project partially because more work is required in order to provide definitive answers and partially because MEC must be positioned to start construction this summer if hockey losses are to be eliminated by the 1997-1998 season.

Given this circumstance, there seems to be strong argument for City Council to give some guidance through a set of principles on which MEC could proceed. MEC will be coming back to City Council with its final Business Plan prior to proceeding with any final decisions. City Council must provide fundamental approvals if the project is to be successful.

The Executive Policy Committee recommends:

I. That City Council, in order to provide some general direction to MEC, adopt the following principles or guidelines to be incorporated into the process of developing a proposal for a new arena complex, namely:

1. A Formal Proposal is a Prerequisite to City Approvals

   Because a new arena facility will have such major impacts on the City, it is critical that Council have an opportunity to understand the details of the MEC proposal, including proposed ownership structures. A reasonable period of time must be allowed for the City to carry out appropriate and sufficient due diligence with respect to its investment.

2. A Business Plan should demonstrate that the City has no exposure to future losses

   MEC has made clear that its proposal already incorporates some $110 million in private sector funding. This private sector approach is critically important to longer term success and it is therefore concluded that as a point of principle, the private sector assume all future liabilities for losses after the City's existing agreement expires (June 30 1997).

3. No Further Interim Funding

   As part of the conditions to allow MEC to proceed with their work, last year City Council agreed to allow access to $1.5 million in the guaranteed private sector fund to cover certain approved costs. As the project continues, further investment will be required. As a principle, the City's position of no further guaranteed funding should be confirmed.

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4. Required Land will be made available

MEC has made some very clear statements about its site preference. In short, MEC has indicated to EPC that the only viable option for a new facility is the City owned location at Portage Avenue East. Given the reality as it has evolved, and in order to allow MEC to develop a viable business plan, there is need for the City to indicate its willingness to provide the land subject to negotiated conditions. The value and configuration of the land also needs to be incorporated into the business plan.

5. City will provide infrastructure but not cash

Much of the required infrastructure to service the site would eventually be required if any development were approved at some future date. This represents a significant City contribution. For planning purposes, MEC should proceed on the basis that the City will provide the following:

(a) Cleared Land;
(b) Street improvements required to meet Transit needs -- it is assumed that other street issues are the result of area access requirements not directly related to the arena project;
(c) Water Services;
(d) Sanitary and Land Drainage sewers; and
(e) Hydro Services.

It is anticipated that MEC will work with City staff to develop a servicing plan with related costs as part of the proposal and business plan.

6. There will be a Clarification of future road network plans

There are many obvious question which the construction of a new facility will create such as pedestrian, transit and service access. The road configuration also has very significant impact on proposed parking structures. The City has existing resources to deal with street issues but there is need for a process to establish longer term plans so that limited resources are not used inappropriately. A principle to clarify future road network plans must involve The Forks and other interested groups.

7. Property Tax Exemption is limited

As per previous discussions, the City's position that property tax exemption is limited to the arena and related events activity should be confirmed. The City would not propose to exempt any business operating outside of arena events -- ie. a restaurant in the arena open to public during normal business hours.

8. Amusement Tax Exemption is limited

Amusement tax exemption would be provided to the MEC for Jets operations as per the present agreement but would not extend to other events.

9. Zoning Applications will be processed

As a point of principle, once the City has agreed to the overall proposals, it will arrange to make the necessary arrangement for the normal public processing of amendments to the City's zoning by-laws.

10. There must be a time allowance for public consultation

It is important that once MEC has finalized its formal proposals and business plan, that there be full opportunity for public review prior to Council considering any required approvals.

11. The project need not pay Municipal Permit Fees

Assuming that the other levels of government and the private sector are doing their share to make this project a reality, the City would consider a proposal which did not require payment of normal charges for development permits. The Business Plan will detail and acknowledge the value of this contribution by the City.

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12. Existing Public Sector Ownership Share of the Jets to be negotiated by Winnipeg Enterprises Corporation (WEC)

The long term arrangements for ownership of the Jets will be an important part of any viable business plan. These assets were originally acquired by WEC and future arrangements should be negotiated by WEC on behalf of the City. This approach or point of principle is both practical and legally realistic.

13. Current Arena not to compete

The City must give assurance that it's arms length body (WEC) will not compete with the new facility. As a point of principle, the City should commit to consider a long term plan which could be developed in conjunction with MEC and WEC.

14. Pedestrian and Cyclist Access to be planned in conjunction with the Forks

In addition to road, transit and service access requirements and the requirements associated with the potential of future extension of the river walk, the City would expect MEC to assure joint planning of pedestrian and cyclist access with The Forks.

15. The City must face no liabilities if the project is unsuccessful in the long term

The formal proposal and business plan of MEC must incorporate details which give assurance that in addition to the fact that the City will provide no financial guarantees for the project, should the project prove to be unsuccessful in the long term, there must be no liability left with the City.

16. The Facility must be left Debt Free if the Jets eventually leave Winnipeg

While the entire MEC initiative is directed to avoiding the situation where the Winnipeg Jets may have to leave the City, one of the principles for the arena project proceeding should be that the business plan incorporate provisions to assure a debt free facility. The issue of ownership in this situation also needs to be addressed.

17. In the event that the Portage East site is the site approved by Council the following guidelines will need to be considered by MEC:

A. Parking is to be planned in conjunction with the City and the Forks

The City recognizes that there is a great deal of sensitivity about land use at the Portage East site and accordingly, will expect that any parking facilities will be subject to appropriate consultation.

B. River Walk and Flood Control will be addressed

While MEC has provided $1 million for landscaping associated with the project and its connection to the existing flood control dike, there is need for a long term plan for the environmental protection of both the new facility and the riverwalk. Provided the Forks and the City undertake the necessary study, the MEC must agree to invest project funds in accordance with specified plans.

C. Walkway System Connections to be planned with City input

The anticipated proposal of MEC will include a weather protected walkway connection on Portage Avenue to the City owned lands on the east side of Westbrook (former Codville Site). MEC has requested that the City provide this land for a Pavilion. It is expected that this proposed walkway connection would be developed in accordance with the usual requirements of the City. For planning purposes, any normal City share of this development (existing policy) could be directed to the Pavilion/Park site.

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18. Integrated Plan to Protect the Forks

That an implementation committee, composed of a representative from each of Manitoba Entertainment Complex (MEC), the City, the Province, the Federal Government and The Forks Renewal Corporation be established with terms of reference that include:

a) The preparation of an integrated plan for the whole Forks Area that protects the public amenities of The Forks and complements the downtown should an arena be built on the Portage East location; and
b) The development of an implementation strategy for the plan within 60 days of the passage of the General Guidelines.

19. Other similar guidelines and principles

This letter is intended to set out some clear directions for the benefit of MEC as it prepares its formal proposal and business plan for the consideration of City Council. Early identification of expectations should facilitate the review and approval process.

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

In amendment,

Moved by Councillor Silva,
Seconded by Councillor Clement,
THAT the clause be amended in order that the following direction be provided to MEC and/or other proponents, in the form of principles or guidelines to be incorporated into the process of developing proposals for a new arena complex;

AND THAT the following 18 points be adopted and replace the guidelines contained within the clause, namely:

1. A Formal Proposal is a Prerequisite to City Approvals:

Because a new arena facility will have such major impacts on the City, it is critical that Council have an opportunity to understand the details of the MEC proposal, including proposed ownership structures. A reasonable period of time must be allowed for the City to carry out appropriate and sufficient due diligence with respect to its investment.

2. A Business Plan should demonstrate that the City has no exposure to future losses:

MEC has made clear that its proposal already incorporates some $110 million in funding. This private sector approach is critically important to longer term success and it is therefore concluded that as a point of principle, the private sector shall demonstrate in their business proposal a method or agreement for their assuming all future liabilities for losses upon their exercising of the option to purchase (June 30, 1995).

3. No Further Interim Funding:

As part of the conditions to allow MEC to proceed with their work, last year City Council agreed to allow access to $1.5 million in the guaranteed private sector fund to cover certain approved costs.

As a principle, the City's position of no further funding should be confirmed.

4. Required Land will be made available:

MEC has made some very clear statements about its site preference. In short, MEC has indicated to EPC that the only viable option for a new facility is the City-owned location at Portage Avenue East. Given the reality as it has evolved, and in order to allow MEC to develop a viable business plan, there is need for the City to indicate its willingness to provide the land subject to negotiated conditions. The value and configuration of the land also needs to be incorporated into the business plan.

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Any other proponents shall adopt all of the principles contained in this motion for other proposed sites.

5. The City will allow MEC or other proponents to provide an arena on City-owned land at the Portage East site, or other sites, subject to zoning approvals.

As a point of principle the City will not participate financially (property tax dollars) in the building of an arena.

As a point of principle the City will not commit to assuming development costs normally borne by the developer.

It is anticipated that MEC will work with City staff to develop a servicing plan with related costs as part of the proposal and business plan.

6. There will be a clarification of future road network plans:

As a principle the City's position of not proceeding with the York Street - St. Mary Avenue extensions is confirmed.

There are many obvious questions which the construction of a new facility will create, such as pedestrian, transit and service access. The road configuration also has a very significant impact on proposed parking structures. The City has existing resources to deal with street issues but there is a need for a process to establish longer term plans so that limited resources are not used inappropriately. A principle to clarify future road network plans must involve The Forks and other interested groups.

7. Property Tax Exemption is limited:

Property tax exemptions will be structured similar to the existing Winnipeg Arena arrangements.

8. Amusement Tax Exemption is Limited:

Amusement tax exemptions shall be structured similar to the existing WEC arrangements

9. Zoning Approvals will be processed:

As a point of principle, once the City has agreed to the overall proposals, it will arrange to make the necessary arrangement for the normal public processing of amendments to the City's zoning by-laws.

10. There must be a time allowance for public consultation:

It is important that once MEC has finalized its formal proposals and business plan, that there be full opportunity for public review prior to Council considering any required approvals.

11. The project need not pay Municipal Permit Fees:

Assuming that the other levels of government and the private sector are doing their share to make this project a reality, the City would consider a proposal which did not require payment of normal charges for development permits. The Business Plan will detail and acknowledge the value of this contribution by the City.

12. Existing Public Sector Ownership Share of the Jets to be negotiated by WEC:

As a principle there shall be no ownership of any portion of the Jets by the City of Winnipeg.

The long term arrangements for ownership of the Jets will be an important part of any viable business plan. These assets were originally acquired by WEC and future arrangements should be negotiated by WEC on behalf of the City. This approach or point of principle is both practical and legally realistic.

13. Current Arena not to compete:

The City must give assurance that its arms length body (WEC) will not compete with the new facility. As a

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point of principle, the City should commit to consider a long term plan which could be developed in conjunction with MEC and WEC.

14. Pedestrian and Cyclist Access to be planned in conjunction with The Forks:

In addition to road, transit and service access requirements and the requirements associated with the potential of future extension of the river walk, the City would expect MEC to assure joint planning of pedestrian and cyclist access with The Forks.

15. The City must face no liabilities if the project is unsuccessful in the long term.

The formal proposal and business plan of MEC must incorporate details which give assurance that in addition to the fact that the City will provide no financial guarantees for the project, should the project prove to be unsuccessful in the long term, there must be *absolutely no financial* liability left with the City.

16. The Facility must be left Debt Free if the Jets eventually leave Winnipeg:

As a principle if the Winnipeg Jets leave Winnipeg the proceeds from the sale of the team or any assets of the team be directed as a first charge against any outstanding debt of the building.

While the entire MEC initiative is directed to avoiding the situation where the Winnipeg Jets may have to leave the City, one of the principles for the arena project proceeding should be that the business plan incorporate provisions to assure a debt free facility. The issue of ownership in this situation also needs to be addressed.

17. In the event that the Portage East site is the site approved by Council, the following guidelines will need to be considered by MEC:

A. Parking is to be planned in conjunction with the City and The Forks:

The City recognizes that there is a great deal of sensitivity about land use at the Portage East site and accordingly, will expect that any parking facilities will be subject to appropriate consultation.

B. River Walk and Flood Control will be addressed:

While MEC has provided $1 million for landscaping associated with the project and its connection to the existing flood control dike, there is need for a long term plan for the environmental protection of both the new facility and the riverwalk. Provided The Forks and the City undertake the necessary study, the MEC must agree to invest project funds in accordance with specified plans.

C. Walkway System Connections to be planned with City input:

The anticipated proposal of MEC will include a weather protected walkway connection on Portage Avenue to the City-owned lands on the east side of Westbrook (former Codville Site). MEC has requested that the City provide this land for a Pavilion. It is expected that this proposed walkway connection would be developed in accordance with the usual requirements of the City. For planning purposes, any normal City share of this development (existing policy) could be directed to the Pavilion/Park site.

D. That an implementation committee, composed of a representative from each of Manitoba Entertainment Complex (MEC), the City, the Province, the Federal Government, and The Forks Renewal Corporation be established with the terms of reference that include:

a) The preparation of an integrated plan for the whole Forks area that protects the public amenities of The Forks and complements the downtown should an arena be built on the Portage East location.

b) The development of an implementation strategy for the plan within 60 days of the passage of the general guidelines.

E. As a principle all development for the arena project must occur north of the existing Water Avenue.

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18. Other similar guidelines and principles:

This motion is intended to set out some clear directions for the benefit of MEC or other proponents, as they prepare their formal proposal and business plan for the consideration of City Council. Early identification of expectations should facilitate the review and approval process.

In amendment to the amendment,

Moved by Councillor Lazarenko,
Seconded by Councillor Hyman,

WHEREAS there is no reason that City Council should give even tentative approval to the Forks site as the location for a new arena, unless MEC gives its full reasons for its choice of this site and a full business plan for the construction and operation of a new arena;

THEREFORE BE IT RESOLVED AS FOLLOWS:

I. THAT any reference to site be omitted from the General Guidelines Executive Policy Committee recommends in its Report of January 30, 1995 by deleting Guidelines numbered as follows: 4, 5, 6, 12, 13, 14, 17, 18;

II. AND THAT City Council give MEC two weeks within which to present to Council with following:

a) its full reasons why the Forks site is the only viable site, as compared to any other option,

b) a full and comprehensive business plan for its proposed project;

III. AND THAT, if MEC fails to provide this information in the time required, then City Council entertain no further proposals from MEC.

In amendment to the amendment,

Moved by Councillor Reese,
Seconded by Councillor Hyman,

THAT the guidelines to MEC apply also to the Convention Centre Site in addition to the Portage Avenue East Site.

With the concurrence of the seconder, Councillor Hyman, and with the permission of Council, Councillor Reese withdrew her amendment.

With the concurrence of the seconder, Councillor Clement, and with the permission of Council, Councillor Silva agreed that the following principles be added to the 18 point guidelines:

BE IT RESOLVED THAT a principle of any agreement to preserve N.H.L. hockey in Winnipeg, or to construct a new recreational facility, shall be that The City of Winnipeg shall be repaid all out-of-pocket support provided by the taxpayers of Winnipeg;

AND BE IT FURTHER RESOLVED THAT Winnipeg Enterprises Corporation shall be asked to use their best efforts to realize said monies from any disposition of their shares of the Winnipeg Jets Hockey Club.

In amendment,

Moved by Councillor Murray,
Seconded by Councillor Thomas,

WHEREAS the expenditure of City funds outside of the normal range of expenditures by City Government should require a specific mandate from the citizens by plebiscite or election;

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AND WHEREAS citizens should determine the use of public lands purchased with public funds especially when this use has a potentially significant and negative impact on other City lands, parks and public facilities;

AND WHEREAS the statement of principles should recognize that for these reasons the citizens of Winnipeg should have the ultimate decision about the disposition of this land;

AND WHEREAS it should also be recognized that the Mayor and many Councillors have a mandate in opposition to The Forks site, and no electoral mandate exists for an arena on this site;

THEREFORE BE IT RESOLVED THAT a plebiscite be held on whether or not the City should provide subsidy to the construction of an arena/entertainment complex by donations of land, cash, services or public works;

BE IT FURTHER RESOLVED THAT a plebiscite be held on whether or not the City land north of The Forks and south of Steven Juba Park should be used for the construction of an arena/entertainment complex.

Moved by Deputy Mayor Fraser,

That Council adjourn at the hour of 5:00 p.m. to permit Her Worship Mayor Thompson and the Deputy Mayor to attend to other civic obligations.

Carried.

Moved by Councillor Clement,

That the Chairperson of the Committee on Finance and Administration convene a special meeting to deliberate the Report on the Collective Agreement between The City of Winnipeg and C.U.P.E. (Local 500).

Carried.

Moved by Councillor Duguid,

That Rule 6.1 of the Procedure By-law be suspended to allow Council to reconvene one-half hour earlier, at 9:00 a.m., Wednesday, February 1, 1995.

The motion to suspend the rule was put.

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

Yea: Councillors Clement, Duguid, Hyman, Murray, O'Shaughnessy, Silva, Fraser, Her Worship Mayor Thompson and Councillor Angus. 9

Nay: Councillors Reese, Boychuk, Golden, Lazarenko, Prystanski and Thomas. 6

and the motion to suspend the rule was lost, not having received the required two-thirds vote of the members present in accordance with Rule 3 of the Procedure By-law.

Council stood adjourned at 4:59 p.m., to reconvene on Wednesday, February 1, 1995 at 9:30 a.m.

(See Minute No. 450 for disposition of the clause)

Adjourned Meeting Wednesday, February 1, 1995

Council reconvened this day at 9:57 a.m.

The Speaker called the adjourned meeting to order.

Present: The Speaker Councillor Angus, Councillors Boychuk, Clement, Duguid, Eadie, Fraser, Golden, Hyman, Lazarenko, Murray, O'Shaughnessy, Prystanski, Reese, Silva, Thomas and Her Worship Mayor Thompson.

In attendance: Mrs. D. Browton, City Clerk, Mr. R. Kachur Deputy City Clerk and Mr. R. MacCallum, Clerk of the Executive Policy Committee.

Moved by Deputy Mayor Fraser,

449 - THAT Council recess to reconvene at the call of the Chair to allow the Chairperson to convene a special meeting of the Committee on Finance and Administration to deliberate the Collective Agreement between The City of Winnipeg and the Canadian Union of Public Employees (C.U.P.E.), Local 500.

Carried.

Council recessed at 9:59 a.m., and reconvened at 2:28 p.m., same members present.

Councillors Eadie, Murray and Prystanski entered the meeting after Council had reconvened.

Council here proceeded to continue to consider the order of business - "Clause 1 of the Report of the Executive Policy Committee dated January 30, 1995".

General Guidelines to assist Manitoba Entertainment Complex in preparing a Business Plan

File F-5.1 (Vol. 3)

450 - On the direction of Council, the Speaker advised that Council would consider the amendment proposed by Councillors Silva and Clement as a replacement for the recommendation proposed by the Executive Policy Committee.

Moved by Councillor Boychuk,

That Council go into Committee of the Whole.

The motion was put.

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

Yea: Councillors Reese, Boychuk, Golden, Hyman, Murray and Thomas. 6

Nay: Councillors Clement, Duguid, Eadie, Lazarenko, Prystanski, Silva, Fraser, Her Worship Mayor Thompson and Councillor Angus. 9

and the motion that Council go into Committee of the Whole was declared lost.

The amendment proposed by Councillors Lazarenko and Hyman, regarding the requirement for MEC to make presentation to Council within two weeks, was put.

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

Yea: Councillors Hyman, Lazarenko and Thomas. 3

Nay: Councillors Reese, Boychuk, Clement, Duguid, Eadie, Golden, O'Shaughnessy, Prystanski, Silva, Fraser, Her Worship Mayor Thompson and Councillor Angus. 12

and the amendment to the amendment was declared lost.

With the concurrence of the seconder, Councillor Thomas, and with the permission of Council, Councillor Murray withdrew his motion calling for a plebiscite on subsidy and use of City land.

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

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

451 - The Speaker recognized Councillor Prystanski who acknowledged a gift from the Chinese Community in recognition of the "Year of the Pig".

Council here proceeded to continue to consider the order of business - "Clause 1 of the Report of the Executive Policy Committee, dated January 30, 1995".

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

The Speaker returned to the Chamber in order to participate in the debate, and after speaking, resumed the Chair.

In amendment,

Moved by Councillor Murray,
Seconded by Councillor Thomas,

WHEREAS the expenditure of City funds outside of the normal range of expenditures by City Government should require a specific mandate from the citizens by plebiscite or election;

AND WHEREAS citizens should determine the use of public lands purchased with public funds especially when this use has a potentially significant and negative impact on other City lands, parks and public facilities;

AND WHEREAS this decision will have a major impact on the future development of downtown for the next 100 years;

AND WHEREAS the statement of principles should recognize that for these reasons the citizens of Winnipeg should have the ultimate decision about the disposition of this land;

AND WHEREAS it should also be recognized that the Mayor and many Councillors have a mandate in opposition to The Forks site, and no electoral mandate exists for an arena on this site;

THEREFORE BE IT RESOLVED THAT point of principle, No. 10, be amended to specify public consultation to include a plebiscite be held on whether or not the City should provide subsidy to the construction of an arena/entertainment complex by donations of land, cash, services or public works;

BE IT FURTHER RESOLVED THAT point of principle, No. 10, be amended to specify public consultation to include a plebiscite be held on whether or not the City land north of The Forks and south of Steven Juba Park should be used for the construction of an arena/entertainment complex.

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In amendment,

Moved by Councillor Reese,
Seconded by Councillor Hyman,

THAT the principles and guidelines, as submitted, be amended to incorporate the following changed wording, as outlined in quoted text, namely:

6. There will be a clarification of future road network plans

As a point of principle, the City's position of not proceeding with the York Street - St. Mary Avenue extensions "*nor extension of Portage Avenue East*".....

10. There must be a time allowance for public consultation

It is important that once MEC "*or any other proponent*" has finalized its formal proposals and business plan, that there be full opportunity for public review prior to Council considering any required approvals.

12. Existing Public Sector Ownership Share of the Jets to be negotiated by WEC

The long term arrangements for ownership of the Jets will be an important part of any viable business plan. These assets were originally acquired by WEC "*and an independent legal representative to represent the city's interests*" and future arrangements should be negotiated by WEC on behalf of the City. .....

17. In the event that the Portage Avenue site is the site approved by Council, the following guidelines will need to be considered by MEC

Add to Principle No. 17A "*at no cost to the City*".

Add to Principle 17B "*after necessary study at no cost to the City*".

Add to Principle 17D the following:

17 D. That an Implementation Committee, composed of a representative from each of Manitoba Entertainment Complex (MEC), the City, the Province, the Federal Government, and the Forks Renewal Corporation "*and a representative from the Old St. Boniface Association and Chambre de Commerce de St. Boniface*" be established with the terms of reference that include:

a) The preparation of an integrated plan for the whole Forks area "*Provencher Boulevard and Tache Avenue and adjacent neighbourhoods*" that protects the public amenities of the Forks and complements the downtown should an arena be built on the Portage East location.

The Speaker called Councillor Silva to the Chair and left the Chamber.

The Speaker returned to the Chamber and resumed the Chair.

The amendment proposed by Councillors Reese and Hyman was put.

At the request of Councillor Reese, Council considered the recommendations separately.

The recommended change to principle/guideline No. 6 was put.

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

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Yea: Councillors Reese, Boychuk, Golden, Hyman, Murray and Thomas. 6

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

and the recommended change was declared lost.

The recommended change to principle/guideline No. 10 was put.

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

Yea: Councillors Reese, Boychuk, Eadie, Golden, Hyman, Lazarenko, Murray, O'Shaughnessy, Prystanski, Silva, Thomas, Fraser and Her Worship Mayor Thompson. 13

Nay: Councillor Duguid. 1

and the recommended change was declared carried.

The recommended change to principle/guideline No. 12 was put.

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

Yea: Councillors Reese, Boychuk, Golden, Hyman, Murray and Thomas. 6

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

and the recommended change was declared lost.

The recommended change to principle/guideline No. 17A was put.

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

Yea: Councillors Reese, Boychuk, Clement, Duguid, Eadie, Golden, Hyman, Lazarenko, Murray, O'Shaughnessy, Prystanski, Silva, Thomas, Fraser, Her Worship Mayor Thompson and Councillor Angus. 16

Nay: Nil. 0

and the recommended change was declared carried.

The recommended change to principle/guideline No. 17B was put and declared carried.

The recommended change to principle/guideline No. 17D was put.

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

Yea: Councillors Reese, Boychuk, Golden, Hyman, Murray and Thomas. 6

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

and the recommended change was declared lost.

The amendment proposed by Councillors Murray and Thomas was put.

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

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

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

and the amendment was declared lost.

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

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

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

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

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

EXECUTIVE POLICY COMMITTEE

UNFINISHED BUSINESS

On motion of Her Worship Mayor Thompson, Clause 19 of the Report of the Executive Policy Committee, dated November 9, 1994, was considered.

Her Worship The Mayor and Councillors:

Agreement to Preserve N.H.L. Hockey in Winnipeg File F-5.1 (Vol. 3)

452 - 19. Council at its meeting held on September 21, 1994, ruled automatic referral of the following motion to your Committee, under Rule 16.1 of the Procedure By-law No. 5400/90:

Moved by Councillor Murray,
Seconded by Councillor Thomas,

WHEREAS the diversion of VLT monies from the City of Winnipeg revenue stream to the Winnipeg Jets is in fact the down-loading of the Provincial commitment to cost-share the losses of the Winnipeg Jets Hockey Club;

AND WHEREAS this downloading abrogates both the spirit and substance of the understanding on which the City participated in the agreement to preserve NHL hockey in Winnipeg;

THEREFORE BE IT RESOLVED THAT the Winnipeg City Council give immediate notice to the other parties to the agreement to preserve NHL hockey in Winnipeg that we view the agreement as having been abrogated and that the Administration be directed to do all things necessary to withdraw from the agreement;

BE IT FURTHER RESOLVED THAT the City immediately engage independent legal counsel to represent the City's interests in litigation relating to the matter of winding down the agreement and disposing of the City's share of assets and liabilities of the hockey franchise.

The Executive Policy Committee recommends non-concurrence with the above motion.

Moved by Her Worship Mayor Thompson,
That the motion be considered.

Moved by Councillor Duguid,
That the question be now put.

Carried.

The motion proposed by Councillors Murray and Thomas was put.

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

Yea: Councillors Reese, Boychuk, Hyman, Lazarenko, Murray and Thomas. 6

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

and the motion was declared lost.

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by Councillor Lazarenko,
Seconded by Councillor Hyman,

453 - WHEREAS on November 17, 1994, Council delegated to the Committee on Finance and Administration, the power and duty to receive a report from a subcommittee established by Council, which subcommittee shall give direction to the Chief Commissioner and the Board of Commissioners in respect to the renewal and revision of the current collective agreement between The City of Winnipeg and the Canadian Union of Public Employees, (C.U.P.E.) Local 500, expiring December 24, 1994;

AND WHEREAS this power was delegated by By-law No. 6521/94 and limited to a period of time expiring on January 24, 1995 and By-law No. 6560/95 extended the expiry date to January 30, 1995;

AND WHEREAS a tentative agreement ("the Agreement") has been reached and a report outlining the particulars has been provided to all Members of Council at a Special "In Camera" meeting called by the Committee on Finance and Administration and jointly convened by Committee on Finance and Administration and Executive Policy Committee;

AND WHEREAS pursuant to Section 22(1) of The City of Winnipeg Act, a Special Meeting of City Council was called to consider "a) Collective Agreement between the City of Winnipeg and the Canadian Union of Public Employees (C.U.P.E.), Local 500";

AND WHEREAS the Committee on Finance and Administration on February 1, 1995 recommended the approval of the Agreement and submitted its recommendation to the Executive Policy Committee as outlined in Clause 1 of its Report dated February 1, 1995;

AND WHEREAS the Executive Policy Committee, at its Special Meeting held on February 1, 1995, laid over consideration of Clause l of the Report of the Committee on Finance and Administration;

AND WHEREAS Council finds it appropriate to ratify the Agreement at this time;

AND WHEREAS notwithstanding Subsection 30(3) of The City of Winnipeg Act whereby Council may, by by-law, delegate powers and duties to the Executive Policy Committee, under Subsection 30(4) Council may itself exercise those powers and duties;

THEREFORE BE IT RESOLVED THAT:

i) Council exercise its powers under Subsection 30(4) of The City of Winnipeg Act in order to receive the recommendation for approval of the Agreement contained within Clause 1 of the Report of the Committee on Finance and Administration dated February 1, 1995;

ii) Council suspends its Rules of Procedure as outlined in Section 61.1 of the Procedure By-law No. 5400/90.

454 - Pursuant to The Municipal Council Conflict of Interest Act, Councillor Prystanski advised that he would refrain from entering the discussion and from voting on the above motion, due to his employment association with the City of Winnipeg, being a C.U.P.E. employee on a political leave of absence, and left the Chamber.

455 - The Speaker recognized Deputy Mayor Fraser who called notice on the motion, in accordance with Rule 17.1 of the Procedure By-law.

The Speaker ruled that it was in order for Council to deliberate the motion in that the matter of the Collective Agreement had been listed as an item for discussion at the Special Meeting.

The motion proposed by Councillors Lazarenko and Hyman was put.

Executive Policy Committee - Motions (continued)

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

Yea: Councillors Reese, Boychuk, Clement, Duguid, Hyman, Lazarenko, Murray, Silva, Thomas and Angus. 10

Nay: Councillors Eadie, Golden, O'Shaughnessy, Fraser and Her Worship Mayor Thompson.5

and the motion was declared carried, having received the required two-thirds vote of the members present in accordance with Rule 3 of the Procedure By-law.

Council here proceeded to consider the order of business - "Clause 1 of the Report of the Committee on Finance and Administration dated February 1, 1995".