REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED NOVEMBER 30, 1994

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee, dated November 30, 1994, was considered clause by clause.

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

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

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

The motion to adopt the Consent Agenda, Clauses 2,3,4,5,6, and 7 was put and declared carried.

Her Worship The Mayor and Councillors:

Settlement of Assets & Liabilities - Rural Municipality of Headingley
File No. GG-2 (Vol. 22)

215 - 1. On October 12, 1994, The Honourable Len Derkach, Minister of Rural Development, wrote to Mayor Susan Thompson, advising of the final settlement of Assets and Liabilities between the Rural Municipality of Headingley and the City of Winnipeg.

Provincial Order in Council No. 888/92 referred the matter of the division of Assets and Liabilities to The Municipal Board of Manitoba (Municipal Board) for recommendations. These recommendations were to be submitted to the Minister of Rural Development who in turn submitted a recommendation to the Executive Council for final approval. There is no provision for appeal of this decision to a higher level.

On February 23, 1994, The Municipal Board made its final report and recommendations to the Minister of Rural Development regarding the settlement of Assets and Liabilities for the Headingley secession. The Municipal Board recommended:

Headingley's share of excess of Assets over Liabilities	$755,746
Less: outstanding taxes	(108,670)
payment for land transferred	(6,567)
payment of debt service costs (1993) *	(201,419)
Net payment to Headingley	$439,090

* Based on 100% of the 1993 debt service costs related to debentures issued for a community club and ditch drainage in the Headingley area. The balance of the debt service costs were to be paid over time as they became due. (As outlined in Appendix "A" for debt service cost schedule).

The Municipal Board, in their consideration of the issue of repayment of debt made the following observation which was reported on page 19 of The Municipal Board's final report:

" The debt arises partly from improvements to community centres in Headingley and partly from drainage projects in Headingley. One of the arguments raised by Headingley is that expenditure on drains is in the nature of maintenance costs - not capital costs; costs which should have been borne by Winnipeg as part of its annual expense. Questions were also raised as to whether all funds had actually been spent.

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> The evidence presented by Winnipeg shows a distinction between the annual maintenance expense and capital costs. The costs related to these projects were included in Winnipeg's capital budgets for the years 1985 through 1992. The evidence satisfies the Board that the expenditures were made, that they were capital in nature, and that they were financed by the debt which is shown on Appendix "W".
>
> It is Winnipeg's position that, because the assets (i.e. land drains and community centres) are to be transferred to Headingley, the corresponding debt should also be transferred.
>
> The Board agrees that Headingley should accept the debt associated with the assets which it receives. Otherwise, the taxpayers of Winnipeg are faced with paying off debt relating to assets and improvements in another municipality. Logically, it is unfair for an area to secede from a municipality and take the improvements, but leave the debt associated with those improvements."
>
> "The Board recommends that Headingley pay to Winnipeg the amounts shown on Appendix "W" on the dates shown in 1994 and subsequent years."

Please note that the Appendix "W" referenced in the above quotation portrayed similar data as presented in Appendix "A".

The Provincial Government, in determining the final settlement of Assets and Liabilities, amended the final recommendation of The Municipal Board.

The Provincial amendment is:

> "Respecting the issue of the debt charges relating to works in Headingley, the RM will assume responsibility for only 50% of that debt, in part because of the nature of the works undertaken and the manner in which they were financed."

This means that the taxpayers of the City of Winnipeg must pay $302,888 (the other 50%) in debt charges over the next 20 years (1993 to 2013) to service debt issued to pay for a community club and ditch drainage in the Headingley area.

The Provincial Government's decision, in face of The Municipal Board's observation that "logically it is unfair for an area to secede from a Municipality and take the improvements but leave the debt associated with those improvements" creates a dangerous precedent for future secessions. Decisions of this nature must be seen to be both fair and logical.

The City Treasurer's Report of April 6, 1994, suggested that a savings might be realized from the $650,000 that had been set aside to pay for the Headingley secession based on the recommendation of The Municipal Board.

The following table demonstrates the change given the Provincial Government decision:

	Final Municipal Board Recommendation	Provincial Government Recommendation
Headingley's share of excess of Assets and Liabilities	$755,746	$755,746
Less: Allowance for outstanding taxes	(108,670)	(108,670)
Payment for land transferred	(6,567)	(6,567)
Payments due on Headingley debt (1993 and 1994)	* (245,531)	(122,766)
Net amount payable to Headingley	$394,978	$517,743

* Debt service costs for 1993 and 1994. The balance to be paid as they come due. (Outlined in Appendix "A").

The Finance Department, in closing 1993 Financial Statements, had set up as payable $650,000 for 1993 to be treated as an expense in the General Revenue Fund. The Provincial Government's decision awarded a net payment of $517,743 to Headingley and an additional $115,237 will have to be charged to the year end payable in order to clear the receivable for taxes and land for a grand total of $632,980. The difference between this amount and $650,000 equals $17,020 which will be credited to the 1994 operating budget as "Debt Charges Recoverable".

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No provision for Debt Charges Recoverable was anticipated in the 1994 Budget.

The Executive Policy Committee recommends:

I. That Council through the Mayor's Office:

a) formally protest to the Premier of Manitoba, the decision by the Lieutenant Governor in Council to require the Rural Municipality of Headingley to assume responsibility for only 50% of the debt issued for Capital works undertaken in the Headingley area; and

b) to seek support from the following, namely: - Manitoba Association of Urban Municipalities, Federation of Canadian Municipalities; Union of Manitoba Municipalities, Professional Association of Municipal Administrators and urban MLA's.

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

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

In amendment,

Moved by Councillor Eadie,
Seconded by Councillor Clement,
THAT Recommendation 1(b) of the clause be amended by deleting the words "Federation of Canadian Municipalities" in the second line thereof, as the Federation, by policy, only deals with issues involving municipal governments and the federal government.

Carried.

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

(See Minute No. 247 for attachment)

Fees and Charges 1995 - Streets and Transportation Department
Files SC-1.1 (Vol. 5), ST-5.2 (Vol. 21) & ST-5.3 (Vol. 5)

216 - 2. On January 22, 1992, Council adopted a policy on fees and charges levied by The City of Winnipeg, namely:

1. That all fees and charges for The City of Winnipeg be reviewed at least once every three years.

2. That said fees and charges increase automatically, annually, by the rate of inflation, unless a review indicates otherwise.

Appendix "E" indicates the current 1994 and the proposed 1995 fees levied by the Streets and Transportation Department which have been established by City by-laws and by administrative policy. The rates proposed for 1995 have been adjusted for inflation.

The Executive Policy Committee recommends:

I. That the City of Winnipeg Traffic By-law No. 1573/77; Streets By-law No. 1481/77; and Private Approaches By-law No. 329/73 be amended as outlined on Appendices "A", "B" and "C", respectively effective January 1, 1995;

II. That the Acting City Solicitor be requested to draft the necessary amending by-laws in accordance with the foregoing for direct submission to Council for approval;

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III. That the fees outlined on Appendix "D" be adopted effective January 1, 1995; and that the Proper Officers be authorized to implement the revised fees.

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

Adopted by consent.

Request to reduce the Age in the Senior Classification at Municipal Golf Courses
File PR-6 (Vol. 6)

217 - 3. On October 31, 1994, the Committee on Protection, Parks and Culture considered a petition submitted by a number of ladies groups requesting that the senior classification with respect to the payment of green fees at municipal golf courses, be redefined and reduced from 65 years of age to either 60 or 55 years of age.

The Committee was advised that a number of golf courses outside the City limits have redefined the age classification for a senior to 60 or 55 years of age.

The Committee on Protection, Parks and Culture recommended that the Senior Classification, 65 years of age and over, with respect to the payment of green fees at municipal golf courses, be redefined and reduced to 60 years of age and over, for a two-year trail period commencing in the 1995 season.

The Executive Policy Committee recommends:

I. That By-law No. 6456/94 being a new schedule of fees and charges under the Parks and Recreation By-law be amended to redefine and reduce the Senior Classification, with respect to the payment of green fees at municipal golf courses, from 65 years of age to 60 years of age and over, for a two-year trial period commencing in the 1995 season.

II. That the Acting City Solicitor be requested to draft the necessary amending By-law in accordance with the foregoing for direct submission to Council for approval.

Adopted by consent.

Review of the Fine Associated with Trucks travelling on Non-Truck Routes
File ST-5.2 (Vol. 21)

218 - 4. The Committee on Protection, Parks and Culture, on July 4, 1994, considered the issue of fines associated with trucks travelling on non-truck routes and questioned whether an escalating structure of fines could be implemented for offenses to the Traffic By-law so that repeat offenders could be issued heavier fines. The Committee also questioned whether the City has the necessary authority to structure fines, or under whose authority the issuance of a fine occurs.

The Highway Traffic Act provides for escalating fines for subsequent offenses in certain specific areas. There is no provision for escalating fines for subsequent offenses in respect of trucks travelling on non-truck routes.

The Provincial Judges Court has jurisdiction, however, to assess higher fines for subsequent offenses.
The minimum fine of $75.00 was validly set by Council under Sub-Section 53(2) of the Traffic By-law and, at present, the operator or owner of a vehicle which violates the provision relating to truck routes can be issued an Offence Notice calling for payment of a $75.00 fine or some other fine to be assessed by the Court.

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A practical solution might be for subsequent offenses to be dealt with at the Provincial Court level so that a Judge is in a position to levy a heavier fine in view of the prior convictions.

On October 31, 1994, the Committee on Protection, Parks and Culture recommended that the Intergovernmental Affairs Committee be requested to approach the Province of Manitoba with respect to an amendment to the necessary legislation (The Highway Traffic Act) to allow for an escalating structure of fines to be implemented for repeat offenses by trucks travelling on non-truck routes.

The Executive Policy Committee concurs in the above and therefore recommends:

I. That the Intergovernmental Affairs Committee approach the Province of Manitoba with respect to an amendment to the necessary legislation (The Highway Traffic Act) to allow for an escalating structure of fines to be implemented for repeat offenses by trucks travelling on non-truck routes.

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

Adopted by consent.

North Main Business Improvement Zone -
a) Proposed Program - Zone Levy and Budget Estimates - 1995
b) Appointment of members to the Management Board
File FL-7.10 (Vol. 1)

219 - 5. 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 for the consideration of Council its proposed program, zone levy and budget estimates.

The North Main Business Improvement Zone at its Annual General Meeting held on October 24, 1994, approved the proposed annual budget and program as outlined in Appendix "A".

Ted Sobieski of Donner Paint, 847 Main Street was nominated from the floor and the Board moved unanimously that he be appointed to the Board of Management. Joe Sawtus of Canadian Motorcycle, 981 Main Street and Christina Semaniuk of Carpathia Credit Union, 950 Main Street were acclaimed prior to the General Meeting.

The Executive Policy Committee recommends:

I. That pursuant to By-law No. 6220/93, Council request the Lord Selkirk-West Kildonan Community Committee to conduct a public meeting to hear representations with respect to the proposed program, zone levy and budget estimates for the year 1995 and to provide recommendations to Council within 60 days from receipt of Council's request.

II. That the following be appointed as members of the Management Board of the North Main Business Improvement Zone for the term expiring January, 1997:

Joe Sawtus
Christina Semaniuk
Ted Sobieski

Adopted by consent.

(See Minute No. 248 for attachment)

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Downtown Winnipeg Business Improvement Zone - Appointment of Members to the Management Board
File FL-7.4 (Vol. 5)

220 - 6. On January 25, 1989, Council adopted By-law No. 5080/89, being a By-law of The City of Winnipeg to designate a Business Improvement Zone to be known as the Downtown Winnipeg Business Improvement Zone. Clause 13 (5) of By-law 5080/89 states as follows:

> (5) Where a member ceases to be a member of the Board before expiration of the designated term, Council may appoint another eligible person for the unexpired portion of the term following receipt of a nomination from the Board.

On November 14, 1994 the Downtown Winnipeg Business Improvement Zone, accepted the resignation of Mr. F.W. Lynn Gallant, from the Management Board of the Downtown Winnipeg Business Improvement Zone. Mr. Gallant had been elected to a two year term which would have ended December 31, 1995.

The Downtown Winnipeg Business Improvement Zone's Management Board during its meeting of November 14, 1994 nominated Mr. Michael Hill, KPMG, 800-200 Graham Avenue, to serve the remainder of Mr. Gallant's term on the Board.

The Executive Policy Committee therefore recommends that Mr. Michael Hill be appointed as a member of the Management Board of the Downtown Winnipeg Business Improvement Zone for a term expiring December 31, 1995.

Adopted by consent.

Exchange District Business Improvement Zone -
a) Proposed Program - Zone Levy and Budget Estimates - 1995 -
b) Appointment of members to the Management Board
File FL-7.1 (Vol. 3)

221 - 7. On January 25, 1989, Council adopted By-law No. 5081/89, being a By-law of The City of Winnipeg to designate a Business Improvement Zone to be known as the Exchange District Business Improvement Zone and to establish a Management Board for the Zone. By-law No. 5081/89 requires that the Business Improvement Zone prepare for the consideration of Council its proposed program, zone levy and budget estimates.

The Exchange District Business Improvement Zone at its Annual General Meeting held on October 26, 1994, approved the proposed annual budget and program as outlined in Appendix "A".

The Executive Policy Committee recommends:

I. That pursuant to By-law No. 5081/89, 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 1995 and to provide recommendations to Council within 60 days from receipt of Council's request.

II. That the following be appointed as members of the Management Board of the Exchange District Business Improvement Zone:

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Doug Stephen - (term expiring January, 1997)
Kim Shukla - (term expiring January, 1997)
Ron Margolis - (term expiring January, 1997)
Tom Dixon - (term expiring January, 1997)
David Grusko - (term expiring January, 1997)
Richard Walls - (term expiring January, 1997)
William Percy - (term expiring January, 1997)
Valdene Buckley - (term expiring January, 1997)
Ken Reiss - (term expiring January, 1996)
Ronald Hartley - (term expiring January, 1996)
Garry Schroeder - (term expiring January, 1996)

Adopted by consent.

(See Minute No. 249 for attachment)

Establishment of a Winnipeg Access to Information Committee
File GL-5.8 (Vol. 8)

222 - 8. On November 16, 1994, Council ruled automatic referral of the following motion to Executive Policy Committee, under Rule 16.1 of the Procedure By-law No. 5400/90:

Moved by Councillor Lazarenko,
Seconded by Councillor Hyman,

WHEREAS the principles of democratic government require that the people of the City of Winnipeg be given the fullest possible access to information on the conduct of the affairs of the City so that they can intelligently exercise their rights and responsibilities as citizens;

AND WHEREAS exceptions to this right of access to information should be created only where they are necessary to protect the privacy of individuals or some clearly defined overriding public interest;

AND WHEREAS in 1984 the Executive Policy Committee appointed an ad hoc committee of members of Council to review the policy of the City of Winnipeg regarding access to information;

AND WHEREAS in 1990 the legislature of the Province of Manitoba enacted amendments to The City of Winnipeg Act which requires the City to adopt a by-law on access to information;

AND WHEREAS since 1984 there have been significant developments in other jurisdictions in the field of access to information and major new challenges and opportunities resulting from the development of computer technology;

AND WHEREAS a draft By-law No. 6420/94 was presented to City Council for approval and City Council resolved on June 22, 1994 to refer the matter to Executive Policy Committee for a public hearing;

AND WHEREAS the Executive Policy Committee held a hearing on September 8, 1994 at which time the City Ombudsman and a number of members of the public, including people with expertise in government information and human rights, made presentations which criticized and called for changes to certain portions of the draft by-law;

AND WHEREAS the Executive Policy Committee and the City Law Department have neither provided a satisfactory response to these criticisms nor recommended any significant changes to the draft by-law;

AND WHEREAS the City could benefit from a further review of the question of access to information in light of these new developments;

Report of the Executive Policy Committee dated November 30, 1994

THEREFORE BE IT RESOLVED AS FOLLOWS:

I. THAT there be created a "Winnipeg Access to Information Committee" (the "Committee") whose mandate shall be as follows:

1. to review the draft Access to Information By-law and similar by-laws and legislation in other jurisdictions;

2. to formulate recommendations on access to information by-laws and procedures which Sidney H. Davis, Treasurer, North Centennial Seniors Association of Winnipeg Inc*reflect the principle that citizens shall be given access to the information on the affairs of the City subject only to those exceptions which are required to protect the privacy of individuals or the public interest;*

3. to present its recommendations to Council on a draft by-law on access to information which can be passed under the terms of the existing City of Winnipeg Act within two (2) months of its appointment; and

4. to present its recommendations to Council on changes to The City of Winnipeg Act relating to access to information which Council should request the Provincial Legislature to enact and any further changes to the access to information by-law which could be made as a result of such amendments, within four (4) months after its appointment.

II. AND THAT Councillors Lazarenko, Thomas and Hyman be delegated jointly the responsibility for submitting recommendations for Committee appointees to the Selection Committee of the Executive Policy Committee: and that the Executive Policy Committee, in turn, shall submit the names of suitable appointees for ratification by Council, not later than the January 25, 1995 scheduled meeting of Council.

III. AND THAT members of the Committee, once appointed, shall serve on a volunteer basis and shall include persons with expertise in the following areas:

- *A member of the academic community with an expertise in municipal politics and/or government information*
- *A prominent lawyer who is a recognized authority on municipal law*
- *A professional librarian with expertise in computerized government records*
- *A citizen at large as a community representative*

AND BE IT FURTHER RESOLVED that the said Committee shall be entitled to receive the necessary financial and human resources and assistance from the offices of the Board of Commissioners, the City Clerk's Department, the City Law Department and such other offices or officers as may be deemed appropriate by the Committee;

AND BE IT FURTHER RESOLVED that the Committee may retain independent legal counsel to assist in drafting an amended by-law.

The Executive Policy Committee concurs with the above-noted motion referred by Council and recommends:

I. a) That recommendation No. I. 4. be amended by replacing the words "four (4) months" with the words "three (3) months".

b) That recommendation No. II. be amended to read as follows:

"That the Executive Policy Committee, in turn, shall submit the names of suitable appointees for ratification by Council, not later than the January 25, 1995 scheduled meeting of Council."

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

Report of the Executive Policy Committee dated November 30, 1994

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

The Speaker called Councillor Boychuk 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 and declared carried.

REPORT "A" OF THE

EXECUTIVE POLICY COMMITTEE

DECEMBER 7, 1994

On motion of Her Worship Mayor Thompson, Report "A" of the Executive Policy Committee, dated December 7, 1994, 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 and 12 be adopted.

223 - Pursuant to The Municipal Council Conflict of Interest Act, Councillor Silva advised that he would refrain from entering the discussion and from voting on Clause 1 because of a financial interest, and left the Chamber.

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

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

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

Deputy Mayor Fraser requested that Clause 9 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,3,4,5,7,10,11 and 12 was put and declared carried.

Councillor Silva here returned to the Chamber.

Her Worship The Mayor and Councillors:

Proposed Amendment to Plan Winnipeg (By-law No. 5915/92) by redesignating lands located west of the Perimeter Highway between Saskatchewan Avenue and Portage Avenue, from a "Rural" Policy Area to a "Neighbourhood" Policy Area

File EP-1.1 (PW 1/92) (Vol. 10)

224 - 1. The City has received an application by Megill - Stephenson Company Ltd. (El Mingo Developments) to develop a 62 acre site for commercial use by redesignating lands located west of the Perimeter Highway between Saskatchewan Avenue and Portage Avenue, from a "Rural" Policy Area to a "Neighbourhood" Policy Area. In order to facilitate the development of the area, an amendment to Plan Winnipeg is required.

The subject site is a piece of property outside the Perimeter Highway, that remained within the jurisdiction of the City of Winnipeg, following the cessation of the Rural Municipality of Headingley. A text amendment to Plan Winnipeg (By-law No. 4636/87) was approved by Council on May 25, 1988 to provide for a 45 acre commercial development immediately south of the Racetrack (Megill - Stephenson Property). The consolidation of approximately 17 acres of land, now owned by the Red River Exhibition, caused by the realignment of McCarthy Street, requires that a Plan Winnipeg amendment be initiated.

Megill - Stephenson Company Ltd. proposes to undertake the development of an "Auto Centre" and related retail uses on their holdings west of the Perimeter Highway, between Portage Avenue and the Assiniboia Downs Racetrack. The property is designated as "Rural" Policy Area in Plan Winnipeg, but is zoned "C3" Highway Commercial District and is serviced by a watermain installed in 1957.

This commercial development could incorporate such uses as auto stores and a "Big Box" hardware centre. There also could be "pad" sites available for restaurants, financial institutions and other free-standing retail uses.

Report “A” of the Executive Policy Committee dated December 7, 1994

The Province of Manitoba proposes to relocate McCarthy Street (entrance to Assiniboia Downs from Portage Avenue) west of its current location, and close the entrance to the "Downs" from the Perimeter Highway. The realignment of McCarthy Street will pass through a corner of the Red River Exhibition site. This realignment will result in almost 17 acres of land, owned by the "Ex", being consolidated with the Megill - Stephenson holding.

The development proposed by Megill - Stephenson has three implications with respect to Plan Winnipeg:

1. The Plan Winnipeg text amendment referred to earlier (By-law No. 4636/87) provides for the commercial use of the Megill - Stephenson site. However, the text amendment is explicit in that only previously zoned commercial land can be serviced and developed. The consolidation of the 17 acre piece of land (zoned agricultural), from the Red River Exhibition property with the Megill - Stephenson land prohibits the development proposal without a further Plan Winnipeg amendment. Because the 17 acre piece of land is zoned agricultural and not commercial, as the text amendment requires, the Megill - Stephenson proposal can not proceed without an amendment.

2. The Megill - Stephenson proposal may approach 500,000 sq. ft. in scale. However, the final determination of the uses on the site are not yet established. The floor area devoted to traditional "retail" uses will need to be limited.

3. The area does not have wastewater sewerage or piped land drainage services. An economically efficient means of servicing the area with wastewater and land drainage services will need to be identified to ensure that the proposal can be accommodated.

The Executive Policy Committee recommends:

I. That the recommendation to amend Plan Winnipeg to redesignate lands located west of the Perimeter Highway between Saskatchewan Avenue and Portage Avenue, from a "Rural" Policy Area to a "Neighbourhood" Policy Area proceed through the public hearing process.

II. That a copy of the proposed amending by-law be forwarded to the Minister of Urban Affairs.

III. That a copy of the by-law be directed to the Executive Policy Committee to carry out the consultations required under Section 579(1) of The City of Winnipeg Act and provide Council with a report and recommendations.

IV. That following receipt of the report and recommendations, Council give first reading to the Plan Winnipeg (amending) by-law in its original form or as amended.

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

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

Adopted by consent.

(See Minute Nos. 223 and 244 for disclosure of conflict by Councillor Silva)

(See Minute No. 244 for request to reconsider)

Report "A" of the Executive Policy Committee dated December 7, 1994

CentrePlan File EP-1.2 (Vol. 1)

225 - 2. "Plan Winnipeg...toward 2010" adopted by Council on June 23, 1993 committed the City of Winnipeg to the preparation of a downtown plan as expressed in policy 5B-18: "The City shall prepare, implement, and periodically review a Downtown Plan in consultation with the business community and other downtown interests".

On June 28, 1993, the CentrePlan process was launched under the direction of a steering committee representative of downtown interests and Chaired by Her Worship Mayor Susan Thompson.

After 17 months of consultation and consensus-building, the CentrePlan Committee has completed it's deliberations and has prepared two documents. The first document entitled "Visions and Strategies" lays the foundation. It articulates the long-term vision for the downtown together with strategies intended to see the vision realized over the long-term. The second encompasses a two-year action plan that responds to priorities identified through the planning process.

The second document entitled "Action Plan, 1995-1996" reflects the downtown community and the extensive input that has been received. The result is a balanced approach, one that addresses the main concerns and explores recognized opportunities. The plan is realistic and strategic. It focuses on specific actions that can make an impact in the short term while building toward long term gain. Responsibilities and resources are identified and demonstrate the plan's greatest strength: the commitment of its participants to make things happen through partnerships.

As a partner in CentrePlan, the City of Winnipeg has a shared responsibility for implementing the "Action Plan, 1995-1996".

The Executive Policy Committee recommends:

I. That Council:

1) Endorse the CentrePlan document entitled "Vision and Strategies" to set a framework for future actions and decisions respecting Downtown.

2) Instruct the Commissioner of Parks, Protection and Culture to initiate a "block-parent" type program for businesses in the Downtown.

3) Endorse the concept of a Neighbourhood Management approach to local area planning, consistent with "Plan Winnipeg...toward 2010", and instruct the Commissioner of Planning and Community Services to develop this capability within the administration through reorganization.

4) Instruct the Commissioner of Planning and Community Services to establish a development application process to expedite Downtown applications through the "One-Stop Shop".

5) Endorse the implementation of a limited-time transfer option for transit.

6) Endorse the concept of a dedicated city maintenance crew for the Downtown and instruct the Commissioners of Works and Operations and, Parks, Protection and Culture to provide a proposal for implementation for Council consideration.

7) Endorse the recommendation of a "Percent for Art" policy for all Downtown development projects and instruct the Commissioner of Planning and Community Services to provide a proposal for implementation together with related revisions to appropriate Civic By-laws, for Council consideration.

8) Instruct the Commissioner of Planning and Community Services to review the Downtown Zoning By-Law No. 4800, to address the following considerations:
   a) simplifying regulations;
   b) promoting mixed-use development where appropriate;
   c) reflecting the concepts of clustering, compactness and density;

Report "A" of the Executive Policy Committee dated December 7, 1994

and to provide proposals for implementing change for Council consideration.

9) Instruct the Commissioner of Planning and Community Services to review the Winnipeg Building By-Law, to allow for adaptive re-use of existing buildings and to provide a proposal for implementation for Council consideration.

10) Instruct the Commissioner of Planning and Community Services to review Zoning By-Law No. 6400 to give preference to the Downtown for the location of office and retail uses and to provide a proposal for implementation for Council consideration.

11) Instruct the Commissioner of Planning and Community Services to provide guidelines for design review as required by the Downtown Winnipeg Zoning By-Law No. 4800 for Council consideration.

12) Instruct the Commissioner of Planning and Community Services to provide continued staff support to the CentrePlan Committee.

II. That Options No. 4 and 5 of the transit proposal "Traffic, Transit and Pedestrian Facilities on Portage Avenue, between Colony and Main", dated May 20, 1994, be pursued; and that Council authorize the appropriate departments to undertake a technical evaluation of those options, including traffic analysis, design considerations and improvement costs.

III. That a shuttle service in the Downtown be pursued, beginning with a demonstration project to establish viability and that Council commit $75,000 to share the operating costs with CentrePlan partners of the demonstration project.

IV. That free-metered parking on Saturdays (two-hour time limitation) in the Downtown be re-established.

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

Moved by Councillor Murray,
That the clause be referred to the Committees on Works and Operations and Planning and Community Services.

With the permission of Council, Councillor Murray withdrew the motion to refer.

In amendment,

Moved by Councillor Reese,
Seconded by Councillor Boychuk,
THAT the clause be amended by adding the words "appropriate Standing Committee" immediately following any reference to a respective Commissioner in each of the recommendations contained within the clause.

The amendment was put and declared carried.

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

1995 Civic Election- Electronic Systems Development File GK-2 (Vol. 19)

226 - 3. The City Clerk's Department is responsible for all matters regarding the 1995 Civic Election, including the newly-directed responsibility for the enumeration of electors and preparation of voters' lists. In addition, numerous changes in election support processes and reporting systems are required to accommodate a wholesale conversion from the mainframe-based system utilized in prior civic elections to a PC-based system.

Report “A” of the Executive Policy Committee dated December 7, 1994

In accordance with the provisions of "The City of Winnipeg Act" and "The Local Authorities Election Act", the City Clerk assumes all responsibility of the Returning Officer for municipal elections and the City Clerk's Department conducts all municipal elections for the offices of the Mayor, Councillors and School Trustees.

On July 4, 1994, the Province of Manitoba gave Royal Assent to Bill 17, "The City of Winnipeg Amendment and Consequential Amendments Act", which dealt with civic election reform including the enumeration process, voters' lists and usage of electronic voting.

Specifically, "The City of Winnipeg Act" was amended to include the following:

Bylaw re devices for voting and counting votes
89.3.2(1) The council may pass a by-law respecting the use at elections of voting machines, voting recorders, optical scanning vote tabulators, or other devices, and any such by-law shall include provisions

(a) prescribing the form of ballot;

(b) respecting procedure for voting and for counting votes;

(c) respecting any other matter that the council considers necessary or advisable.

A request for information regarding automated voting systems was issued and sent out to 26 firms across North America. Responses were received from a number of these firms and ranged from general responses offering aid in developing a custom system to detailed responses on already existing current systems. Notably a number of the responses were made by companies in the forefront of election technology, specifically optical scanning.

Optical scanning technology involves the voter marking his/her choices on a paper ballot. This paper ballot is then fed into the voting machine which scans the ballot using a light sensor and records the result onto a memory card. The machine then drops the ballot into a ballot box. These types of systems are preferred over other types of automated voting systems as they use paper ballots, which form a complete audit trail. The one ballot needed per voter can contain several races, make use of one or both sides of the ballot, and can be any size up to 11 by 17 inches in size, accommodating a variety of font sizes and candidate name display. After polls close, the results from each voting machine are transferred electronically to a central computer, which uses vote tabulating software to produce the final results.

The City Clerk's Department has explored the electronic voting systems available and identified and met with the two leading vendors specializing in the optical scanning services. Departmental and Council representatives observed an electronic election held in Vancouver in the fall of 1993, and an election held in Cedar Rapids, Iowa in the fall of 1994. The election held in Vancouver utilized an American vendor, "Business Records Corporation", who have also supplied numerous Canadian jurisdictions, while the election held in Cedar Rapids utilized a Canadian vendor, "Global Election Systems", with a different scanning approach. In both elections, final results were available to the public within 2 hours after polls closed. A presentation has been prepared by the Department on these on-site studies.

The RFI responses indicate the fiscal advantages of pursuing scanning technology. The initial cost of procuring a system could be partially borne by the 1995 election account allocation, if savings are realized by utilizing a "Provincial List of Electors". The equipment purchased would be viable for use not only in this election, but as well for several future elections into the next century and beyond. There would be very little additional cost involved in using the equipment for second and subsequent elections. This equipment will not only provide much quicker and more accurate results from elections, but will also provide the City with substantial savings by eliminating much of the overtime and employees required on a traditional election night. As such, election reporting will be much more efficient and accurate, and the cost of subsequent civic elections will be reduced.

It is anticipated that the RFP would be issued in January, 1995 and that a further report and presentation to all Members of Council would be provided by the Ad Hoc Committee on Election Review.

Your Executive Policy Committee recommends that the City Clerk be instructed to prepare a request for proposals (RFP) for automated voting systems to ascertain the costs of such and to determine the process to be utilized for the 1995 Civic Election.

Adopted by consent.

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Development Applications in the Wilkes South Area
Files DASSF, PR-7, EP-1.2 and DAZ

227 - 4. On November 8, 1994, the Assiniboia Community Committee recommended that the Assiniboia Community's portion of all funds from the 10% dedication in lieu of the requirement for land for open space, park and recreational use, for the Wilkes South Area, be dedicated towards Marj Edey Park which is the closest park to the area.

On November 22, 1994, the Committee on Planning and Community Services considered and referred the matter to the Executive Policy Committee and the Committee on Protection, Parks and Culture for their comments.

On November 24, 1994, the Committee on Protection, Parks and Culture concurred in the recommendation of the Assiniboia Community Committee.

The Executive Policy Committee therefore recommends:

I. That the Assiniboia Community's portion of all funds from the 10% dedication in lieu of the requirement for land for open space, park and recreational use, for the Wilkes South Area, be dedicated towards Marj Edey Park.

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

Adopted by consent.

Community and Race Relations Committee
File CR (Vol. 9)

228 - 5. The Executive Policy Committee, on December 7, 1994 considered the following motion from The Community and Race Relations Committee meeting on December 5, 1994, namely:

'WHEREAS the City of Winnipeg Community and Race Relations Committee is currently undergoing a review of the Mandate, Membership Criteria and Membership Structure of the Committee;

AND WHEREAS it is deemed necessary to ensure continuity for The Year for Racial Harmony Project;

AND WHEREAS the current memberships of the Community and Race Relations Committee, with the exception of the Mayor, City Council's representative, the Chief Commissioner and the Chief of Police will expire on December 31, 1994;

NOW THEREFORE BE IT RESOLVED that the Ad Hoc Selection Committee for Memberships on Boards and Commissions defer making any new appointments to the Community and Race Relations Committee until the review is completed;

AND BE IT FURTHER RESOLVED that the current memberships continue with all the powers, rights and privileges thereto pertaining for an extended period of time not beyond March 31, 1995, to allow for the completion of the review and transition of authority to the new membership."

The Executive Policy Committee concurs in the motion adopted by the Community and Race Relations Committee and therefore recommends:

Report "A" of the Executive Policy Committee dated December 7, 1994

I. That the current memberships of the Community and Race Relations Committee continue with all the powers, rights and privileges thereto pertaining for an extended period of time not beyond March 31, 1995, to allow for the completion of the review and transition of authority to the new membership.

II. That the current members on all City of Winnipeg Boards and Commissions remain until such time as Council appoints their successors. (Note: The Selection Committee is endeavouring to make recommendations to Council in January 1995.)

Adopted by consent.

Campaign Expenses and Contributions
By-law No. 6500/94
File GK-2 (Vol. 19)

229 - 6. Council on October 20, 1993, referred the following motion to the Ad Hoc Committee on Election Review, namely:

Moved by Councillor Thomas,
Seconded by Councillor Murray,

THAT Clause 1 of the Report of the Executive Policy Committee dated October 13, 1993, be amended to require that all candidates be required to fully disclose all receiptable donations, under the section entitled "Filing of Audited Financial Statement".

At the last session of the Legislature, the Province passed Bill 17, amending Part IV of The City of Winnipeg Act (Election Expenses and Contributions), which necessitates amendments to the Campaign Expenses and Contributions By-law.

In its report to Council in October 1993, the Ad Hoc Committee on Election Review advised of its intention to examine the issues of limitation of campaign expenses and disclosure of contributors, issues which are under Council's jurisdiction, under the provisions of its Campaign Expenses and Contributions By-law. The Ad Hoc Committee advised that its review would be concluded after the Provincial Government considered proposed amendments to The Local Authorities Election Act and The City of Winnipeg Act as requested by Council.

The Ad Hoc Committee requested input in proposing amendments to the Campaign Expenses and Contributions By-law from all Official Agents for Mayoralty and Councillor Candidates in the last election, and also from the general public at a meeting which it held on July 15, 1993.

Bill 17, given Royal Assent on July 5, 1994, incorporates legislative amendments to the following sections of The City of Winnipeg Act regarding campaign expenses and contributions:

C.W.A. SECTION	DESCRIPTION OF AMENDMENT
95(1)	Campaign period of mayoralty candidates will begin May 1 instead of 120 days before the election. (Note: This is the period during which election expenses and contributions can be incurred.) The campaign period for other candidates was not changed, and is therefore 120 days before election day. Post-election campaign period for all candidates will be extended to March 31 from January 31.
96(2)	To streamline process, candidates would file audited statement on expenses/contributions with person designated by Council under 96(1)(f) to report on expenses and contribution matters, instead of Returning Officer.

Report "A" of the Executive Policy Committee dated December 7, 1994

C.W.A. SECTION	DESCRIPTION OF AMENDMENT
96(2.1)	Makes date for filing audited statement May 31 instead of 120 days after election, because of campaign period extension to March 31. For registered candidates who are not nominated or who withdraw their nomination, the audited statement must be filed within 60 days of election day. (Ensures candidates who pull out before the election will file their statement of expenditures and contributions.)
97(1)	Removes ambiguous term"solicit" while maintaining intent of section to prohibit the receiving of contributions or spending of funds prior to the candidate's registration.
98(1)(d)	Clarifies that the agent's responsibility is to ensure audited statement is prepared. It is the candidate's responsibility to file statement.
100(3)	Provision expanded to ensure that registered candidates who are not nominated or withdraw, as well as defeated candidates, will not be eligible for future nomination until they file their audited statement.

Amendments to the Campaign Expenses and Contributions By-law have been drafted incorporating the above-noted legislative amendments approved under Bill 17.

The Ad Hoc Committee recommends that the following amendments under the jurisdiction of Council be approved, for incorporation in the Campaign Expenses and Contributions By-law, namely:

Limitation - Campaign Expenses for Mayor - (Section 11(4) of the By-law)

Presently, the Campaign and Expenses By-law permits the total campaign expenses incurred by a registered candidate for the office of Mayor to be calculated using a formula of $.50 per elector in the City. In the 1992 election, Mayoralty candidates could incur total campaign expenses in the amount of $199,468.74. The Ad Hoc Committee is of the view that this amount should be reduced and recommends that the total campaign expenses that can be incurred by Mayoralty candidates not exceed $.30 per elector. (Approx. $119,000 - 1992 data)

Limitation - Campaign Expenses for Councillor - (Section 11(5) of the By-law)

Presently, the By-law permits the total campaign expenses incurred by a registered candidate for the office of Councillor to be calculated using a formula of $1.25 times the number of electors in the ward. The Ad Hoc Committee recommends that this amount be also reduced and recommends that the total campaign expenses that can be incurred by Councillor candidates not exceed $ 0.75 per elector. (Approx. average $20,000 per Ward, depending on the number of electors in each Ward)

Financial Statement and Auditor's Report - (Section 14 of the By-law)

The Ad Hoc Committee recommends that the Financial Statement and Auditor's Report, (Form 4 - Page 17 in the By-law) be revised to meet the generally accepted standards (GAAS), as outlined in the handbook of the Canadian Institute of Chartered Accountants.

Record of Contribution - (Section 8(5) of the By-law)

Presently, the By-law stipulates that candidates keep a record of all contributions in excess of $25.00, whether money, goods or services. The Ad Hoc Committee recommends that the $25.00 stipulation be removed, inasmuch as all contributions must be receipted and records maintained.

Tickets for Fund-Raising Events - Considered a Contribution - (Section 9(4) of the By-law)

Presently the By-law provides that one-half of the ticket price charged for a fund-raising event (to a $25.00 maximum) may be considered not to be a contribution to a campaign. The Ad Hoc Committee has considered the Ontario legislation and recommends that the By-law be amended to stipulate that any charge made for a fund-raising event by the sale of tickets, be considered as a campaign contribution.

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Payment - More than $50 - Receipt to be Obtained - (Section 11(9) of the By-law)

Presently, the By-law requires a receipt be obtained for all campaign expenses in excess of $25.00. The Ad Hoc Committee recommends that a receipt be obtained for all campaign expenses in excess of $50.00.

Campaign Expenses and Contributions Officer -

Subsection 96(1)(f) of The City of Winnipeg Act (C.W.A.) requires that Council by by-law appoint a Campaign Expenses and Contributions Officer, whose duties and responsibilities include the following:-

(1) assist registered candidates to comply with the provisions of this by-law relating to campaign expenses and contributions;

(2) examine audited financial statements filed by registered candidates;

(3) obtain such other information as the Campaign Expenses and Contributions Officer considers necessary for the purpose:

(a) of making a report to Council on any apparent failure of a registered candidate to comply with the provisions of this by-law; or

(b) of making a report to Council on any other matters set out in this by-law."

The Campaign Expenses and Contributions By-law states that the appointment of the Campaign Expenses and Contributions Officer shall be made upon recommendation of the Returning Officer. On September 19 1990, Council passed By-law No. 5551/90, which appointed Mr. Douglas John Locheed to the position of Campaign Expenses and Contributions Officer. Before retiring, Mr. Locheed served in this capacity during both 1991 by-elections and the 1992 general election, in addition to fulfilling his responsibilities as Senior Accountant with the Finance Department. Remuneration was based on the amount of time worked over and above his normal duties at his position salary.

The following is one of the recent legislative amendments requested by the City, which was not included in Bill 17:-

"Establish an independent commission to handle the complexities involved in all aspects of election campaign finance matters, including campaign expenses and contributions, property tax credits and any contravention of the statutory or by-law provisions (similar to Ontario legislation)."

By letter dated July 21, 1994, from the Minister of Urban Affairs, the City was advised that the requested amendment was not acted upon in light of the fact that, under existing provisions, Council can designate an independent person to oversee this process if it so chooses [C.W.A. ss. 96(1)(f)].

With respect to Provincial Elections, Elections Manitoba has an experienced Elections Finance Officer whose main responsibility is the regulation/application of The Elections Finance Act.
Having an Official from Elections Manitoba perform this responsibility would not only ensure the proper application of the by-law provisions, but also remove the perceived conflict of placing a City Administrator in the position, on the one hand, of serving members by providing advice and counsel in the traditional administrative capacity, and on the other hand, of acting as an election compliance and investigative officer.

The Ad Hoc Committee is therefore recommending that authorization be given to the City Clerk to enter into discussions with the Chief Electoral Officer of the Province of Manitoba to determine the feasibility of designating an Elections Manitoba Official to act as the City's Campaign Expenses and Contributions Officer.

The Executive Policy Committee recommends:

I. That By-law No. 6500/94, which amends the Campaign Expenses and Contributions By-law No. 5550/90, be forwarded to Council for approval.

II. That the City Clerk be authorized to enter into discussions with the Chief Electoral Officer of the Province of Manitoba to determine the feasibility of designating an Official from the Office of Elections Manitoba to be

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appointed as the City's Campaign Expenses and Contributions Officer, to oversee all aspects of election campaign finance matters, including campaign expenses and contributions as required under Section 96(1)(f) of The City of Winnipeg Act and the City's Campaign Expenses and Contributions By-law No. 5550/90, as amended.

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

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

The Speaker advised that with Council's concurrence, the clause would be tabled until completion of deliberation of the other clauses submitted by Executive Policy Committee.

(See Minute No. 236 for disposition of Clause 6)

Amendment to the Policy for Appointment to Boards and Commissions File GC-7 (Vol. 24)

230 - 7. Council on May 25, 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 Boychuk,
Seconded by Councillor Reese,

THAT the policy for appointment to Boards and Commissions be amended to ensure that citizen members reside within The City of Winnipeg and/or ward affected."

Executive Policy Committee, on June 8, 1994, referred the matter to the Ad Hoc Committee to Review the Administration and Management Structure for review. On June 15, 1994, the Executive Policy Committee dissolved the Ad Hoc Committee and on July 20, 1994, referred the matter to the new Task Force appointed by Council on June 22, 1994, relative to the future political restructuring of City Council.

The Executive Policy Committee concurs in the above-noted motion and forwards it to Council for adoption.

Adopted by consent.

Creation of a "Winnipeg Taxation Fairness Committee File FL-2 (Vol. 12)

231 - 8. Council on July 20, 1994, ruled automatic referral of the following motion to your Committee, under Section 16.1 of the Procedure By-law No. 5400/90:

Moved by Councillor Lazarenko,
Seconded by Councillor Golden,

WHEREAS the City of Winnipeg has one of the highest rates of property taxation in Western Canada for the "typical" house, while at the same time one of the lowest expenditure levels per capita for the delivery of municipal services;

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AND WHEREAS Winnipeg relies heavily upon property assessments for its source of taxation revenue in comparison to other cities in Canada;

AND WHEREAS the Council of the City of Winnipeg has devoted extensive time, energies and efforts in keeping the levels of taxation and their increases at reasonable levels;

AND WHEREAS the citizens of Winnipeg continue to express an ongoing concern related to the level of taxation levied on an annual basis;

AND WHEREAS there is a public perception that the system and level of taxation levied by the City of Winnipeg is both inequitable and unfair;

AND WHEREAS a system of taxation which is perceived and is seen to be fair, equitable and competitive to ratepayers and the commercial community is essential to the future economic well-being and prosperity of the City of Winnipeg;

NOW THEREFORE BE IT RESOLVED by Council of the City of Winnipeg that there be created a "Winnipeg Taxation Fairness Committee" (the "Committee") whose mandate and make up shall be as follows:

Mandate

1. *to examine and categorize existing sources of revenue now received by the City of Winnipeg;*

2 *to identify the proportion each category of tax revenue received represents as a part of the whole;*

3. *to examine taxation systems utilized in other municipal jurisdictions;*

4. *to present to the Council of the City of Winnipeg such recommendations as it deems appropriate for the implementation of a fair system of taxation which corrects existing inequities and disparities in levels of and the system of taxation;*

5. *to present its recommendations in a report to Council within one (1) year of its appointment.*

Committee Members

Members of the Committee to be appointed by the Mayor, on a volunteer basis, in consultation with Council, shall consist of a broad representation of the community (proposed groups outlined on Appendix "A").

Council shall approach the provincial Minister of Justice to appoint the Chief Justice of the Court of Queen's Bench or his designate to chair the Committee.

AND BE IT ALSO RESOLVED that the said Committee shall be entitled to receive the necessary financial and human resources and assistance from the offices of the Board of Commissioners, the City Clerk's Department, the City Assessor and such other office(s) or officer(s) as may be deemed appropriate by the Committee.

AND BE IT FURTHER RESOLVED that the Committee be entitled to determine its own rules of procedure.

On August 31, 1994, the Executive Policy Committee referred the matter to a Council Seminar for consideration and report back.

The Executive Policy Committee recommends that Council grant an additional extension of time of 60 days in order for the City Clerk to determine and report back on the resources required to assist the Committee in its operations.

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

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

Council recessed at 11:59 a.m., and reconvened at 1:37 p.m., same members present, Councillor Eadie in the Chair.

Councillors Angus, Duguid, O'Shaughnessy and Thomas entered the meeting after Council had reconvened.

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

Task Force on the Restructuring of City Council File GL-5.6 (Vol. 6)

232 - 9. Council at its meeting held on June 22, 1994, adopted Clause 9 of the Report of the Executive Policy Committee dated June 15, 1994, which established the Task Force on the Restructuring of City Council to make recommendations relative to the future political restructuring of City Council, and charged the Committee to submit its preliminary recommendations to Council no later than November 30, 1994 and a final submission to Council on or before March 31, 1995.

Council at its meeting held on November 16, 1994 adopted Clause 22 of the Report of the Executive Policy Committee, dated November 9, 1994, which provided for an extension of time of 30 days for the Task Force to submit its preliminary report.

As of December 1, 1994 the Task Force has held twelve (12) meetings, including a Public Meeting held on October 18, 1994, at which time the Committee heard representation from 24 delegations. To encourage public contribution, the Task Force utilized media advertisements and sent letters to former Councillors, and numerous interested individuals and organizations. In addition, input was solicited from all Council Boards and Commissions as to whether continued Council representation is deemed advisable given Council workload and the reduction in Council size.

At its meetings the Task Force has reviewed its mandate, set terms of reference and established a working schedule. The Committee reviewed the current political/administrative operating parameters, current administrative reporting relationships and developed alternatives for a "transitional model" to meet the requirements of implementing the "New Direction" strategy, to be effective February 18, 1995.

At the Public Meeting held on October 18, 1994, recommendations were received from delegations, in response to the "focus questions" prepared by the Task Force as outlined in Appendix "C". The responses from the delegations have been summarized in Appendix "D". The numerous recommendations received are being closely considered by the Task Force. Notably, two primary themes have emerged; that Council should be supreme, and that the roles and responsibilities, and delegation of authority must be reviewed to improve the decision-making process. In addition, the Task Force concurs that The City of Winnipeg Act must provide the flexibility required for Council to determine its operating structure and how it wishes to delegate its powers and duties. It is the Task Force's belief that significant changes are required to improve the current decision-making structure. These changes are far reaching and will form the basis of the Committee's final report to Council at its meeting of March 22, 1995, including recommendations for necessary legislative amendments.

The Task Force will continue its deliberations and will continue to solicit input into its future recommendations. The Committee will continue to explore and deliberate all aspects of the decision-making process including roles and responsibilities and the delegation of authority.

The Executive Policy Committee recommends:

I. That Council adopt a transitional model of decision-making incorporating Executive Policy Committee and the existing four Standing Committees, with reporting relationships as outlined in Appendix "A" Executive and Functional Organization and Appendix "B" Administrative Organization.

Report "A" of the Executive Policy Committee dated December 7, 1994

II. That the Acting City Solicitor prepare an Organizational By-law to be considered by Council at its meeting of January 25, 1995, in accordance with the above, to replace By-Law No. 4444/86.

III. That the Task Force continue its analysis and exploration of all aspects of the decision-making process, including roles and responsibilities and the delegation of authority and report back to Council on March 22, 1995, with its recommendations in a final report.

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

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

Carried.

Subdivision and Rezoning of land bounded by the Perimeter Highway on the west, Charleswood Road on the east, the abandoned CNR Cabot Subdivision (Ridgewood Corridor) on the north and the CNR Mainline/Wilkes Avenue on the south - Assiniboia Community

File DASZ 7/91

233 - 10. Council at its meeting held on December 15, 1993 granted the Executive Policy Committee an extension of 120 days to deal with Clause 6 of the Report of the Committee on Planning and Community Services, dated May 11, 1992. The clause is with respect to the Subdivision and Rezoning of land bounded by the Perimeter Highway on the west, Charleswood Road on the east, the abandoned CNR Cabot Subdivision (Ridgewood Corridor) on the north and the CNR Mainline/Wilkes Avenue on the south, in the Assiniboia Community.

On September 21, 1994, Council granted the Committee a further extension of time of 90 days.

On July 12, 1994, the Assiniboia Community Committee recommended that Executive Policy Committee amend Clause 6 of the Report of the Committee on Planning and Community Services dated May 11, 1992, in order that Phase I of the subdivision include the construction of Dale Boulevard to connect with Cullen Drive as Councillor Clement advised that this had originally been the intent of the former Assiniboine Park-Fort Garry Community Committee.

On October 25, 1994, the Committee on Planning and Community Services laid the matter over until the September 5, 1995 meeting of the Committee on Planning and Community Services or until such time as TransPlan 2010 is adopted by Council.

Inasmuch as it is anticipated that TransPlan 2010 will not be completed until late 1995, the Executive Policy Committee recommends that Council lay this matter over until the Executive Policy Committee meeting to be held on November 15, 1995.

Adopted by consent.

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Appointment to the Position of Deputy Fire Chief File GP-1.18 (Vol. 4)

234 - 11. The position of Deputy Fire Chief became vacant on November 13th, 1994, upon the retirement of Deputy Chief Frank Cielen. The position was bulletined on October 31st, 1994.

Fifteen applications were received. These applications were first short-listed to six candidates who were interviewed by the Fire Chief and the Director of Personnel. Three of these candidates were selected for a second interview.

The three short-listed candidates were interviewed by the Fire Chief, the Director of Personnel, and the Commissioner of Protection, Parks and Culture. It is the unanimous opinion of the interview team that Mr. Gary R. Richardson be appointed to the position. Mr. Richardson has prepared himself for the position through university education and a broad range of experience in the department. He brings vision and a broad perspective along with leadership skills that will serve the Fire Department and the City well.

The Executive Policy Committee recommends that Mr. Gary R. Richardson, currently Assistant Deputy Chief in the Fire Department, be appointed to the position of Deputy Fire Chief, at Step 5, Level VII, Management/Professional Group Salary System, $66,482 per annum, subject to the standard Senior Management employment contract.

Adopted by consent.

Replacement of the City of Winnipeg Float Files FG-1 (Vol. 10) & G-2.1 (Vol. 20)

235 - 12. On December 7, 1994, the Executive Policy Committee considered the following motion from the Ad Hoc Committee on Grants, namely:-

"*WHEREAS the City of Winnipeg Float has been in use since the mid 1980's and due to its extensive participation in many parades promoting the City of Winnipeg, it is the opinion of the Ad Hoc Committee on Grants that the float needs to be replaced;*

AND WHEREAS there is an urgency in replacing the City of Winnipeg Float due to its upcoming annual participation in both the St. Paul Winter Carnival and the Festival Du Voyageur Parades to be held in February;

AND WHEREAS it has been estimated that $30,000.00 exclusive of taxes would be required to replace the City of Winnipeg Float;

THEREFORE BE IT RESOLVED that all unexpended monies in the 1994 float account (approximately $12,500.00) be applied towards the replacement of the existing float;

AND BE IT FURTHER RESOLVED that the balance of monies required be allocated from the 1994 Grey Cup Bid Account."

The Executive Policy Committee concurs with the above-noted motion and recommends:

I. That all unexpended monies in the 1994 float account (approximately $12,500.00) be applied towards the replacement of the existing float and that the balance of monies required be allocated from the 1994 Grey Cup Bid Account.

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

Adopted by consent.

Report "A" of the Executive Policy Committee dated December 7, 1994

Council here proceeded to consider the order of business - "Clause 6 of the Report of the Executive Policy Committee, dated December 7, 1994".

Campaign Expenses and Contributions
By-law No. 6500/94
File GK-2 (Vol. 19)

236 - The Acting Speaker, Councillor Eadie, called Councillor Boychuk to the Chair in order to participate in the debate.

The Speaker here resumed the Chair.

In amendment,

Moved by Councillor Thomas,
Seconded by Councillor Murray,
BE IT RESOLVED THAT By-law No. 6500/94 be amended to require filing and full disclosure of all receiptable donations, under the section entitled "Filing of Audited Financial Statement".

The amendment was put.

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

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

Nay: Councillors Clement, Eadie, Lazarenko, 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 was put and declared carried.

EXECUTIVE POLICY COMMITTEE

MOTION OF WHICH NOTICE HAS BEEN GIVEN

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

237 - WHEREAS the City's present single form tax bill includes:

1) school levies in total only, i.e. the Provincial Government's support levy plus the appropriate School Board's special levy;

2) the City's general municipal levy;

3) sewer and water maintenance levies, and

4) local improvement levies and/or other special charges, if applicable;

THEREFORE BE IT RESOLVED THAT a review be undertaken of the possible separation of tax levy billings into two, one for municipal tax levies and a separate bill for school tax levies.

The motion was put and declared carried.

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by Councillor Lazarenko,
Seconded by Councillor Golden,

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

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

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

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

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

THEREFORE BE IT RESOLVED that Executive Policy Committee investigate and report back to Council within 60 days, on the advisability of reintroducing the submission of money by-laws and referenda to the electorate of Winnipeg on the basis that any proposed capital expenditure of $10 million or more be submitted to the electorate on a date decided by Council unless the project is exempted by a two-thirds majority of Council Members.

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

Executive Policy Committee - Motions (continued)

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

239 - WHEREAS Council on November 16, 1994, adopted Clause 3 of the Report of the Executive Policy Committee dated November 9, 1994, pertaining to library fees and charges;

AND WHEREAS Recommendation I.(f) therein stated "That the default replacement prices be increased as outlined in Appendix "A" ...";

AND WHEREAS the schedule in Appendix "A" inadvertently identified the 1994 average replacement price, when the list price is unknown, as $1.50 for a juvenile cassette, and the proposed 1995 fee as $2.50;

AND WHEREAS the schedule should have read:

CURRENT 1994 FEE	**PROPOSED 1995 FEE**
PRICE UNKNOWN	PRICE UNKNOWN
$1.50 Juvenile Periodical	$2.50 Juvenile Periodical
$12.00 Cassette	$12.00 Cassette

THEREFORE BE IT RESOLVED that the aforesaid Appendix "A" be amended to reflect the intent of the foregoing, by noting that the Juvenile item is to refer to Periodicals and adding the item Cassette with related costs.

The Speaker ruled automatic referrral to the Executive Policy Committee in accordance with Rule 16.1 of the Procedure By-law.

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

The motion to suspend the rule was put and declared carried.

The motion was put and declared carried.

Moved by Councillor Murray,
Seconded by Councillor Thomas,

240 - WHEREAS a budget process is needed with greater control of spending by citizens through their Councillors;

AND WHEREAS to evaluate the health of any budget process, the budget process should have objectives and a criteria that the process and results can be evaluated by to determine success or failure;

THEREFORE BE IT RESOLVED THAT the budget process should be amended to include these features:

1) The process should follow clear, consistent and published rules established by Council. The system used should reasonably accommodate representations from Councillors and concerned citizens;

2) It should promote consensus building and constructive debate within the principles of majority rules;

3) The budget should be developed from clear policies and supported by accessible, readable and complete budget documents and financial statements;

Executive Policy Committee - Motions (continued)

4) The timing of the budget process should begin and end before the beginning of the fiscal year in which it is to be expended. A critical path that allows for appropriate preparation, development, review and approval sessions should be established;

5) Revenue and expenditure projections should realistically reflect past experience, thereby avoiding year-end corrections which become necessary to maintain services such as snow removal or temporary staffing;

6) Reserve, surplus accounts, funds and utility transfers should have clear policies establishing the criteria under which disbursements can be made. These accounts should not be used as a substitute for current income. Regular reports on activities and transactions associated with these accounts and reserves should be made to Council;

7) The Mayor and Executive Policy Committee should take responsibility for the budget drafts and present a budget to Council for review based on a policy document, as well as documents such as Plan Winnipeg and major policy papers drafted by Standing Committees such as New Directions for Libraries, City Waste Minimization Strategy and so on;

8) A Central Budget Committee of Councillors should be established on the model of a Treasury Board. The function of this Committee would be to co-ordinate the Budget Review Process with all Standing Committees. This review would facilitate the development of policy and budgets within the overall framework established by Council;

9) The reliance on capital expenditures to implement policy should be limited and an integrated review of capital and operating expenditures in each program should be undertaken. For example, transportation and waste management capital projects should proceed at a much faster pace than the operating components of these programs;

10) Policy statements and budget envelopes should be assigned to each area of the Civic Administration at the beginning of the process. Once overall spending guidelines have been established for the upcoming year, each Standing Committee should establish a budget envelope for each directorate under its policy responsibilities. Specific Departments under each directorate would develop a budget within the assigned envelope consistent with the approved policy and priorities statement;

11) Each Department should establish a list of essential and non-essential services. Core services which are fundamental to the delivery of the Civic Administration's mandate should be identified and reviewed separately from non-essential services. The criteria for establishing core services should be flexible given the diversity of City programs;

12) The current Operating Budget should be developed with a rolling three year projection of expenditures for each area of operations. Estimates of revenue growth and mill rates would reduce the unpredictability currently associated with property taxes. A larger Operating Budget Window would lend itself to more realistic efforts to control expenditures which involve reorganization or replacement of program. This system would also mitigate against political quick fixes that result in long-term increases in Operating Costs. Delaying expenditures that are inevitable compounds the cost on the following years Budget;

13) The expenditure of current (Operating) and Capital Budget Allocations require a strong mechanism for accountability. The auditor should ensure expenditures can demonstrate efficiency, effectiveness and equity. A Freedom of Information By-law should be enacted to ensure that audits and budget information is accessible in a readable format. Provisions should be made to allow major capital expenditures to be the subject of a citizen review through plebiscites;

14) Reorganization and rationalization of services needs to ensure direct service cuts are not undertaken at the expense of vulnerable populations and less affluent communities. Public services must be sensitive to Winnipeg's diverse population. Creative extension and delivery of services can be achieved through enhanced partnerships with Community and Business and Labour groups with careful planning to ensure clear lines of public accountability; and

15) Productivity levels should be considered in the development of budgets. Productivity as it relates to service effectiveness should be of concern as a ratio of input costs to outputs. Some cities have built productivity measurement and enhancement programs into their budget process. Strategies to improve productivity

Executive Policy Committee - Motions (continued)

include improvements to operating procedures, utilization of new technology, enhancement of the skills and motivation of employees and improving labour relations. This is not based on an assumption that departments are not productive but rather that such strategies work to improve the use of resources and serve the public. An ethic of striving for excellence and being the finest City should be at the foundation of our budget process.

Required to Stand as Notice of Motion
in accordance with Rule 17.1 of the
Procedure By-law

Moved by Councillor Boychuk,
Seconded by Councillor Reese,
241 - THAT the Province of Manitoba be requested to amend The City of Winnipeg Act in order that the campaign period for the Office of Councillor begin on May 1, 1995, consistent with that for the Office of Mayor.

Carried.

Councillors Lazarenko, O'Shaughnessy and Silva asked to be recorded as having voted against the motion, in accordance with Rule 50.7 of the Procedure By-law.

Moved by Councillor Murray,
Seconded by Councillor Hyman,
242 - WHEREAS Plan Winnipeg calls for the development of a priorities plan (Page 122, Section A, Chapter 7) to be prepared for Council, not later than June 30, 1993;

AND WHEREAS Winnipeg's City Council was supposed to establish a Plan Winnipeg Review Committee within ninety days of the Provincial Government approval of By-law No. 5915/92 (Page 128, Section G, Chapter 7);

THEREFORE BE IT RESOLVED THAT a working group of four councillors and eight citizens be appointed by City Council to fulfil the mandate of Plan Winnipeg, Sections A and G of Chapter 7.

Required to Stand as Notice of Motion
in accordance with Rule 17.1 of the
Procedure By-law

Moved by Councillor Prystanski,
Seconded by Councillor Hyman,
243 - WHEREAS the Task Force on the Restructuring of City Council has recommended a transitional model for the operation of Council business which is a temporary model;

AND WHEREAS City Council is investigating new ways of improving the efficiency of the reporting process to Council;

AND WHEREAS there are issues that constantly reappear where City Councillors are of the opinion that they have had little initial involvement that ultimately cause the citizens of Winnipeg substantial aggravation;

AND WHEREAS City Councillors through Council are the ultimate authority in the decision making process for the citizens of Winnipeg;

Executive Policy Committee - Motions (continued)

NOW THEREFORE BE IT RESOLVED that decision making process be reviewed to implement a process where each City Councillor becomes responsible for a civic department similar to ministerial responsibilities and accountable to a Standing Committee;

AND BE IT FURTHER RESOLVED that the number of Standing Committees and operation of the Board of Commissioners be incorporated into the final model.

Automatic Referral to Task Force on the Restructuring of City Council in accordance
with Rule 16.1 of the Procedure By-law

Moved by Councillor Murray,
Seconded by Councillor Thomas,

244 - WHEREAS the proposed amendment to Plan Winnipeg (lands west of the Perimeter Highway between Saskatchewan Avenue and Portage Avenue) was defeated at the Committee on Planning and Community Services;

AND WHEREAS application was made to Executive Policy Committee and comes to Council outside of the report of the Standing Committee;

AND WHEREAS the motion came forward on heels of the City Budget;

THEREFORE BE IT RESOLVED THAT the rule be suspended and Council reconsider Clause 1 of Report "A" of the Executive Policy Committee dated December 7, 1994.

Pursuant to The Municipal Council Conflict of Interest Act, Councillor Silva advised that he would refrain from entering the discussion and from voting on the above motion and related clause because of a financial interest, and left the Chamber.

The motion to reconsider was put.

The Speaker 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, Fraser, Her Worship Mayor Thompson and Councillor Angus. 9

and the motion to reconsider was declared lost.

Councillor Silva here returned to the Chamber.

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

245 - On motion of Her Worship Mayor Thompson, By-law No. 6500/94, a By-law of the City of Winnipeg to amend By-law No. 5550/90 being the Campaign Expenses and Contributions By-law, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed. File GK-2 (Vol. 19

On motion of Her Worship Mayor Thompson, By-law No. 6520/94, a By-law of the City of Winnipeg to authorize the borrowing of money by the issue and sale of debentures of the City in the principal amount of Seventy-five Million, Four Hundred and Forty-one Thousand Dollars ($75,441,000.00), was read a second and third time, and was passed and ordered to be signed and sealed. Files FC(1995) and FC-1(1996-2000)

EXECUTIVE POLICY COMMITTEE

QUESTION PERIOD

246 - Councillor Murray noted that it was tradition for elected officials to not publicly cricitize members of the admininstration given that they were not allowed to defend themselves and that such criticism could be detrimental to their professional reputations, and in referring to a recent article which appeared on the front page of a local newspaper, requested that Her Worship clarify her comments to the media and offer an apology to the Commissioner involved.

Her Worship Mayor Thompson noted that she had participated in a series of interviews and and replied to a number of questions.

Councillor Murray noted that there should not be any public airing of any the differences between the Mayor and the admininstration, and again requested that the Mayor apologize for the comments printed.

Her Worship Mayor Thompson concurred that these differences should not be aired in public but stated that she had been responding to a question.

Councillor Murray requested that Her Worship retract the comments and concur that the manner in which they were presented in the newspaper was inappropriate and embarassing to all Members of Council.

Her Worship Mayor Thompson reiterated that she had been responding to a question and had not intended any embarrassment to anyone.

247 - Appendix "A" referred to in Clause 1 of the Report of the Executive Policy Committee dated November 30, 1994

DEBT SERVICE COSTS RELATED TO OUTSTANDING
DEBENTURES ISSUED FOR HEADINGLEY CAPITAL PURPOSES
AS AT DECEMBER 31, 1992

YEAR	B/L 4247/86	B/L 4783/88	B/L 5010/88	B/L 5552/90	B/L 5838/92	B/L 6090/93	TOTAL PER YEAR TO BE PAID TO HEADINGLEY AS RECOMMENDED BY MUNICIPAL BOARD	AS APPROVED BY THE PROVINCE OF MANITOBA
1993	$154,907.52	$5,921.10	$11,357.75	$7,309.01	$21,035.48	$888.83	$201,419.69	$100,709.85
1994		7,796.76		7,946.51	26,017.29	2,351.10	44,111.66	22,055.83
1995		7,796.76		7,946.51	26,017.29	2,351.10	44,111.66	22,055.83
1996		7,796.76		7,946.51	26,017.29	2,351.10	44,111.66	22,055.83
1997		7,796.76		7,946.51	26,017.29	2,351.10	44,111.66	22,055.83
1998		7,796.76		7,946.51	26,017.29	2,351.10	44,111.66	22,055.83
1999		7,796.76		7,946.51	26,017.29	2,351.10	44,111.66	22,055.83
2000		7,796.76		7,946.51	26,017.29	2,351.10	44,111.66	22,055.83
2001		7,796.76			26,017.29	2,351.10	36,165.15	18,082.58
2002		7,796.76			19,155.56	2,351.10	29,303.42	14,651.71
2003		5,132.88				2,351.10	7,483.98	3,741.99
2004						2,351.10	2,351.10	1,175.55
2005						2,351.10	2,351.10	1,175.55
2006						2,351.10	2,351.10	1,175.55
2007						2,351.10	2,351.10	1,175.55
2008						2,351.10	2,351.10	1,175.55
2009						2,351.10	2,351.10	1,175.55
2010						2,351.10	2,351.10	1,175.55
2011						2,351.10	2,351.10	1,175.55
2012						2,351.10	2,351.10	1,175.55
2013						1,462.27	1,462.27	731.14
	$154,907.52	$81,224.82	$11,357.75	$62,934.58	$248,329.36	$47,022.00	$605,776.03	$302,888.02

The Finance Department
Accounting Branch
November 2, 1994
RJS\ajr

248 - Appendix "A" referred to in Clause 5 of the Report of the Executive Policy Committee dated November 30, 1994

S U M M A R Y

LOAN REPAYMENT	*$39,500.00*
ADMINISTRATION	*$12,000.00*
MARKETING/PROMOTION	*$ 6,000.00*
PHYSICAL ENHANCEMENT	*$12,500.00*
SAFETY	*$ 5,000.00*
PLANNING	*$ 1,000.00*
MEMBER SERVICES	*$ 1,000.00*
TOTAL	***$77,000.00***

**2.85% LEVY REQUIRED (TOTAL ARV = 2,700,000)*

249 - Appendix "A" referred to in Clause 7 of the Report of the Executive Policy Committee dated November 30, 1994

S U M M A R Y

ADMINISTRATION	*$ 78,075.00*
BEAUTIFICATION AND COMMUNITY RELATIONS	*$ 27,100.00*
MARKETING AND PROMOTIONS	*$ 39,500.00*
PROGRAMS, OPERATIONS, & OMS	*$ 50,825.00*
PARKING	*$ 9,500.00*
ALLOWANCE FOR UNCOLLECTED LEVY	*$ 5,000.00*
TOTAL REQUIRED THROUGH LEVY	***$210,000.00***