REPORT OF THE

COMMITTEE ON FINANCE AND ADMINISTRATION

DATED SEPTEMBER 26, 1994

On motion of Councillor Eadie, the Report of the Committee on Finance and Administration, dated September 26, 1994, was considered clause by clause.

Moved by Councillor Eadie,
That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8 and 9 be adopted.

1148 - Councillors Reese and Thomas asked to be recorded as having voted against Clause 8, in accordance with Rule 50.7 of the Procedure By-law.

The motion to adopt the Consent Agenda, Clauses 1,2,3,4,5,6,7,8 and 9 was put and declared carried.

Her Worship the Mayor and Councillors:

Task Force to monitor, advise and report on the operation of the assessment system in the City of Winnipeg
File AB-2 (Vol. 7)

1149 - 1. Council, on June 22, 1994, did not adopt Clause 6 of the Report of the Executive Policy Committee dated June 8, 1994, with respect to the formation of a Task Force to monitor, advise and report on the operation of the assessment system and referred the clause to the Committee on Finance and Administration for further consideration along with the following resolution:-

Moved by Councillor Golden,
Seconded by Councillor Hyman,

THAT the resolution contained within Clause 6 of the Report of the Executive Policy Committee dated June 8, 1994, be amended in order that the resolve paragraph read as follows:

NOW THEREFORE BE IT RESOLVED that Council set up a Task Force, which would include representation of Council, to study and to advise and report to Council through the Committee on Finance and Administration on the operation of the assessment system in the City of Winnipeg;

AND THAT the Task Force be comprised of Councillors Murray, Golden and O'Shaughnessy.

The Committee on Finance and Administration has adopted the following terms of reference for the Task Force, as submitted by Councillor Golden, namely:

1. To meet as required to hear public representations with respect to concerns, ideas, recommendations or request in respect to the assessment system.

2. To advise on the operation of the assessment system generally and shall not advise on concerns in respect to any individual assessment.

3. To request input from all sources, through the Committee on Finance and Administration, to assist the Task Force in preparing reports and recommendations.

4. To report through the Standing Committee of Finance and Administration with respect to any recommendations that the Task Force may have.

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The Committee on Finance and Administration suggested that Councillor Angus be appointed to the Task Force in place of Councillor Murray who previously tendered his resignation, however, Councillor Angus has declined the appointment.

The above is submitted for the information of Council.

Adopted by consent.

Proposed Amendments to By-law No. 3107/81 - Amusement Tax Exemptions
File FL-2.5 (Vol. 9)

1150 - 2. The Committee on Finance and Administration has considered recommendations received from the Winnipeg Arts Advisory Council for exemptions to the Amusement Tax By-law.

The Committee on Finance and Administration submits draft by-law and recommends that the following events be exempt from the payment of amusement tax; namely:

I. Le Cercle Moliere:
The following 1994-95 season of plays: "Huite Femmes" on October 13 to 22, 1994, "Traces d'etoiles" on November 16 to December 3, 1994, "L'ampoule magique" on January 26 to February 4, 1995, "Des Minous et des Homes" on March 16 to 25, 1995, "Toaste des deux bords ENCORE" on April 19 to 29 and May 3 to 6, 1995, at Salle Pauline Boutal and Theatre de la Chapelle.

National Ballet School:
"From Studio to Stage" on November 15, 1994 at the Pantages Playhouse Theatre

Polonia Mid-Continental Arts Festival Inc:
A chamber music concert on October 10, 1994; an intercultural concert on October 11, 1994; a jazz concert at the Marlborough Hotel on October 13, 1994; and a gala show on October 16, 1994 at the Walker Theatre

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

In amendment,

The Executive Policy Committee has considered the above recommendations and submits the following amendment to Recommendation I for adoption:

That the following events NOT be exempt from the collection of amusement tax, namely:

I. Le Cercle Moliere: The play "Huite Femmes" held on October 13 to 18, 1994

II. Polonia Mid-Continental Arts Festival Inc: A chamber music concert on October 10, 1994; an intercultural concert on October 11, 1994; a jazz concert at the Marlborough Hotel on October 13, 1994; and a gala show on October 16, 1994 at the Walker Theatre.

Adopted by consent.

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Amendments to the Winnipeg Police Pension Plan By-law No. 6253/93
File GU-3.10 (Vol. 7)

1151 - 3. Council on May 26, 1993, approved a collective agreement between the City of Winnipeg and the Winnipeg Police Association for the term December 27, 1992 to December 23, 1995.

The following changes to the Winnipeg Police Pension Plan were approved as part of the Agreement:

The contribution rate was changed from 7.555% to 8.0%, effective December 26, 1993.
The Normal Form of Pension was changed to: (a) eliminate the one year waiting period for a spouse to be eligible for a survivor pension, effective May 2, 1993, and (b) eliminate the 2% penalty, effective December 25, 1993.
The Death Prior to Retirement Section was changed to provide that the spouse receive a survivor pension based on at least 25 years of credited service.

The following revisions to the Collective Agreement were approved by Council on July 20, 1994:

Early Retirement - to allow a member to retire at age 50 or with 20 years of credited service, with a reduction.
To allow a pension to be paid to a spouse of a member with two years of service at death while in service.

The following changes are implemented in accordance with the changes to the Manitoba Pension Benefits Act:

To allow a waiver of mandatory division of assets on a marriage break up.
To allow a lump sum payment of a pension in lieu of a small pension.

The Winnipeg Police Pension Board, on September 12, 1994, approved the amendments to the pension plan as negotiated and the changes as required by the Manitoba Pension Benefits Act.

The Committee on Finance and Administration was advised that the City's share of current actuarial surplus distributed is sufficient to cover the additional costs associated with the proposed changes.

The Committee on Finance and Administration submits for favourable consideration draft by-law to implement the above intent and recommends that the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

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Amendments to the Winnipeg Police Group Life Insurance Plan By-law No. 5643/91File GU-3.10 (Vol. 7)

1152 - 4. Council on May 26, 1993, approve a new collective agreement between the City of Winnipeg and the Winnipeg Police Association for the term December 27, 1992 to December 23, 1995.

The following changes to the Winnipeg Police Group Life Insurance Plan were approved as part of the Agreement:

Standard coverage was increased from 1.75 times annual earnings to 2 times annual earnings effective January 1, 1994, on a 50/50 cost-shared basis.
The three month waiting period for enrollment into the plan was eliminated effective June 30, 1994.

In addition, the text and wording of terms in the Group Life Insurance By-law were amended for consistency with the Police Pension Plan By-law.

The Winnipeg Police Pension Board, on September 12, 1994, approved the amendments to the Winnipeg Police Pension By-law No. 5643/91.

The Committee on Finance and Administration submits for favourable consideration, draft by-law to implement the above intent and recommends that the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

Property Acquisition - South Side Beecher Avenue between Diplomat Drive and Ferrier Street for the McGregor Street Extension and Beecher Avenue Widening File FI-2(34) (Vol. 2)

1153 - 5. Council on November 21, 1990, approved the realignment of the McGregor Street Right-of-Way.

Subsequent to determination of the detailed geometrics, it was confirmed that the new alignment required an acquisition of a portion of lands located on the south side of Beecher Avenue between Diplomat Drive and Ferrier Street. (Misc. Plan No. LSWK 8255/2)

The Land Surveys and Real Estate Department has proposed a settlement at $22,500.00 and in accordance with the terms and conditions identified as Schedule "A". The Vendor has agreed to settle in accordance with the City's proposal.

The terms and conditions also provide for the acquisition by exchange of land the City requires for the Beecher Avenue Widening. These terms are consistent with other transactions previously approved by Council and the Director of the Land Surveys and Real Estate Department for this project.

Term No. 5 requires the Vendor to pay for those local improvements installed and assessed and installed but not assessed against the land being acquired for the McGregor Street Extension. The sidewalk and boulevard portion has now been added to the tax roll. The approximate payout figure for all improvements apportioned against this land amounts to approximately $7,300.00.

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The Committee on Finance and Administration has been advised that the entire property is in tax sale and would recommend that the City finalize this settlement on condition that the Vendor pay all tax arrears, penalties and interest owing on the entire property.

The payment of arrears (estimated at $14,700.00 for the entire property) together with the prepayment of the local improvements related to the land to be acquired for the McGregor Street Extension will total approximately $22,000.00.

The owner's lands are also affected by the Beecher Avenue Widening Project. This widening requires the acquisition of a seven foot wide strip of land across its frontage by way of exchange for a part of the City's closed lane at the rear.

Funding for this acquisition is available from the Land Acquisition for Future Transportation Purposes account by way of Budget Bureau Certificate dated April 30, 1992.

The Committee on Finance and Administration recommends:

I. That the purchase of the subject property be approved as defined herein at a price of $22,500.00 and in accordance with the terms and conditions as outlined on Schedule "A", subject to the Vendor paying all tax arrears with penalties and interest owing on the entire property.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Copies of Misc Plan No. LSWK 8255/2 and Schedule "A" are on file in the office of the City Clerk.

Adopted by consent.

Proceeds from the Sale of City Property being Used for Roadway Improvements on Pembina Highway and De Vos Road
File FI-2.4(35) (Vol. 2)

1154 - 6. At its special meeting held on February 22, 1994, Council in considering revenue sources for the 1994 Current Estimates, directed that an amount of $2,518,000.00 be placed in the 1994 Current Estimates as revenue generated from the sale of City of Winnipeg lands which are determined to be surplus to the City's requirements.

The Committee on Finance and Administration on September 26, 1994, approved the sale of city-owned land described as Lot 1, Plan 22787 and Part of Lot 18, Block 2, Plan 18721, for the total amount of $25,000.00, for inclusion in a plan of subdivision under file DASZ 23/93 being property located east of Waverley Street and North of the Perimeter Highway.

The Committee on Finance and Administration further recommended that the proceeds of the sale of the property be directed towards the roadway improvements on Pembina Highway and De Vos Road.

The Committee on Finance and Administration therefore recommends:

I. That Council's direction regarding the deposit of the proceeds of the sale of City properties into General Revenues be waived in this instance, and the proceeds from the sale of Lot 1, Plan 22787 and Part of Lot 18, Block 2, Plan 18721, in the amount of $25,000.00, be directed towards roadway improvements on Pembina Highway and De Vos Road.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

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Request to Remove Caveat on YM-YWCA Property located at 150 Ferry Road File ED(31) (Vol. 1)

1155 - 7. The YM-YWCA of Winnipeg ("Association") originally was the owner of the property commonly known as 150 Ferry Road (Misc. Plan No. 3083/2). In order for the former City of St. James to participate in the construction of a swimming pool, part of the land was transferred by the Association to the former City and subsequently, was leased back to the Association for a period of 25 years (June 15, 1961 to June 14, 1986), at an annual rental of $1.00 with no provision for payment of realty taxes. In exchange for partial funding of the pool and a nominal rental fee, the Association agreed to provide a minimum number of scheduled hours for public swimming.

In order to accommodate a facility expansion in 1982, Council on April 14, 1982, approved the transfer of the leased land to the Association for $1.00 conditional upon

a) the land being transferred back to the City for the sum of $1.00 at such time as the land is no longer required for the proposed purpose of the Association;

b) the association making the new facilities available for use by the general public in accordance with then current practice with regards to its facilities.

The sale agreement dated April 14, 1982 between the City and the Association incorporating the above terms and conditions was registered against the Association's title by way of Caveat No. 82-50813.

In early 1993, the Association submitted a request to have the existing caveat removed in order for the Association to proceed with the closing of the facility and to subsequently sell the existing building and land.

The Association's existing building, including an indoor swimming pool, is situated in part, on land (measuring 34,500 square feet) which is subject to the City's Caveat.

On June 7, 1993, the Committee on Protection, Parks and Culture considered a report of the Parks and Recreation Department and instructed that the Caveat registered against 150 Ferry Road not be removed. The City, however, may authorize the Association to sell 150 Ferry Road provided that upon sale of the property, the Association compensate the City an amount equivalent to the value of the land caveated.

In accordance with the latest revised Assessment Rolls, 150 Ferry Road is assessed as follows:

Land	$ 188,000.00
Building	$1,140,000.00

150 Ferry Road has a total land area of 62,500 square feet, 34,500 square feet of which is subject to the City's Caveat (a 55% to 45% ratio). The Land Surveys and Real Estate Department therefore proposed a distribution of the proceeds of the sale of the property on the basis of a 55% to 45% ratio based on the land assessment, that is, an amount of $103,400.00 to be paid to the City.

The Association has made a counter-offer of $75,000.00 as the City's share in the proceeds.

Pursuant to Section 156(2) of The City of Winnipeg Act, approval of at least two-thirds of the members of Council is required on the sale of any property that has been designated or acquired for park purposes.

The Committee on Finance and Administration therefore recommends:

I. That the City's share in the proceeds of the sale of 150 Ferry Road be the amount of $75,000.00.

II. That Caveat No. 82-50813 be discharged against the land.

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III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Copy of Misc. Plan No. ASBA 3083/2 is on file in the office of the City Clerk.

Adopted by consent.

Acquisition of Rearage Land for the Charleswood Route - Rear of 654 Haney Street File FI-2(31) (Vol. 2)

1156 - 8. The current City of Winnipeg transportation plan (subject to change pending the outcome of TransPlan 2010) shows a need to extend the Charleswood route only as far south as Grant Avenue by the year 2010. Despite the lack of a formal plan defining its future need, the property located at the rear of 654 Haney Street (Misc. Plan No. ASBA 9257) exists on List III of the property acquisition program for transportation purposes (beyond 10 years) as adopted by Council on October 6, 1982.

The Streets and Transportation Department has stated that it believes there is a need for the section of the Charleswood Route between Grant Avenue and the South Charleswood Parkway beyond 2010. It would prefer to wait for the results of the TransPlan 2010 study to first address the need and for the approximate alignment and priority for the Charleswood Route south of Roblin Boulevard. However, the Department has indicated that it supports the acquisition of the subject property, if it can be acquired at a reasonable cost. It is prepared to provide funding from the Future Right-of-Way Account for Transportation Purposes in the amount of $5,400.00 to cover the cost of acquiring the property.

The Land Surveys and Real Estate Department is of the view that the proposed price is reasonable. The associated terms and conditions are consistent with other transactions of a similar nature.

In the event the future Charleswood Route does not proceed, the property could be consolidated with other existing City holdings in the area for future resale or redevelopment.

Pursuant to Policy C248 of the City of Winnipeg, the Committee on Works and Operations on September 2, 1994, approved the proposed acquisition of this property as to need for the Charleswood Route.

The Committee on Finance and Administration recommends:

I. That the acquisition of the subject property be approved in accordance with the terms and conditions as listed on Schedule "A".

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Copies of Misc. Plan No. ASBA 9257 and Schedule "A" are on file in the office of the City Clerk.

Adopted by consent.

(See Minute No. 1148 for opposition recorded by Councillors Reese and Thomas)

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Winnipeg International Airport Proposed Land Exchange
File FI-2.4.4.1 (Vol. 3)

1157 - 9. Representatives of Public Works Canada and the Land Surveys and Real Estate Department have formally initiated a negotiation process to transfer City-owned land within the Airport boundaries to the Federal Government. The negotiations have now resulted in a proposed settlement by land exchange shown on the Memorandum of Agreement identified as Schedule "A". Although there are many terms in the proposed agreement the basics of the proposed transaction are as follows:

1. 1947 HMK (Canada) Expropriation of City-owned property

Public Works Canada and the Land Surveys and Real Estate Department have been reviewing the historical evidence to determine if the City had ever been fully compensated in settlement of this expropriation. The Department recommends that in view of the uncertainty respecting the City's case and ability to conclusively prove otherwise the City should in the context of an overall settlement on these other matters acknowledge that it has been compensated.

2. City-owned and streets and lanes to be conveyed to Her Majesty the Queen (Canada)

The City will convey approximately 57.6 acres of land which is constituted of legally opened streets and lanes and of lands which are apparently being held for future right-of-way purposes. With the exception of those portions of Brookside Boulevard and of Notre Dame Avenue which are proposed to be closed and conveyed to HMQ (Canada) it appears that all of the City-owned lands proposed for conveyance have in fact been used and controlled by the Airport in connection with its activities for many years. There is little probability that any of this land can be marketed to anyone other than the airport.

3. HMQ (Canada) land proposed for conveyance to the City

HMQ (Canada) will convey approximately 26.58 acres to the City for street right-of-way purposes. Misc. Plan No. ASBA 7455/5 and “legend” indicates the allocation of the acreage to be acquired for the: Silver Avenue Corridor; Brookside Boulevard/Notre Dame Avenue Diversion; Ferry Road Connection; and the extension of Sargent Avenue.

HMQ (Canada) is insistent that the City takeover responsibility for the Sargent Avenue right-of-way by reason of its concern related to the assessment/taxation of its adjacent lands and tenancies.

HMQ (Canada) is also insistent that the City takeover responsibility for the easterly extension of the Saskatchewan Avenue right-of-way (at the West boundary of the Airport) after it is established and constructed both to the City’s standards) by HMQ (Canada) at its initiative and expense.

The Streets and Transportation and West Central District Operations Departments have agreed to accept the Sargent Avenue right-of-way in light of the fact that this right-of-way has recently been reconstructed by HMQ (Canada) at its expense and have agreed to accept the easterly extension of the Saskatchewan Avenue right-of-way in accordance with the negotiated terms.

4. West End Feedermain

The City constructed this project across the Airport in 1987 pursuant to a "Consent to Enter and Construct" as granted by HMQ (Canada). Although the City has tried to acquire an easement for $1.00 to protect this facility HMQ (Canada) has maintained that it requires compensation for the City’s occupation of these lands for this purpose. HMQ (Canada) believes that this compensation should be considered as an offset against any price differential the City believes is payable arising out of this land exchange.

5. Additional HMQ (Canada) land to be conveyed to the City

The calculation of the acreage to be conveyed to either party results in a disparity of approximately 31 acres in favour of HMQ (Canada).

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In recognition of the fact that HMQ (Canada) had withdrawn 5.6 acres of its land from the proposed conveyance to the City and perhaps in recognition of the acreage differential, HMQ (Canada) has agreed to convey to the City 10 acres (with all existing services paid in full) of its property lying on the West side of Moray Street immediately North of the Murray Industrial Park.

6. Construction of Rights-of-Ways

HMQ (Canada) will provide the additional lands required to establish an easterly extension of the Saskatchewan Avenue right-of-way on the western side of the Airport and will at its cost construct the street improvements to City standards. The easterly extension of Saskatchewan Avenue will become a public right-of-way.

The Brookside Boulevard/Notre Dame Avenue diversion will be constructed at a currently undetermined future date. HMQ (Canada) will require the diversion in order to construct its new runway in this vicinity and the City may need to reconstruct its existing roads. HMQ (Canada) has orally suggested that a cost sharing arrangement relative to the future construction of the diversion be negotiated at the time either party requires the construction of the said diversion.

HMQ (Canada) has agreed that it will upon the request of the City construct at its initiative and expense its security fencing and runway crossing facilities and controls at the intersection of the taxiway and the future Ferry Road extension.

7. Costs

While the City and HMQ (Canada) will each pay their own legal, administrative and G.S.T. costs HMQ (Canada) will be responsible for the total expense related to all surveys, applications and document preparation necessary to finalize this proposed exchange. The City will be responsible for any plans and registrations associated with its retention of easements.

8. Method of Conveyance

Given the complexities of implementing this proposed land exchange the Land Surveys and Real Estate Department proposes that the conveyancing be accomplished by means of seeking the approval of the Municipal Board to the cancellation of all of the registered plans within those portions of the Winnipeg International Airport lying within the corporate boundaries of the City of Winnipeg and to the registration of a new Plan of Survey in substitution therefor. Term A2 of Schedule "A" identifies the process and the requirements of Council to facilitate this process.

9. Miscellaneous Terms

The Memorandum of Agreement also provides for other terms related to the establishment of access points along the future Silver Avenue Corridor, a 5 year leaseback to HMQ (Canada) of the 18.1 acre Silver Avenue Corridor, improvement relocations, etc.

The terms and conditions as suggested by HMQ (Canada) are acceptable but are not totally reflective of the understanding between the two parties. Schedule "C" has been annotated by the Land Surveys and Real Estate Department with revisions, clarifications and additions which more thoroughly

represents the understanding of the two parties. HMQ (Canada) has orally advised that it is in agreement in principle with these additional notations.

The Land Surveys and Real Estate Department and the Streets and Transportation Department believe that the negotiated terms and conditions of the proposed land exchange with the suggested additions, clarifications and revisions represents a fair settlement.

The Committee on Works and Operations on October 4, 1994, approved the proposed cancellation (closing) of the public rights-of-way which are the subject of this report.

Any expenses related to the easement plans for the West End Feedermain can be charged to Account No. 43-118117-5186070701. Other incidental costs related to G.S.T. etc. are to be charged to the Land Acquisition for Future Transportation Purposes Account.

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The Committee on Finance and Administration therefore recommends:

I. That the land exchange with HMQ (Canada) be approved in accordance with the terms and conditions together with the additions, clarifications and revisions all as stipulated on the Memorandum of Agreement identified as Schedule "A".

II. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the cancellation (closing) of the public rights-of-way as outlined on Misc. Plan No. ASBA 7455/5.

III. That upon first reading of the by-law being subsequently given, the City Clerk be authorized to post the necessary notices in accordance with The City of Winnipeg Act.

IV. That the Proper Officers of the City be authorized to do all things necessary and to execute all those documents necessary to implement the proposed transaction.

Copies of Schedule "A" and Misc. Plan No. ASBA 7455/5 are on file in the office of the City Clerk.

Adopted by consent.

COMMITTEE ON FINANCE AND ADMINISTRATION

MOTIONS

Moved by Councillor Fraser,
Seconded by Her Worship Mayor Thompson,

1158 - WHEREAS the 1995 Current Estimates contain funding for grants allocated under the Committee on Finance and Administration in the amount of $123,210.00;

AND WHEREAS historically funding for the purchase of souvenir pins depicting the City of Winnipeg flag has been allocated from this account by the Committee on Finance and Administration;

AND WHEREAS the City of Winnipeg will host the 1999 Pan American Games;

AND WHEREAS the games require promotion and marketing wherever Winnipegers attend and represent their City;

AND WHEREAS a preliminary review of alternative designs to the current City of Winnipeg flag pin has been requested by the Ad Hoc Committee on Grants;

THEREFORE BE IT RESOLVED that as part of the current budget debate, consideration be given by the Committee on Finance and Administration to utilize the existing budget to produce and purchase promotional Pan American '99 pins for distribution to replace those normally purchased.

Automatic Referral to Committee on Finance and Administration in accordance with Rule 16.1 of the Procedure By-law

COMMITTEE ON FINANCE AND ADMINISTRATION

CONSIDERATION OF BY-LAWS

1159 - On motion of Councillor Eadie, the following By-laws were read a first, second and third time, the rule being suspended for the third reading of each by-law, and were passed and ordered to be signed and sealed, namely:-

By-law No. 6467/94, a By-law of the City of Winnipeg to amend By-law No. 6253/93, being the Winnipeg Police Pension Plan By-law. File GU-3.10 (Vol. 7)

By-law No. 6468/94, a By-law of the City of Winnipeg to amend By-law No. 5643/91, being the Police Employees' Group Life Insurance Plan By-law. File GU-3.10 (Vol 7

By-law No. 6494/94, a By-law of the City of Winnipeg to amend By-law No. 4007/85, being the City of Winnipeg License By-law. File EL-1 (Vol. 28)

By-law No. 6495/94, a By-law of the City of Winnipeg to amend the Amusement Tax By-law No. 3107/81. File FL-2.5 (Vol. 9)