REPORT OF THE
EXECUTIVE POLICY COMMITTEE

DATED APRIL 13, 1994

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee dated April 13, 1994, was considered clause by clause.

Moved by Mayor Thompson,

That the Consent Agenda items, Clauses 1,2,3,4,5,6 and 7 be adopted.

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

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

Councillor Clement requested that Clause 4 be pulled from the Consent Agenda.

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

Her Worship The Mayor and Councillors:

Handi-Transit Monthly Pass
File TT-1.3 (Vol. 9)

600 - 1. Historically, a monthly pass has not been offered to the registrants of the Handi-Transit service because of difficulties in controlling the method of fare payment and the auditing of trips. In addition, Handi-Transit has been limited in the amount of service it could provide each day, therefore, a pass would not guarantee Handi-Transit service availability for all requested trips.

A monthly pass is available to users of the regular transit system. The regular transit system is available to anyone who can access the bus at a bus stop area. Buses operate according to fixed schedules on predetermined route patterns. The regular transit system has the capacity to carry almost all of the passengers wishing to use this service. During the peak periods, a passenger may be passed up by a fully loaded bus, but in most cases, the next bus on that route will be able to accommodate them.

The Handi-Transit and regular transit systems are two different types of transportation services. Handi-Transit is primarily intended to provide transportation service to persons with physical disabilities who cannot access the regular transit system. The Handi-Transit service has a registration and eligibility requirement, and a booking for service requirement. During times when demand exceeds service capabilities, a trip priority system is employed which distinguishes trip allocation by purpose and disability. The highest priority trip purpose is for work (20% of the total trips carried); the lowest priority trip purpose is shopping/recreational/social trips (50% of the total trips carried).

The vehicles used for Handi-Transit service include buses operated by Winnipeg Transit drivers, taxicabs and accessible taxis operated by Unicity Taxi, and vans operated by First Class Transportation. None of the vehicles are equipped with fareboxes. The drivers handle and account for all the fares they collect. Unless proper control mechanisms are used, this type of fare collection process offers the potential for abuse. On the regular transit system, transit passengers deposit their fare directly into the farebox or show their pass or transfer to the driver. Drivers do not handle any fares on regular transit.

The Handi-Transit monthly pass will be unique from other Winnipeg Transit passes. The reason for the development of a separate Handi-Transit monthly pass is to allow for a detailed monitoring of pass usage, in particular allowing for a stringent financial and auditing control process that minimizes the potential for abuse.

It is estimated that approximately 150 users out of 10,000 current registrants could be potential monthly pass customers because they use Handi-Transit more than 35 times per month (the financial "breakeven" point). Estimated sales of a Handi-Transit monthly pass could be as low as 60 per month or as high as 150 per month.

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The Handi-Transit cash and ticket fares are priced at the same level as the regular adult fare on regular transit. The Handi-Transit pass will be set at the same price as the regular Winnipeg Transit monthly pass. The Handi-Transit monthly pass will only be available to those registered to use the service, and it will not be transferable. The pass will be accepted on all Handi-Transit buses and on brokerage vans and taxicabs. Regular Winnipeg Transit monthly passes will not be accepted on Handi-Transit. Although the pass can be used for an unlimited number of rides each month, the pass will not guarantee Handi-Transit service availability for all requested trips. Refunds will not be issued for lost or stolen passes, or for unused travel portions.

Initially, only Transit Department outlets will be selling the monthly pass. These include the Transit Service Centre (Portage and Main Concourse), the Transit Base at 421 Osborne Street, and the Transit Treasury Office at 65 Garry Street. The Handi-Transit pass may also be purchased via mail or by telephone from the Handi-Transit offices at 421 Osborne Street. Additional outlets will be considered based on demand and experience.

All of the details of the implementation plan have not yet been resolved. However, it is anticipated that a monthly pass can be introduced by July 1, 1994. The Transit Department staff will undertake their best efforts to meet this target date.

A monthly pass could result in a maximum revenue loss of $28,000 assuming that all persons who use Handi-Transit more than 35 times per month choose to purchase a pass. However, it is more likely that not all potential users will choose to purchase the monthly pass, and that some registrants who use the system less than 35 times per month may purchase the pass for convenience reasons. Therefore, the Transit Department estimates that the revenue loss resulting from the introduction of the Handi-Transit monthly pass will be minimal.

On April 12, 1994, the Committee on Works and Operations concurred in the recommendation that a monthly pass priced the same as the regular Winnipeg Transit monthly pass be introduced for use on the Handi-Transit service with a target implementation date of June 1, 1994, to coincide with the National Access Awareness Week.

Your Executive Policy Committee recommends:

I. That a monthly pass priced the same as the regular Winnipeg Transit monthly pass for use on the Handi-Transit service be introduced with a target implementation date of June 1, 1994.

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

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

Carried.

Developer Reimbursement for Constructing Land Drainage Facilities - Templeton Avenue File DAZ 215/87

601 - 2. On January 8, 1988, the City executed Servicing Agreement AG 215/87 with McDiarmid Lumber Ltd. in connection with the rezoning of land located on the west side of McPhillips Street between Court Avenue and Templeton Avenue.

On January 10, 1990, McDiarmid Lumber's consulting engineer, G.A. Pratt & Associates Inc. forwarded the cost sharing analysis for the land drainage facilities to the Waterworks, Waste and Disposal Department.

On September 14, 1993, Mr. T. Matthews, President of McDiarmid Lumber Ltd. sent a letter to the Land Development Department requesting reimbursement for the cost of constructing the land drainage facilities in excess of his share.

On October 4, 1993, a report was submitted to the Lord Selkirk/West Kildonan Community Committee requesting that Servicing Agreement AG 215/87 be amended to provide that the Developer shall be reimbursed "subject to the approval of capital funding therefor by City Council" rather than "as and when and to the extent that the City collects from adjoining benefiting lands" as currently stipulated.

On December 17, 1993, City Council concurred in the recommendation of the Lord Selkirk/West Kildonan Community Committee that the amendment be approved.

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The Waterworks, Waste and Disposal Department now had the authority to recommend the reimbursement. However, since the 1994 Capital Estimates were already approved, this reimbursement would be included in the 1995 Capital Estimates.

On February 10, 1994, Mr. R. Lev of Jegray Development Ltd. (McDiarmid Lumber's partner in this development) called to enquire as to the status of the reimbursement. He was informed that the earliest that reimbursement can be made is after approval of the 1995 Capital Estimates. Mr. Lev stated that he was not willing to wait until then to receive the reimbursement and threatened legal action if he did not receive the reimbursement sooner.

On February 14, 1994, the amendment to the servicing agreement was executed by McDiarmid Lumber.

Under the terms of Servicing Agreement AG 215/87, McDiarmid Lumber Ltd. constructed a land drainage trunk sewer in Templeton Avenue connecting to the North West District Operations Yard retention basin. The Agreement also provided that McDiarmid Lumber Ltd's share of that sewer would be $70,627.04 and that any costs incurred by McDiarmid Lumber Ltd. in excess of that amount would be reimbursed by the City "as and when and to the extent that the City collects from adjoining benefitting lands". McDiarmid Lumber Ltd.'s Consulting Engineer, G.A. Pratt & Associates has provided information to the City that the cost of installing the land drainage trunk sewer in Templeton Avenue was $93,589.18 which results in the City's share of the cost being $22,962.14. To date the City has not collected any money from the adjoining lands.

In a letter dated September 14, 1993 Mr. T. Matthews, President of McDiarmid Lumber Ltd., requested that consideration be given for the reimbursement of the outstanding amount owed them by the City. Mr. Matthew's rational is as follows:

> *"Due to circumstances beyond our control, the three lot, 7.99 acre area did not proceed with. We therefore have not made use of the trunk sewer, which we installed. We are aware, however, that the City has installed the approximate 113 metres of trunk sewer from the termination of our trunk sewer to the City's trunk sewer at McPhillips Street. This connection has, in our opinion, greatly benefitted the City in the operation of their drainage facility."*

Mr. Matthews' request was considered by the Land Development Department and the Waterworks, Waste and Disposal Department and it is considered reasonable and equitable for the following reasons:

1. The City is deriving immediate benefit from the land drainage trunk sewer constructed by McDiarmid Lumber Ltd. in that the City has connected the subject sewer to the land drainage trunk sewer in McPhillips Street to provide an outfall for the North West District Operations yard retention basin;

2. The City's North West Operations District yards front on approximately 100 m (328') of land on the north side of Templeton Avenue abutting the subject sewer;

3. The City will not be able to collect from the balance of the property on the north side of Templeton Avenue until property is rezoned which event will not occur for sometime since the property is owned by the Seven Oaks School Division No. 10 and is the site of its Maintenance/Transportation/Custodial Service Center;

4. The balance of the property on the south side of Templeton Avenue will probably not be rezoned or subdivided for some time as the street is not serviced other than by land drainage sewers.

Although it is not in accordance with the terms of the amended servicing agreement, reimbursement could be made upon approval of City Council. This would basically amount to advancing the reimbursement by approximately one year. Funding for this reimbursement is available in the Land Drainage Developer Capacity Charges Account No. 03-229302-000101.

Therefore, it is recommended that a reimbursement of $22,962.14 be made to McDiarmid Lumber Ltd. for the construction of land drainage facilities on Templeton Avenue.

Alternatively, funding for this reimbursement be included in the 1995 Capital Estimates and reimbursement be made upon approval of said funding all in accordance with the terms of amended Servicing Agreement AG 215/87.

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Your Executive Policy Committee recommends:

I. That a reimbursement of $22,962.14 be made to McDiarmid Lumber Ltd. for the construction of land drainage facilities on Templeton Avenue.

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.

Proposed Amendments to the Municipal Assessment Act with respect to the Board of Revision of the City of Winnipeg
Files FA-2 (Vol. 30) & AB-2 (Vol. 7)

602 - 3. In the period since 1991, refunds on appeals and related interest from the combined 1987 and 1990 reassessments have cost the City of Winnipeg in excess of $100 million. Approximately half of the amount refunded is school taxes. The impact these refunds have had on the City's taxpayers, program delivery and financial position has been enormous. The refunds have significantly reduced the City's liquidity, competed for scarce budgetary resources and lowered the City's consolidated equity including reserves. The major concern with these effects is that there may be a negative impact on the City's credit rating which could result in higher future costs of borrowing and a loss of flexibility in borrowing in various capital markets. More importantly, the City must develop and implement a strategic management plan to eliminate or significantly reduce the financial impacts of assessment appeals in future years.

The timeliness of the related appeal process is also of great concern as the ordering of and the delays of hearing appeals in the past have added significantly to the cost of assessment appeal refunds. There are three significant factors that the City must consider:

- The City must refund both municipal and school taxes.

- The City is obligated to make refunds retroactive to the year the appeal was filed, which, in many cases affects multiple years.

- The City is required to pay interest on refunds back to the due date of the year when the appeal was filed, at the tax penalty rate. In addition, the interest compounds at the end of each year so that interest is payable upon interest for multiple-year refunds.

The City has received approximately 17,100 net appeals related to the 1994 reassessment, representing $6.5 billion at risk, which is 28% of the taxable assessment roll including grants-in-lieu. In order to reduce the financial impact of these appeals, an Assessment Appeals Task Force has been formed comprised of the City Assessor, the City Clerk, the Director of Computer Services, and chaired by the City Treasurer. The Task Force's mandate is to expedite the hearing process, thereby avoiding multiple year refunds and interest.

To deal with the immediate objective of hearing as many appeals as possible, actions as outlined in Appendix "A" have been identified and are being implemented under the general direction of the Assessment Appeals Task Force. Over the longer term, the Task Force will also be investigating the possibility of implementing further actions as outlined in Appendix "A".

On December 17, 1993, Council adopted Clause 4 of the Report of the Committee on Finance and Administration dated November 22, 1993 which approved a number of recommendations outlined in the 1993 City Auditor's report which focussed on the composition and activities of the Board of Revision to assist in identifying ways to process appeals faster and to reduce the number of appeals filed, namely:

"That the Province of Manitoba be requested to enact the following proposed amendments to The Municipal Assessment Act:-

a) To provide for the ability to charge a fee for filing of appeals.
b) To allow only one appeal every 3 year period.
c) To allow third party appeals subject to a fee charged if more than 10 assessments are appealed.

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d) To give the Board of Revision the authority to increase an assessment under appeal.
e) To give the Chairperson of the Board of Revision the authority to select panels and chairpersons for each hearing.
f) To give the Chairperson of the Board of Revision the authority to approve Certificates of Agreement without a panel hearing.
g) To eliminate the requirement that the Chairperson of the panel hearing report to the full Board of Revision on every application after making an order.
h) To allow an Assessor to attend hearings of the Board of Revision with respect to residential properties at the discretion of the City Assessor."

On March 16, 1994, your Executive Policy Committee approved the award of a contract to Deloitte & Touche to conduct a high level scan of the appeals process to confirm what is working well, to determine the status of recent measures to improve the process, and to identify areas where there are opportunities for improvement in cost-effectiveness and/or in the procedures that would improve the loss ratio on appeals. The review will also examine the roles, responsibilities and accountabilities of the various administrative and adjudicative units involved in the appeals process.

On April 8, 1994, a Council Seminar was held and a presentation made with respect to the Assessment Appeals process and the measures being implemented to improve it.

Your Executive Policy Committee recommends that in addition to the legislative amendments requested previously, the Province of Manitoba be requested to provide legislative amendments to change the refund policy on assessment reductions granted by the Board of Revision or The Municipal Board to effect the following:-

a) have refunds credited to the following year's tax bill with no interest, or alternatively reduce the interest on refunds from the City's penalty rate to the City's prime lending rate.

Copy of attachment(s) referred to in the above clause are on file in the office of the City Clerk.

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

The Speaker advised that in accordance with Council's direction, the two proposals outlined in the recommendation would be voted on separately.

Proposal No. 1, "have refunds credited to the following year's tax bill with no interest" was put.

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

Yea: Councillors Clement, Duguid, Eadie, Hyman, Murray, O'Shaughnessy, Prystanski, Silva, Thomas, Fraser, Her Worship Mayor Thompson and Councillor Angus. 12

Nay: Councillors Reese, Boychuk, Golden and Lazarenko. 4

and Proposal No. 1 was declared carried.

Proposal No. 2, "reduce the interest on refunds from the City's penalty rate to the City's prime lending rate" was put.

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

Yea: Councillors Duguid, Eadie, O'Shaughnessy, Silva, Thomas, Fraser, Her Worship Mayor Thompson and Councillor Angus. 8

Nay: Councillors Reese, Boychuk, Clement, Golden, Hyman, Lazarenko, Murray and Prystanski. 8

and Proposal No. 2 was declared lost in accordance with Rule 58 of the Procedure By-law.

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Assessment Appeals - 1993 Liability
File AB-2 (Vol. 7)

603 - 4. A financial action plan should be adopted in order to fully accrue the liability for those assessment appeals prior to 1994 including the related refunds, interest and cost of expediting the appeal process.

Since 1987, the City of Winnipeg has experienced a difficult transition in moving to an assessment system based on market value. In particular, from a financial viewpoint, there is great concern with the number of appeals filed, the sequencing and timeliness of the related appeal process, and the City's ability to successfully defend its assessments.

In terms of the number of appeals filed it should be noted that in 1987 the City reassessed all property, using 1975 as the reference year for value. As a result of this reassessment, approximately 15,000 assessment appeals were filed. In 1990, the City again reassessed all property, using 1985 as the reference year for value. Approximately 12,000 assessment appeals were filed. In 1994, properties are again being reassessed and have been using 1991 as the reference year for value. An estimated 17,100 net assessment appeals have been filed.

In the period since 1991, refunds on appeals and related interest from the combined 1987 and 1990 reassessments have cost the City of Winnipeg in excess of $100 million. Approximately half of the amount refunded is school taxes. The impact these refunds have had on the City's taxpayers, program delivery and financial position has been enormous.

The refunds have significantly reduced the City's liquidity, competed for scarce budgetary resources and lowered the City's consolidated equity including reserves. The major concern with these effects is that there may be a negative impact on the City's credit rating which could result in higher future costs of borrowing and a loss of flexibility in borrowing in various capital markets. More importantly, the City must develop and implement a strategic management plan to eliminate or significantly reduce the financial impacts of assessment appeals in future years. In this regard, a separate report entitled "Assessment Appeals - Strategic Plan" has been submitted which identifies the short and long term plans to deal with Assessment Appeals.

The timeliness of the related appeal process is also of great concern as the ordering of and delays in hearing appeals in the past have added significantly to the cost of assessment appeal refunds. There are three significant factors that the City must consider;

- The City must refund both municipal and school taxes.

- The City is obligated to make refunds retroactive to the year the appeal was filed, which, in many cases affects multiple years.

- The City is required to pay interest on refunds back to the due date of the year when the appeal was filed, at the tax penalty rate. In addition, the interest compounds at the end of each year so that interest is payable upon interest for multiple-year refunds.

The combination of multiple years of refunds and the interest thereon has increased the City's liability by several magnitudes.

Prior to 1993, the City used the Future Tax Levies Reserve to absorb the annual cost of appeal refunds on a cash basis. Interest costs on assessment appeals were provided for in the tax supported budget, also on a cash basis. However, in a report submitted by the City Assessor in December 1992, it became evident that, based on estimates at that time, a huge unrecorded liability existed. This liability was estimated at $32.9 million at December 31, 1992.

In order to address this unrecorded liability, a balance sheet restructuring was completed, whereby the estimated liability was recorded in the City's financial statements which effectively put the City on a full accrual basis of accounting for assessment appeals. This change in accounting policy was consistent with generally accepted accounting principles and better presented the financial position of the City of Winnipeg in its financial statements. The change was also fully supported by the City's external auditors.

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In addition, the 1993 tax supported budget provided $8.5 million for appeal refunds and interest on the assumption that all outstanding appeals at December 31, 1992, would be heard by the end of 1993. This did not occur and consequently the City's exposure to appeal refunds has grown substantially in 1993 due to the cost of another year's delay in hearings, additional potential losses related to certain properties and the effect of compound interest.

In terms of the City's ability to defend its assessments, the City Assessor has implemented numerous improvements to address reassessments for 1994 and future years. The implementation of new assessment methodologies, the installation of new computer systems, better tracking methods, enhanced staff training and significant changes to the appeal hearing processes will improve the City's strategic position to address the issue of assessment appeals in the future.

Analysis of Liability and Requirement for Transfer

As at December 31, 1993, the City evaluated the cost of resolving all of the outstanding assessment appeals. The formula for estimating the total payout of tax refunds and interest is outlined on Appendix "C".

All appeals are categorized by year of appeal and property class. This formula is quite sensitive to changes in experience for both the change rate and loss ratio. In addition, the assumption was made at the end of 1992 that all remaining appeals would be heard in 1993. This did not prove to be the case, thereby resulting in substantial additional costs due to taxing those properties where appeals were still outstanding in 1993 at the original assessed value. Any reductions in assessment ordered at the hearings would result in refunding taxes. Additional interest refunds (for an additional year and on the larger amount) have also added to the overall cost. There has also been additional costs of Municipal Board appeals, new appeals in 1993 and increases due to refining the methodologies in estimating the liability by applying annual changes in the portions and the mill rates as outlined on Appendix "B". This resulted in an additional 1993 cost of $34.0 million and an estimated accrued liability of $45.9 million at December 31, 1993.

Reconciliation of Change
in Assessment Appeal Liability
December 31, 1992 to December 31, 1993

	Million $	
Accrued Liability as at December 31, 1992		$32.9
1993 accrued cost of assessment appeal refunds and interest (Appendix B)		34.0
	66.9	
Less assessment appeal refunds and interest paid out in 1993.		21.0
Accrued Liability as at December 31, 1993.		$45.9

Reconciliation of Funding Requirement at December 31, 1993

Accrued Liability as at December 31, 1993.		$45.9
Less funding sources available:		
Unexpended balance of 1993 budget for tax refunds and interest.		3.8
Unexpended balance of December 31, 1992 accrued liability.		16.7
Interest costs charged to 1993 current budget which form part of 1993 deficit.		8.1
	28.6	
Transfer from Land Operating Reserve required to fund remaining 1993 costs.	$17.3	

It should be noted that the estimated liability is based on the recent experience in the change rate and loss ratio at the Board of Revision . Future decisions by the Board of Revision or the Municipal Board may not have the same change rate or loss ratio and consequently the liability could change.

Transfer From and Repayment to the Land Operating Reserve

The required additional funding of $17.3 million must be charged to the 1993 General Revenue Fund, but given the existing level of the 1993 deficit and the impact a larger deficit would have on the 1994 mill rate, it is proposed to transfer this amount from the available equity in the Land Operating Reserve to avoid the full impact of this cost in

one year. The Land Operating Reserve was created in 1973 to reduce the need for the debt financing of properties acquired for resale. Recently this reserve has been relatively inactive due to the lack of development activity in Winnipeg. The reserve presently has an estimated available equity balance of $20.8 million.

However, it is also strongly recommended that the full amount of the transferred funds be returned to the Land Operating Reserve over a four year period for the following reasons:

- The credit rating agencies will be concerned that the City, after balance sheet restructuring in 1992, continues to use reserves to solve its operating problems. An adopted repayment plan will serve as evidence that the City is committed to returning the funds to the reserve.

- Repayment to the Land Operating Reserve will reinstate liquidity lost due to the payout of assessment appeal refunds.

- The appropriation will return funds to the Land Operating Reserve so that the reserve can be used in future years for its originally intended purpose.

It is also recommended that a capital reorganization transaction be put in place so that the Land Operating Reserve is not charged in future years with large interest costs related to an overdraft caused by the payout of the $17.3 million. The capital reorganization would enable the reserve to maintain its current financial magnitude and would not force liquidation of the reserve's assets to pay down an artificial overdraft. Repayments received by the reserve from 1995 to 1998 would be accounted for so that both the balance sheets of the General Revenue Fund and the Land Operating Reserve would be restored in 1998 to their original financial position prior to the initiation of this transfer transaction.

Establish a 1993 Accounts Payable

The City's financial exposure to assessment appeal refunds is the product of a complex process that involves existing legislation and practices as well as the interaction of several City departments, the City's Board of Revision, the Provincial Municipal Board and the City's taxpayers. Meaningful reductions in the financial exposure will only come from revisions to the existing process. The Assessment Appeals Task Force has been set up to examine the appeal process and improve the sequencing and timeliness of appeal hearings thereby reducing appeal refunds and interest significantly. In order to achieve this, the City must commit additional funds to increase the number of Board of Revision hearings each week, provide additional staff, standardize and computerize appeal briefs, fund additional City legal representation and provide information systems so that timely and reliable appeal information is available.

In 1993 an accounts payable of $1.2 million has been set up to fund the estimated additional costs that will be incurred to achieve the system improvements described above. While $1.2 million is a significant expenditure, the Finance Department sees many benefits:

- The payback of these funds will occur in the significant reduction of appeal refunds and interest resulting from the expedition of appeals;

- The information systems allow the City to monitor the progress of appeal hearings and to manage the process in a timely way;

- The initiative is clear confirmation to credit rating agencies and investors that the City is actively committed to a solution to the problem of assessment appeals.

1994 Accounting and Budgeting for Assessment Appeals

If the change rate and loss ratio at the Board of Revision and the Municipal Board for appeals prior to 1994 remains comparable to recent experience then the accounting initiatives and financial problems created by the assessment appeal process related to the 1987 and particularly the 1990 reassessment would now be, in large part, behind us. Only the interest costs related to outstanding 1990 appeals carry forward from 1993. It should be noted though, that these are significant costs and the remaining 3,000 net appeals need to be dealt with as quickly as possible. It is not possible at the present time to forecast with any degree of accuracy what financial losses may result from the 1994 reassessment. It will take at least several months of appeal hearings in 1994 at the Board of Revision to develop a track record. The results of the hearings will be closely monitored and reported in future in the coming months.

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At a minimum, the City's budgets in 1994 and future years will have to provide budgetary dollars for the following:

- Refunds on 1994 reassessment appeals.

- Interest on 1994 reassessment appeal refunds.

- Interest on 1990 reassessment appeal refunds.

- Scheduled repayments to the Land Operating Reserve (1995-1998 inclusive).

The City has very little flexibility in budgeting for the 1990 and 1994 reassessment appeal refunds. However, in 1994 and future years, there may be some latitude in both the accounting and budgeting for refund impacts as well as the scheduled repayments to the Land Operating Reserve. The premise is that the refunds represent a cost of reassessment which occurs over a three year period. Therefore these costs may be appropriately spread over the three years thereby smoothing the significant first year impact. The advantages to this approach are that significant "budgetary bumps" are avoided and predictability in longer range budgeting can be achieved. There is also potential flexibility in the Land Operating Reserve repayment schedule. When combined, the City retains the ability to have a fairly predictable budgetary cash flow related to assessment appeal refunds and interest over the next five years.

It should be noted that the accounting and budgetary flexibility is helpful, but the key issues continue to be the quantum of appeal refunds, the expedition of the appeal process to significantly reduce those refunds and the related interest costs, and a longer term plan for the 1997 reassessment that would eliminate or further minimize appeal refund impacts.

Your Executive Policy Committee recommends:

I. That $17.3 million be transferred by way of a capital reorganization from the Land Operating Reserve to the General Revenue Fund to fund the accrued liability for assessment appeal refunds and interest at December 31, 1993;

II. That $4.325 million be provided in each of the 1995, 1996, 1997 and 1998 operating budgets to repay the $17.3 million transfer from the Land Operating Reserve;

III. That $1.2 million be set up as a 1993 payable to fund the additional cost of expediting appeals as outlined on Appendix "A". This has been provided for in the 1993 deficit projection.

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

Copy of attachment(s) referred to in the above clause are on file in the office of the City Clerk.

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

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

The motion for the adoption of the clause was put.

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

Yea: Councillors Boychuk, Clement, Eadie, Hyman, Lazarenko, O'Shaughnessy, Prystanski, Silva, Thomas, Fraser, Her Worship Mayor Thompson and Councillor Angus. 12

Nay: Councillors Golden, Murray and Reese. 3

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

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

Councillors Boychuk, Duguid, Hyman, Murray and Reese entered the meeting after Council had reconvened.

Proposed amendment to Plan Winnipeg (By-law No. 5915/92) by redesignating lands located between Gateway Road and the City of Winnipeg Hydro Transmission Line, south of Springfield Road from a "Neighbourhood" Policy Area to an "Industrial" Policy Area - East Kildonan-Transcona Community
File EP-1.1 (PW 1/92) (Vol. 9)

604 - 5. The City has received an application by Palliser Furniture Ltd. to amend Plan Winnipeg...Toward 2010 (By-Law No. 5915/92) by redesignating a 55 acre site located on the south-east corner of Springfield and Gateway Roads, East Kildonan/Transcona Community, from the present "Neighbourhood" to an "Industrial" Policy Area.

The purpose of the redesignation is to permit Palliser Furniture Ltd., a major North American furniture manufacturer with headquarters in Winnipeg, to develop the land for industrial purposes, in order to concentrate more of their manufacturing capacity in Winnipeg.

The proposed redesignation to "Industrial" conforms with Plan Winnipeg policies pertaining to Economic Development and Urban Development Management and is appropriate in terms of land-use planning.

The subject site, comprising approximately 55 acres, was purchased in 1988 from the Canadian Pacific Railway (CPR) by Palliser Furniture Ltd., who are the present owners.

Plan Winnipeg designated the subject land an "Industrial" Policy Area until January of 1989 when Council, pursuant to an application by Palliser, passed a By-Law (No. 4917/88) to redesignate the land as "Neighbourhood" Policy Area. The residential development planned by Palliser at that time was not proceeded with.

Now, in an application filed February, 1994, Palliser are requesting the site to be redesignated to "Industrial" Policy Area.

This expansion and addition to Palliser's manufacturing facilities in Winnipeg would create up to 1000 new manufacturing jobs over a period of years.

The Planning Department recommends that the petition to designate the subject site as "Industrial" Policy Area be approved for the following reasons:

a) Plan Winnipeg Policy Context

Plan Winnipeg...Towards 2010 addresses the physical, social, economic and environmental conditions and future needs of the City and establishes criteria and policy with respect to the development, which is permitted in specific policy areas.

Plan Winnipeg policies and objectives which are relevant to this application are outlined in Appendix "A".

Plan Winnipeg in Chapter 1 "Directions" states: "..There is recognition that economic activity is what drives the city and that Winnipeg is in competition with other metropolitan centres throughout North America for economic opportunities. To attract new business as well as to retain existing ones, the City must offer the highest quality environment, services and amenities, together with a positive and encouraging attitude."

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b) Planning and Sustainable Development Considerations

1) Site Characteristics and Land Use.

The site is approximately 55 acres (22.2 ha) in size. It is bounded in the west by a CPR right of way and Gateway Road, in the north by a CPR right of way and Springfield Road, and in the east by the city of Winnipeg Hydro Transmission Line. In the south the site abuts the McLeod Industrial Area.

The site was part of the Canadian Pacific Railway property east of the Red River, the so called "Bergen Cut Off" line.

The CP Rail line west of Gateway Road and continuing across the Red River was abandoned in the 1930s and the land was sold for redevelopment. The portion of land between Gateway Road and Henderson Highway has been redeveloped with single family housing and commercial development.

The redesignation of the subject site in 1988 from "Industrial" to "Neighbourhood" (By-law No. 4917/88) was consistent with the trend toward residential/commercial development already established west of Gateway Road.

It should be noted however that there remains an active railway line transiting the site (the CPR Transcona Yard feeder line) which carries two freight trains per day.

While the location of this rail line on the site may pose a challenge to the design for quality residential development, it can be viewed as an asset for the proposed industrial park development.

Although rail service to the industrial park is not contemplated, the rail line in combination with a 55 foot wide buffer strip south of Springfield Road provide a broad spacial separation between the existing residential development north of Springfield Road and the proposed industrial park to the south. The buffer also provides an opportunity for landscaping to enhance the aesthetic appearance of the industrial park as seen from Springfield Road.

2) Economic Impact

The petitioner Palliser is a major furniture manufacturer in North America. In Winnipeg the company employs approximately 1,400 people. One thousand of these positions are on the Vulcan Avenue industrial complex (McLeod Industrial Area) which comprises a manufacturing area of 759,700 square feet. Palliser also operates manufacturing plants in Alberta, North Dakota, and North Carolina.

Palliser is in the process of expanding its operation annually, and requires additional space of approximately 100,000 square feet per year. In 1991, it purchased a 410,000 square foot manufacturing concern in North Carolina. In 1993 Palliser added considerable footage to its Winnipeg operations by building 95,000 square feet of industrial space, renovating 25,000 square feet, and leasing 25,000 square feet of additional space. It reduced leased space in Fargo, North Dakota by 25,000 square feet the same year.

With support from the City of Winnipeg, for this application, Palliser will concentrate its expansion efforts in the Winnipeg area. This 55 acre site will fulfil most of its expansion needs over a multi-year period. It is anticipated that most of the space developed on this site will be for Palliser's internal use, however, there may be some demand for Palliser to develop a multipurpose building and perhaps lease a portion of it to companies associated or very compatible.

As indicated, Palliser's building needs grow by approximately 100,000 square feet per year. With additional investment by Palliser on new technology equipment and processes, this 100,000 square feet of building translates into approximately 100 new employees per year. The majority of these new employees will be part of the skilled manufacturing workforce. There may also be a consolidation of a number of small packaging operations, which are now remote and would best be brought to the site. It is envisioned that over a multi-year period the proposed new facilities on this site will employ as many people as the 1000 employees presently employed on the Vulcan Avenue industrial complex.

Report of the Executive Policy Committee dated April 13, 1994

Palliser is prepared to commence construction in 1994 or early 1995 if the Plan amendment is approved.

The proposed re-designation of the subject land constitutes an opportunity to enable a Winnipeg based private industry to create on land they already own, hundreds of construction jobs in the short term, and up to 1000 skilled manufacturing jobs in the long term.

The prerequisite redesignation of the land is appropriate within the Plan Winnipeg context. Additional relevant Plan Winnipeg Policies are outlined in Appendix "A". Development agreements (to be drawn up) between the City and the proponent can assure that the proposed industrial park will be an asset to the community. Appendix "B" outlines the chronology of events for this Plan Winnipeg Amendment Process.

Your Executive Policy Committee recommends:

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

II. 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.

III. 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.

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

Copy of attachment(s) referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

Amendment to the City of Winnipeg Policy on Travel File GU-2.10 (Vol. 5)

605 - 6. Council at its meeting held on January 26, 1994, referred the following motion to your Executive Policy Committee:

Moved by Councillor Hyman,
Seconded by Councillor Thomas,

WHEREAS Council at its meeting of July 10, 1991, adopted the City of Winnipeg policy on travel, constituting the travel policy for elected officials, employees of the City of Winnipeg and in some approved instances, members of other political bodies, or private citizens who travel on behalf of the City of Winnipeg;

AND WHEREAS all claimants under this policy are to give careful consideration to the amount of expenses claimed and travel in the most economical fashion so as not to violate the spirit of the policy of equity for all concerned;

AND WHEREAS it is the objective of this policy to ensure that all claims are adequately reimbursed for expenses incurred including accommodations, ground transportation and a per diem allowance to cover meal expenses;

AND WHEREAS the policy provides for a per diem allowance, calculated annually to offset costs related to dining (including gratuities and other related expenses) for each attended day at a function with an additional day permitted if necessary to coincide with arrival and departure requirements;

AND WHEREAS the per diem travel rate effective January 1, 1994 has been calculated as follows:

TRAVEL OUTSIDE CANADA	*$52.00 U.S./DAY*
TRAVEL WITHIN CANADA	*$56.00 CDN./DAY*

Report of the Executive Policy Committee dated April 13, 1994

AND WHEREAS the City of Winnipeg is currently exercising budget restraint and often conferences/meetings attended provide for some or all meal requirements;

THEREFORE BE IT RESOLVED that the City of Winnipeg "Policy on Travel" be amended to delete the per diem allocation and to replace it by the provision for reimbursement for actual dining costs incurred, up to $52.00 U.S./DAY (outside Canada) and $56.00 CDN/DAY (within Canada) based upon receipts submitted, within appropriate cost limitations.

Inasmuch as your Executive Policy Committee has directed the Administration to review and report on this matter, your Committee recommends that Council grant an extension of time of 60 days to allow for further consideration.

Adopted by consent.

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

606 - 7. Council at its meeting held on December 15, 1993 granted your 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.

Your Executive Policy Committee recommends that Council grant a further extension of time of 60 days to allow further consideration of this matter.

Adopted by consent.

REPORT OF THE
EXECUTIVE POLICY COMMITTEE

DATED APRIL 14, 1994

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee dated April 14, 1994, was considered.

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

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

Her Worship The Mayor and Councillors:

Appointment to the Position of Ombudsman for the City of Winnipeg
File GL-5.8 (Vol. 7)

607 - 1. In November, 1989, the Province of Manitoba enacted legislation, through amendments to the City of Winnipeg Act, which requires the City to have a position of Ombudsman, complete with appropriate staff. The legislation describes such provisions as term, reporting, budget, organization of office, employees, jurisdiction and others. These provisions are contained in Sections 65 to 73 and 81 to 81.9 of the City of Winnipeg Act.

In December of 1993, Her Worship the Mayor, constituted a Citizen Selection Committee to undertake the role of selecting a person to fill the position of Ombudsman for the City of Winnipeg. The Citizen Selection Committee comprised the following persons; Deborah McCawley, Q.C., Errol Lewis and Tom Denton. An Employment Officer of the Personnel Department, City of Winnipeg, provided support services and Councillor George Fraser, Council's representative to the Citizen Selection Committee served as non-voting members.

On April 14, 1994, your Executive Policy Committee received the recommendation of its Citizen Selection Committee regarding the appointment of Ombudsman for the City of Winnipeg. The Citizen Selection Committee received 85 applications for the position and held interviews on February 28 and March 1, 1994.

The recommended applicant, Virginia Menzie, holds a Bachelor of Law degree from the University of Manitoba and has been a Corporate Equity Specialist with the Manitoba Telephone System, has served as an Investigator for the Canadian Human Rights Commission and an Administrative Officer for the Manitoba Department of Family Services. Ms Menzie is also the cofounder of Zebra Group Professional Human Resource Consulting. Her Board and volunteer experiences include the Women's Employment Counselling Service of Winnipeg, Y.W.C.A. Career Counsellor and Manitoba Association of Women and the Law.

Your Executive Policy Committee concurs in the recommendation of its Citizen Selection Committee and recommends that Virginia Menzie, be appointed, effective May 9, 1994, to the position of Ombudsman for the City of Winnipeg for a term of 6 years, in accordance with Section 66(3) of the City of Winnipeg Act at a starting salary of $75,738 per annum, (salary rate as at December 26, 1993) M.S.L. VII, Step 15 subject to the standard employment contract.

For the information of Council, the Office of the Ombudsman is expected to officially open September 1994. During the Current Estimate deliberations in February 1994, Council approved a budget in the amount of $134,100.00 for the Ombudsman Office.

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

Carried.

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

REPORT OF THE
EXECUTIVE POLICY COMMITTEE

DATED APRIL 20, 1994

On Motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee dated April 20, 1994, was considered clause by clause.

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

Councillor Clement requested that Clauses 1 and 5 be pulled from the Consent Agenda.

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

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

Councillor Lazarenko requested that Clauses 6 and 7 be pulled from the Consent Agenda.

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

The motion to adopt the Consent Agenda, Clauses 4,8,10,11 and 12 was put and declared carried.

608 - Councillor Murray asked to be recorded as having voted against Clause 11, in accordance with Rule 50.7 of the Procedure By-law.

Her Worship The Mayor and Councillors:

1994 Current Budget File FE(1994)

609 - 1. During Council review of the 1994 Current Estimates, incorrect information was provided relative to the amount of funds included for frontage levy expense on City owned Tax Supported properties.

The City of Winnipeg levies a water ($1.10 per front foot) and a sewer ($0.50 per front foot) frontage charge on all property (including that owned by the City of Winnipeg) fronting or abutting streets and lanes where a sewer or watermain has been placed.

The 1994 Base Budget (page 146 centre 000302) included an amount of $2,569,000 for Taxes on City Properties. This amount is the total of many items of which one is $860,000 for the water and sewer frontage levy on City owned property.

On February 25, 1994, during the 1994 Estimates, Council adopted motion number nine which, in part, reduced the sewer and water levy by $2.5 million. Council was under the impression that the entire $2,569,000 was for Frontage Levies on City owned property while actually only $860,000 was for that purpose.

The intent of Council was to eliminate the frontage levy charge on City owned property which would have resulted in an expenditure reduction of $860,000 rather than $2.5 million.

It is therefore necessary to reinstate $1,640,000 ($2,500,000 - $860,000) into centre 000302 Taxes on City Properties.

The 1994 Base Budget (page 41 centre 000234) included an amount of $4.5 million for Current Year's Debenture Issue Expense. This estimate was based on a $60 million debt issue March 1, 1994 at 9% interest. The City has, in fact, issued $30.5 million on January 20, 1994 at 8% interest. At the present time, no additional funding is anticipated during 1994 which will result in a saving of approximately $2.1 million.

Funds are therefore available in Current Year's Issue Expense to offset the additional requirement in Taxes on City Properties.

Report of the Executive Policy Committee dated April 20, 1994

Your Executive Policy Committee recommends:

I. That the 1994 Tax Supported Current Budget Expenditures be adjusted as follows:

- increase the provision for Taxes on City Properties by $1,640,000

- reduce Current Year's Debenture Issue Expense by $1,640,000.

II. That, time permitting, the above adjustments be incorporated into the 1994 budget prior to the final printing.

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

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

Carried.

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

Involvement by the City of Winnipeg in Renting/Converting the Royal Bank Tower
File G-3.1.1 (Vol. 5)

610 - 2. On April 1, 1993, the solicitors for 500 - 504 Main Street made application to the City of Winnipeg, on behalf of the owner, for approval to demolish the building(s) located on the above properties.

On June 10, 1993, the Historical Buildings Committee recommended that the above building(s) be placed on the buildings conservation list as Grade 1 building(s) the following interior elements:
Banking hall, stairwells, cage elevators and interior entrances.

On October 26, 1993, this recommendation was considered by the Committee on Planning and Community Services and has been tabled ever since. It is due to be reviewed on June 28, 1994.

On September 9, 1993, the owner of the building requested a meeting with City representatives regarding the renovations of the Royal (Union) Bank Tower, and the matter of a major tenant on a long-term lease. The owner indicated he was anxious to finalize his investment/land use decisions related to this property.

Members of the Executive Policy Committee were kept informed as to the progress in this matter at all times.

Various proposals were received and reviewed by city administration in conjunction with the owner's architect.

It has now become apparent that due to the constraints faced by the City, it cannot be involved financially in either renovating and/or purchasing the above properties.

Your Executive Policy Committee recommends that the City of Winnipeg not be financially involved in this matter.

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

Moved by Councillor Murray,
Seconded by Councillor Hyman,
WHEREAS City Council approved the "Heritage Support Policy and Programs" on July t, 1992 and again in 1993, Council specifically approved Part 3, C.1, the financial assistance measures of the policy;

AND WHEREAS the Royal Bank Tower was one of the key structures defining the challenge the Heritage Policy was expected to address;

Report of the Executive Policy Committee dated April 20, 1994

AND WHEREAS the building owners have a long history of successful heritage restorations and are willing to redevelop and preserve the building;

THEREFORE BE IT RESOLVED that the clause be referred to the Standing Committee on Finance and Administration to make recommendation on property values, utility of space and viability of civic uses for this building under the civic campus policy;

BE IT FURTHER RESOLVED that the matter be simultaneously referred to the Standing Committee on Planning and Community Services to define policy options under existing Council policy for the restoration and reuse of this building.

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

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

Yea: Councillors Reese, Duguid, Hyman, Murray, O'Shaughnessy, Prystanski, Silva, Thomas and Boychuk. 9

Nay: Councillors Clement, Eadie, Lazarenko, Fraser, Her Worship Mayor Thompson and Councillor Angus. 6

and the motion to refer with instructions was declared carried.

The Speaker here resumed the Chair.

Application of Amusement Tax By-law of the Rural Municipality of Headingley to the John Blumberg Complex
File PR-6.2 (Vol. 4)

611 - 3. The Municipal Administrator, R. M. of Headingley, in a letter dated February 23, 1994 to the Commissioner of Protection, Parks & Culture, advised that the Council of the R. M. of Headingley had given first reading to By-law No. 2/94 to replace its original Amusement Tax By-law No. 19/93. In addition, the Council of the R. M. of Headingley requested an agreement with the City of Winnipeg for a grant-in-lieu of taxes and/or the collection of its amusement tax.

The Council of the R. M. of Headingley, by letter dated September 20, 1993, gave notice of its Amusement Tax By-law No. 19/93 which levied a 10% amusement tax upon admissions to certain places of amusement. Under By-law No. 19/93, John Blumberg Complex fell within the definition of a place of amusement but the City would have been entitled to an exemption from collecting amusement tax upon completion of certain documents based upon the fact that it is a "corporation . . . organized for the promotion of . . . social welfare, civic improvement or . . . recreational purposes".

On March 22, 1994, the R. M. of Headingley enacted its "new" Amusement Tax By-law No. 2/94 which repealed and replaced the previous By-law No. 19/93. The City of Winnipeg is no longer entitled to an exemption from collecting amusement tax under By-law No. 2/94.

Amusement tax, authorized under Section 576 of the Municipal Act, is a tax upon persons attending "places of amusement", defined as including "any building, land, place, premises, room or a tent where an amusement is given, held, played or takes place and, without restricting the generality of the foregoing, includes . . . grounds, fields, buildings and facilities used for athletic or sporting games, contests or other activities". The Council of a municipality that passes an amusement tax by-law may require the owners of places of amusement, including any person who operates, conducts or manages a place of amusement, to collect and remit amusement tax.

Consideration was given in preparation of this report to subsection 670(1) of The City of Winnipeg Act which provides as follows:

> "Notwithstanding any other Act of the Legislature, and subject to subsections (2) and (3), the city is, and all real and personal property belonging to the city is, exempt from all taxes or rates levied by municipal corporations or local government districts, including school taxes."

Report of the Executive Policy Committee dated April 20, 1994

The Law Department's opinion is that the above provision does not preclude the imposition of amusement tax by the R. M. of Headingley because amusement tax is a personal tax imposed upon members of the public using the golf course, as distinguished from a real or personal property tax.

Headingley By-law No. 2/94 and the Municipal Act provide that the municipality may enter into an agreement with the owner of a place of amusement for payment by the owner of a sum or sums in lieu of collecting and remitting amusement tax. The by-law provides that the amount payable under such an agreement shall be 10% of the admission price, based upon the total amount of amusement tax required to be collected in the previous calendar year. Information has been compiled by the Parks & Recreation Department indicating that green fees of $640,963.00 were collected in 1993.

The City of Winnipeg may wish to consider requesting the Province of Manitoba to amend the Municipal Act to preclude the application of amusement tax by a municipality upon admission fees paid to use or enter lands owned by another municipality.

In 1974, the Province of Manitoba amended the Municipal Act to give municipalities the power to impose amusement tax. Prior to that time amusement tax was imposed by the Province of Manitoba under the Amusements Act. It is noted that the Amusements Act excluded from the definition of a "place of amusement", "a building or hall operated or used for public concerts, plays, shows, dances, social gatherings and athletic or sporting exercises, exhibitions or contests, and other forms of amusements, owned by a municipality . . . unless, at the time the amusement is given, held, played or takes place, the . . . building or hall is leased or rented to any other person, corporation, association, society or organization and occupied or used at that time by the lessee or tenant for the purpose of giving, holding, playing or taking place of the amusement". Similar exclusions existed for schools, colleges, churches, buildings owned or leased by the YMCA, YWCA, YMHA as well as buildings or halls operated by the Board of Trustees of a School Division, School District or by a neighbourhood or local community organization or association.

It is to be noted that the above exclusion applied only to buildings or halls operated by a municipality and that other grounds or lands were not excluded.

It is to be further noted that the City of Winnipeg presently collects amusement tax from persons attending the Assiniboine Park Zoo.

The City of Winnipeg Amusement Tax By-law No. 3107/81 imposes an amusement tax of 10% upon admission prices paid by persons to enter a place of amusement but provides specifically that an admission price does not include the fee or charge paid by or collected from a person to participate in an athletic sport. "Athletic sport" is defined to include ice skating, roller skating, bowling, golf, tobogganing and the use of skateboard facilities but does not include dancing, miniature golf or the use of go-carts.

The City could amend By-law No. 3107/81 to require that amusement tax be collected by golf courses located within its boundary.

In summary, the following options are also available to the City:

- That the City enter into an agreement with the Rural Municipality of Headingley to make a payment to said municipality based upon 10% of the admission prices, in lieu of collecting the amusement tax.

- Approach the Province of Manitoba to amend the Municipal Act to exempt property owned by municipalities from the imposition of amusement tax by other municipalities.

- Amend the City Amusement Tax By-law to impose amusement tax upon green fees and other admission prices charged at those golf courses within the City's boundaries.

- Lower the green fees charged at John Blumberg Golf Course, with the result that the green fees plus applicable Headingley amusement tax would not exceed fees charged at other golf courses.

Your Executive Policy Committee recommends:

I. That The City of Winnipeg collect amusement tax upon admission prices to the John Blumberg Golf Course under the Headingley Amusement Tax By-law No. 2/94.

II. That the Province of Manitoba be approached to amend the Municipal Act to exempt property owned by municipalities from the imposition of amusement tax by other municipalities.

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

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

In amendment,

Moved by Councillor Silva,
Seconded by Councillor Prystanski,
That the clause be amended by deleting Recommendation I. and replacing it with the following:

"I. The R.M. of Headingley be invited to position staff at John Blumberg Golf Course in order to collect the Headingley Amusement Tax."

The Speaker advised that the clause would be tabled until later in the meeting in order to ascertain the City's legal obligation in collecting the tax.

(See Minute No. 614 for disposition)

Settlement of Assets and Liabilities - Rural Municipality of Headingley
File GG-2 (Vol. 22)

612 - 4. On February 23, 1994, The Municipal Board forwarded its final recommendation with respect to the settlement of assets and liabilities between The City of Winnipeg and the Rural Municipality of Headingley to the Cabinet of the Province of Manitoba for approval.

The February 23, 1994 report of The Municipal Board still must receive approval from the Provincial Cabinet. However, if its recommendations stand, it is the Finance Department's opinion that the City of Winnipeg has been treated both fairly and equitably.

The City of Winnipeg's initial position with respect to the settlement of assets and liabilities was that the Rural Municipality of Headingley pay the City of Winnipeg $580,348, which included amounts currently receivable by the City and outstanding debt on Headingley Capital projects.

It should be noted that Headingley's original position asked the City of Winnipeg for a net payment of about $2,400,000.

The interim report of The Municipal Board dated May 27, 1993, provided decisions on a number of the major issues that were in dispute between the two parties, namely:

- The Municipal Board ruled in favour of the City on excluding the hydro, waterworks and sewage disposal utilities, hospitals, biz zones and cemeteries which deducted $62.5 million from the shareable equity.

- The Municipal Board ruled in favour of Headingley on including, as shareable, many of the City's reserves such as the General Reserve and Equipment Replacement Reserve. The City's position related to the reserves was that only the unallocated portion of the reserves was shareable. The allocated portion has been committed to either obligations or acquisition of other assets. The Board's position, which was not unexpected, was that the full amount should be shareable. This caused $140.6 million to be included in the shareable equity.

- The Municipal Board ruled in favour of the City on including the unfunded liabilities in the calculation of shareable equity which deducted $60.7 million from the shareable equity.

- In addition, in determining the amount of payment, the amount of shareable equity must be apportioned on a factor. The factor prepared by the City was to utilize the portioned assessment. Headingley argued that the full market value assessment should be utilized. The Board ruled in the City's favour that the factor should be based on the value upon which taxes are levied which reduced the City's payment to Headingley by $194,000.

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In the final report of The Municipal Board, the Board had to deal with the following key issues:

- Headingley's claim for past tax/benefit imbalances
  The Board did not include any allowance or adjustment to recognize historical differences between taxes and benefits.

- Land Operating Reserve
  Because transactions were identified that included sales of land in Headingley the Board instructed the equity in the Land Operating Reserve to be included. This raised the shareable equity by $24.6 million.

- Unrecorded equipment and chattels
  The Board had requested the City to estimate the market value of equipment and chattels. The Board ruled that shareable equity be increased by $53.2 million to reflect the market value of equipment and chattels.

- Provision for debt related to Headingley capital projects
  Although the two municipalities had originally agreed that the outstanding infrastructure debt for capital projects become the responsibility of Headingley, Headingley stated that the agreement was a mistake and asked the Board to review the issue. The Board ruled in the City's favour and ultimately agreed that Headingley should accept the debt associated with the assets which it received, as it would not be logical for an area to secede from a municipality and take the improvements, but leave the debt associated with those improvements.

The summary of the Board's recommendations are outlined on Appendix "A".

The Finance Department in closing 1993 financial statements had set up as a payable $650,000 for 1993 to be treated as an expense in the General Revenue Fund. The final recommendation of The Municipal Board awarded a net payment of $439,090 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 $554,327. If Cabinet approves the recommendation of the Board without modification this would result in a savings from the amount set up in 1993.

In conclusion, the settlement recommended by The Municipal Board is an excellent model to be followed if other areas are considering seceding. Although the settlement is higher than originally proposed by the City of Winnipeg, it should be recognized that in most of the key issues that were in dispute, the arguments presented by the City were considered favourably and were subsequently supported in the Board's recommendations.

Your Executive Policy Committee submits this report for the information of Council.

Copy of attachment(s) referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

Part 3 of The City of Winnipeg Act - Official Languages of Municipal Services - By-law establishing a plan to implement said Part 3 File GL-5.7 (Vol. 4)

613 - 5. On November 4, 1989, the Premier of the Province, The Honourable G. Filmon, addressed the annual meeting of La Société franco-manitobaine. The following is an extract from the Premier's address:

> "There have been a number of discussions in the last several years concerning Part 3 of The City of Winnipeg Act, which requires the City to offer some of its services in French. This law is unique in character. It is the only provincial legislation in Canada which requires a municipal government to offer services in the language of its linguistic minority.

Report of the Executive Policy Committee dated April 20, 1994

That being said, we recognize that there are certain deficiencies in this law which were pointed out by The City of Winnipeg Act Review Committee a few years ago. We have looked at this aspect in the context of the general revision of the Act. A joint committee of the Province and the City has been established to look into this question. The Mayor of Winnipeg and the Councillor for Taché Ward, as well as the Minister of Urban Affairs and the Attorney-General, are members of this Committee.

A first meeting has already taken place, and concrete measures have followed. Formal responsibility for the delivery of French language services has been given to the Chief Commissioner of the City. Also, the City is currently in the process of making a complete inventory with its French language resources..."

On January 29, 1990, La Société franco-manitobaine submitted a detailed brief to the joint committee of the Urban Affairs Committee of Cabinet and The City of Winnipeg's Official Delegation outlining its concerns and recommendations in connection with The City of Winnipeg Act and French language services.

On January 11, 1991, after a meeting between representatives of La Société franco-manitobaine and The City of Winnipeg, His Worship the Mayor and the Councillor for Taché Ward agreed that a joint committee of the two groups would be established with the following terms of reference:

- Review the present French services offered by The City of Winnipeg under Part 3 of the present City of Winnipeg Act.

- Review what may be possible to do to improve the provision of French services under Part 3 of The City of Winnipeg Act.

- Prepare a schedule of implementation of improved services, as suggested above.

The Committee met with the Commissioners and their Department Heads to review what was presently offered in the way of French language services in the departments and what could be improved.

As a result of the meetings of the joint committee, a draft plan of action was prepared and comments were requested from all Department Heads on same.

In June of 1992, the Province of Manitoba passed Bill 78 amending The City of Winnipeg Act (Part 3). The new Part 3 of the Act, proclaimed to become effective on May 1, 1994, stipulates that City Council must adopt an implementation by-law for French language services to comply with Part 3 of the Act. In general terms, the following are the provisions of the new Part 3:

- Appoint a French Language Coordinator. (This was done in September of 1993).

- Services at City Hall (Note: in the action plan "City Hall" is defined as all departments where a citizen can go and expect to be served in the official language of her/his choice) must be available within a reasonable time in the official language of the client's choice. Likewise, municipal services must be offered in the official language of the client's choice in the Riel Community (referred to in the Act as the "designated area").

- Citizens have the right to file a complaint with The City of Winnipeg Ombudsman (when same is appointed by Council) regarding non-compliance with the Act.

- The City must publish and keep up-to-date, a bilingual access guide to municipal services offered in French.

- The City must provide the Minister of Urban Affairs with an annual report on compliance with the provisions of the Act.

Council, on January 27, 1993, adopted a Statement of Policy and departmental plans of action to improve the provision of French services under the old provisions of the Act. The Statement of Policy identified three priorities for implementation:

Report of the Executive Policy Committee dated April 20, 1994

- Services to Historic St. Boniface.

- Services to the balance of the francophone community in the designated area.

- Services at those offices of the City where citizens may reasonably expect to be received in both official languages of Canada, or as may be determined by the regulations of the Province of Manitoba.

The revised Part 3 of the Act has basically confirmed the above priorities established by Council.

The French Language Coordinator circulated the requirements of Part 3 of The City of Winnipeg Act to all Department Heads and requested them to submit their plan of action to implement those requirements. All departments submitted their plan and the Coordinator prepared a draft Plan of Action and circulated same back to the Department Heads for further input. The draft "plan" was also forwarded to La Société franco-manitobaine for review and comments. A meeting was held with La Société to review the document. As a result of these consultations, the Coordinator has submitted a "Plan of Action", as outlined on Schedule "A" of the proposed by-law, for consideration and approval.

Police staffing included in the plan assumes the following:
- That under the approved Reorganization Plan, District No. 5 Station will be closed at midnight.
- That beginning in 1995, a minimum of five (5) recruits who speak both official languages will be hired for each recruit class in order to build up a pool of bilingual officers for general patrol to provide bilingual services in District No. 5.

The other staffing requirements of this plan assume the following:
- Department Heads, Unions and Associations will cooperate with the French Language Coordinator in designating positions as bilingual.
- The Coordinator will recruit, in consultation with all parties, the necessary bilingual staff to fill those designated positions.
- Every effort will be made to recruit the necessary staff from within the City establishment. However, should this not prove possible, the Coordinator will be allowed to go externally to recruit qualified staff.
- Allow the transfer(s) from one department to another, and from one working group to another, when same proves necessary, always in consultation with the appropriate parties.
- The letter of understanding with the Amalgamated Transit Union, encouraging bus operators to sign up for bus routes going through the St. Boniface Ward, will be extended to cover the balance of the routes going through the balance of the Riel Community.

It is of utmost importance that Department Heads, Unions and Associations become partners and owners of the "plan", as without full cooperation no plan is feasible.

Insofar as costs of implementing the "plan" are concerned, most actions will be phased in i.e. converting stock to bilingual stock when same is depleted, making brochures bilingual as they are prepared, etc. Any major item(s) will be phased in over a longer period of time, i.e.:

- Street and traffic signs, first of all in the St. Boniface ward and subsequently in the balance of the Riel Community.

- Converting Telebus to be bilingual; making T.V. and radio and other Transit commercials French.

Insofar as the conversion of street and traffic signs, the Director has estimated that there are approximately 2,600 signs to be converted in St. Boniface Ward, at an estimate cost of $110,000.00. In the balance of the Riel Community, it is estimated that there are approximately 10,500 signs that should be converted, at an estimated cost of $440,000.00.

The ultimate cost of implementing this Provincial legislation can only be accommodated by the City on an incremental basis and the proposed plan is designed to phase-in service improvements in an affordable fashion.

The Coordinator, on behalf of the City, has applied to the Province of Manitoba, under its agreement with the Government of Canada, to share the cost of translating, manufacturing and installing the signs. The "plan" proposes to complete the conversion over five years. This may prove difficult to accept by the French community as the previous provisions of the Act (since 1972) did require that street and traffic signs in Taché Ward be bilingual. However, due to the financial difficulties facing the City, it is deemed necessary to phase this conversion over five years. It is, however, important that Council approach the Province to first of all request it to process the City's

Report of the Executive Policy Committee dated April 20, 1994

application at the earliest opportunity and, secondly, to give the City an annual grant, for the next five years, to assist it in converting these signs, as proposed in the "plan".

It is worthy of mention that both La Société and the francophone business community are convinced that anything that can be done to give the Riel Community, and more particularly historic Saint-Boniface, an "historical French character" will prove of great benefit to the City when it promotes economic development within its boundaries. Some businesses would be prepared to consider Winnipeg as a prime candidate if it could be shown that there is an active offer by the City of services in both official languages.

The Plan of Action has been prepared for the political and administrative structure in place at the present time. Any changes to the structure will require some review of the plan.

Your Executive Policy Committee recommends:

I. That Council adopt By-law No. 6402/94, establishing a plan as outlined on Schedule "A", attached to and forming part of By-law No. 6402/94, to implement Part 3 of The City of Winnipeg Act.

II. That The Board of Commissioners be requested to immediately forward a copy of By-law No. 6402/94 to every Union and Association with the request that the groups review same at the earliest opportunity and be requested to cooperate in the implementation of the plan and, in particular, permit the French Language Coordinator, in consultation with all parties, to designate positions as being bilingual and to do all things necessary to fill those as proposed in the plan.

III. That the Province of Manitoba be requested to approve, at the earliest opportunity, the City's request for funding under the Canada/Manitoba General Agreement on the Promotion of Official Languages and to also provide the City with an annual grant, for the next five years, to permit the City to implement the conversion of street and traffic signs in the Riel Community, at a cost estimated to be $110,000.00 per annum.

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

Carried.

Council here reverted to the order of business - "Clause 3 of the Report of the Executive Policy Committee dated April 20, 1994".

Application of Amusement Tax By-law of the Rural Municipality of Headingley to the John Blumberg Complex File PR-6.2 (Vol. 4)

614 - The Speaker clarified the City's legal obligation in this matter and ruled the amendment proposed by Councillors Silva and Prystanski out of order.

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

Council here proceeded to consider the order of business - "Clause 6 of the Report of the Executive Policy Committee dated April 20, 1994".

Voluntary Retirement Incentive Program for Management File GL-5.6 (Vol. 5)

615 - 6. The 1994 Current Budget as adopted by City Council on February 25, 1994, calls for a "strategic plan to downsize WAPSO, WAPSO-Exempt and M Series management" positions. The strategic plan under development involves four components:

1. A new organization design
2. A period of transition to the new organization design
3. Identification of redundant positions, and
4. Creation of vacancies.

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The Voluntary Retirement Incentive Program is the key strategy proposed for the fourth component, the creation of vacancies.

The current Collective Agreement with WAPSO provides a process and benefits to be utilized in the event of reductions of positions represented by the WAPSO bargaining unit. (By policy, Council has extended this provision to WAPSO-Exempt employees.) The main emphasis of the process is, wherever reasonably possible, to maintain the employment of people whose jobs have been eliminated, normally through redeployment. Failing redeployment, the emphasis of the Agreement shifts to the provision of severance benefits, payable to those whose employment with the City is terminated as a result of restructuring.

Given the scope of the restructuring now being contemplated, the process of redeployment that has been used effectively for the last few years cannot reasonably be implemented because there will be no vacancies for redeployment purposes.

However, the severance formula can be utilized for purposes of providing a voluntary incentive and creating vacancies as recommended herein. The proposed package is consistent with the provisions of the Collective Agreement. As well, it is within the range of packages provided by other employers in the community, as outlined on Appendix "B".

A parallel program based on the standard employment contract for Senior Management will be offered to those Senior Managers who meet the eligibility criteria.

Based on the provisions of this package and accounting rules regarding amortization of severance amounts, cost/saving estimates have been developed utilizing demographic and payroll information, and recent historical information on retirees, as outlined on Appendix "C". This information shows that, if the retirement incentive recommended is offered before the end of April, and if applicants are retired at the earliest reasonable opportunity and not replaced, partial savings will occur in 1994 and each of the four years thereafter, with full savings occurring in the sixth year.

	AMORTIZED SEVERANCE COSTS (48 MONTHS)	**1994 SALARY REDUCTION**	**1995 SALARY REDUCTION**	**FULL-YEAR SALARY REDUCTION**
All eligible (177)	**$10.5 M**	**3.5**	**8.8**	**12.6**
***60% of eligible(10 (Based on averages)**	**6.3**	**2.1**	**5.3**	**7.0**
***60% of eligible(10 (Max. cost)**	**7.1**	**2.3**	**5.6**	**8.3**

*The 60% estimate is shown, based on application rates experienced by other employers offering voluntary retirement programs

It should be noted that a significant increase in the number of management employees retiring would require additional budget for payout of sick leave and vacation credits, not reflected in the figures above.

The planned schedule for implementation of this retirement incentive package is:

April 15	Informal discussion with City Council
April 18	Publication of program to management staff
April 20	Recommendation to City Council by EPC
April 27	Approval of strategy by City Council
May 9	Deadline for submission of applications
May 9-23	Senior Management review of applications and scheduling of retirements
June 25	First retirements under the program

The retirement incentive package provided is:

- 40 days' pay in lieu of notice
- 3 weeks' pay per year of service to a maximum of 46 weeks
- three years' dental and vision care benefits from date of retirement
  (Last retirements would occur December 23, 1995)

Report of the Executive Policy Committee dated April 20, 1994

Your Executive Policy Committee recommends approval of the Voluntary Retirement Incentive Program, as outlined in Appendix "A".

Copy of attachment(s) referred to in the above clause, including Appendix "A", are on file in the office of the City Clerk.

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

In amendment,

Moved by Councillor Reese,
Seconded by Councillor Boychuk,
That the clause be amended by adding the following as a condition of approval of the program:

"That no Voluntary Retirement Incentive Package be available to incumbents of positions that were made vacant only because of the incentive package, and would require hiring outside of existing complement, inasmuch as this would defeat the purpose of the downsizing program."

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

The amendment was put.

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

Yea: Councillors Reese, Boychuk and Golden. 3

Nay: Councillors Clement, Duguid, Eadie, Hyman, Lazarenko, Murray, Prystanski, Silva, Thomas, Fraser, Her Worship Mayor Thompson and Councillor Angus. 12

and the amendment was declared lost.

The motion for the adoption of the clause was put.

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

Yea: Councillors Boychuk, Clement, Duguid, Eadie, Hyman, Lazarenko, Murray, Prystanski, Silva, Thomas, Fraser, Her Worship Mayor Thompson and Councillor Angus. 13

Nay: Councillors Reese and Golden. 2

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

A New Direction for Civic Administration
File GL-5.6 (Vol. 5)

616 - 7. Council on February 25, 1994, in adopting the 1994 Current Budget, directed the Administration to develop a strategic plan to downsize W.A.P.S.O., W.A.P.S.O. exempt and M. Series management of the City of Winnipeg, to achieve $2,000,000.00 net savings in salaries in 1994 and significant savings in 1995 to 1998, and include the Executive Policy Committee's 19 point directive.

On April 15, 1994, a Council Seminar was held and the Chief Commissioner presented a report entitled, "New Direction for Civic Administration" as outlined on Appendix "A". The report recommends that the City ultimately structure its administration on the basis of three Commissioners, four staff and ten Line Departments and a total reduction in staffing from 977 to 750 management/professional positions. The report also outlines a new organizational structure and provides commentary on mandates for departments, and recommends a two stage implementation process.

Report of the Executive Policy Committee dated April 20, 1994

Your Executive Policy Committee has endorsed the Chief Commissioner's report and therefore recommends:

I. That City Council approve the overall direction contained in the report including the proposed restructuring of The Board of Commissioners, the reduction in departments, the target of 750 management and professional staff and the basic principles for implementing the restructuring of the City's administration.

II. That the Chief Commissioner be authorized to do all things necessary to implement Stage One of the restructuring plan proposed in this report, including the submission to Council of names for appointments to senior management positions, as required.

III. That monthly Council seminars be held to receive progress reports on the restructuring and to allow full consultation with all Members of Council during the transition.

Copy of attachment(s) 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.

In amendment,

Moved by Councillor Thomas,
Seconded by Councillor Boychuk,
WHEREAS this is a Civic not a Provincial initiative;

AND WHEREAS the reduction to "750" management and professional staff assumes that the Provincial Government will take over health and social services or both;

AND WHEREAS the Provincial Government has been resistant to any overtures made by the City, to assuming responsibility for either of these departments;

THEREFORE BE IT RESOLVED that the clause be changed to delete "750" from Recommendation I and replace it with "770".

In amendment,

Moved by Councillor Murray,
Seconded by Councillor Thomas,
WHEREAS City Council passed Plan Winnipeg - Toward 2010 and it is intended the proposed restructuring of the Civic Administration should conform to the objectives of Plan Winnipeg;

AND WHEREAS Plan Winnipeg calls for a policy driven approach to Civic Government decision making and specifically calls on Council to undertake the following measures:

7A - 01	Prepare a Priorities Plan
7A - 02	Prepare Action Plans for Sustainable Development and Healthy Communities
7B - 01	Reflect the Plan in the Budget
7C - 01	Ensure Cross - Functional Co-operation
7D - 01	Prepare Strategic Plans for Civic Departments
1D - 01	Ensure Quality Service
1D - 02	Foster Excellence
1D - 03	Manage Financial Resources Effectively
1D - 04	Prepare a Staff Development Plan
1D - 05	Foster Better Understanding of Civic Functions
2A - 08	Ensure Quality Administration
2B - 01	Prepare Financial Management Strategy
2B - 02	Stabilize Expenditures
2C - 07	Provide Staff Training
2H - 01	Define Role of Municipal Government

AND WHEREAS the new direction for Civic Government neither defines the role of government nor the level of government services;

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THEREFORE BE IT RESOLVED that the clause be amended to add a fourth recommendation; IV - That City Council establish a working group to develop a policy paper and strategic 5 year plan to define Civic Services levels. Specifically, the plan should assign priorities to the objectives laid out in Plan Winnipeg and ensure that appropriate resources and staffing are provided to enable the implementation of Plan Winnipeg priorities.

THEREFORE BE IT FURTHER RESOLVED that the working group should ensure the structure of City Government reflects and is reviewed in the context of Plan Winnipeg and consistent with the restructuring objectives and continuous improvement commitments of City Council.

BE IT FURTHER RESOLVED that each Standing Committee of Council be responsible for developing a priorities plan in the context of these initiatives.

In amendment,

Moved by Councillor Lazarenko,
Seconded by Councillor Boychuk,

WHEREAS the clause outlines a new direction for civic administration;

NOW THEREFORE BE IT RESOLVED that Recommendation II. be amended by inserting after the Chief Commissioner, the words "and the Board of the Commissioners".

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

The amendment proposed by Councillors Lazarenko and Boychuk was put.

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

Yea: Councillors Boychuk, Lazarenko, Murray and Thomas. 4

Nay: Councillors Clement, Duguid, Eadie, Golden, Hyman, O'Shaughnessy, Prystanski, Silva, Fraser, Her Worship Mayor Thompson and Councillor Angus. 11

and the amendment was declared lost.

With the concurrence of the seconder, Councillor Thomas and with the permission of Council, Councillor Murray amended his motion by deleting the reference to amending Clause 7 of Executive Policy Committee, dated April 20, 1994 and requested that the motion be considered under the item of business - "Executive Policy Committee - Motions".

The amendment proposed by Councillors Thomas and Boychuk was put.

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

Yea: Councillors Boychuk, Clement, Hyman, Murray and Thomas. 5

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

and the amendment was declared lost.

The motion for the adoption of the clause was put.

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

Yea: Councillors Boychuk, Clement, Duguid, Eadie, Hyman, Lazarenko, Murray, O'Shaughnessy, Prystanski, Silva, Thomas, Fraser, Her Worship Mayor Thompson and Councillor Angus. 14

Nay: Councillor Golden. 1

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

Report of the Executive Policy Committee dated April 20, 1994

The City of Winnipeg China Collection
File G-3 (Vol. 4)

617 - 8. In a communication, dated April 22, 1926, the then Mayor of the City, Mr. R. H. Webb, was advised of the following provision of a will made by Mr. Frank Evison of London, England.

> "I give and bequeath unto the Corporation of the City of Winnipeg Manitoba Canada all my Worcester China Crown Derby China Royal Crown Derby China Coalport China Minton China Davenport China Spode China and Wedgewood China a Crown Devon Lustre Bowl and a Crown Devon Vase a Lustre Bowl by Walter Slater a pair of Austrian Vases with photo on them and two Brackets on the wall in my room at No. 43 Page Street all of which China and other articles I have marked as being for the City of Winnipeg Manitoba Canada and also any other China or other articles which I may mark as being for the City of Winnipeg for exhibition in the City Library until such time as a Museum has been erected and then for exhibition in such Museum."

On February 7, 1986, the Associate Curator of The Winnipeg Art Gallery requested that the City of Winnipeg give consideration to a long-term loan of the City of Winnipeg china collection to the Winnipeg Art Gallery.

On March 19, 1986, Council adopted Clause 10 of the Report of the Executive Policy Committee, dated March 12, 1986, regarding the long-term loan of The City of Winnipeg china collection to the Winnipeg Art Gallery.

On March 27, 1987, a Loan Agreement was entered into between the City and the Winnipeg Art Gallery for this purpose.

The Winnipeg Art Gallery has a good collection of decorative arts, particularly in 18th and early-mid 19th century English porcelains. The gallery does not have the late 19th and early 20th century. The Evison Collection as described above, adds immeasurably to the continuity of the collection and when exhibited is appreciated by the people of Winnipeg and those visiting the City. The collection seen in relation to the earlier porcelains, illustrates the development of porcelain and the social history of the period. The combined collection forms the finest of its kind in Western Canada, and of which Winnipeg is justifiably proud.

The Winnipeg Art Gallery was given permission to catalogue the collection at no cost to the City. The Winnipeg Art Gallery, since the loan was approved, carries insurance covering the collection while in its care.

On March 22, 1994, the Curator of the Winnipeg Art Gallery requested that Her Worship the Mayor consider donating the Frank Evison Collection to the gallery.

Your Executive Policy Committee considered the request from the Winnipeg Art Gallery and therefore recommends that The City of Winnipeg china collection continue on long-term loan to the Winnipeg Art Gallery, conditional on the return of the collection if and when the City should ever open its own museum/artifacts centre.

Adopted by consent.

Pursuant to Rules 6.1 and 6.2 of the Procedure By-law, Council stood adjourned at 5:58 p.m., to reconvene at 9:30 a.m., on Thursday, April 28, 1994.

Adjourned Meeting Thursday, April 28, 1994

Council reconvened this day at 9:34 a.m.

The Speaker called the adjourned meeting to order.

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

Councillors Duguid, Golden, Murray and O'Shaughnessy entered the meeting after Council had reconvened.

In attendance: Mrs. D. Browton, City Clerk, Mr. R. Kachur, Deputy City Clerk and Mrs. J. Park, Committee Clerk.

Council here reverted to the order of business - "Delegations".

DELEGATIONS

618 - Chris Lorenc, Manitoba Heavy Construction Association Inc., appeared before Council in support of Clause 9 of the Report of Executive Policy Committee dated April 20, 1994, regarding licensing of non-resident contractors. Files EL-1 (Vol. 26) and FL-1 (Vol. 8)

Gervin Greasely, Winnipeg Construction Association, also appeared before Council in support of Clause 9 of the Report of Executive Policy Committee dated April 20, 1994, regarding licensing of non-resident contractors. Files EL-1 (Vol. 26) and FL-1 (Vol. 8)

Council here proceeded to consider the order of business - "Clause 9 of the Report of Executive Policy Committee dated April 20, 1994".

Licensing of Non-Resident Contractors
Files EL-1 (Vol. 26) & FL-1 (Vol. 8)

619 - 9. Council on April 28, 1993, adopted Clause 12 of the Report of the Executive Policy Committee dated April 7, 1993, with respect to the licensing of non-resident contractors. Recommendation No. 2 of the Clause requested the Committee on Finance and Administration to review the licensing of contractors and provide a process for implementing a license in lieu of business tax for non-resident contractors for report back to your Executive Policy Committee.

On January 31, 1994, the Committee on Finance and Administration considered a report dated January 19, 1994, from the Commissioner of Finance and Administration, in the above connection, and referred the matter to its Ad Hoc Committee on Animal Control and Licensing for review and recommendation.

The Ad Hoc Committee on Licensing and Animal Control conducted a public consultation process and solicited input from interested organizations and individuals with respect to the proposed licensing of non-resident contractors.

On April 7, 1994, the Committee on Finance and Administration considered reports dated March 3 and 25, 1994, from the Commissioner of Finance and Administration, and submissions from various interested organizations and individuals in this connection. The Committee also heard representation from The Manitoba Heavy Construction Association, the Heavy Equipment Rental Association of Manitoba and the Winnipeg Construction Association Inc., in opposition to the proposed licensing of non-resident contractors.

On April 7, 1994, the Committee on Finance and Administration also considered the recommendation of its Ad Hoc Committee on Licensing and Animal Control, namely, that the proposal to establish an annual license fee to non-resident contractors in lieu of business tax, be referred back to the Standing Committee without recommendation, with the following explanation:

1. The Ad Hoc Committee has been unable to find a way to impose a fee to non-resident contractors that is equitable to all contractors.

2. The Ad Hoc Committee has been advised that the City does not have the authority to charge a license fee on the basis of a sliding scale permit charge, which it had earlier proposed.

Report of the Executive Policy Committee dated April 20, 1994

The Committee on Finance and Administration recommended to your Executive Policy Committee that in view of the fact that the Committee has reviewed a number of alternatives and has been unable to make a recommendation relative to imposing a fee that is equitable to all contractors, that the implementation of a license fee for non-resident contractors not be proceeded with.

On April 20, 1994, your Executive Policy Committee also heard representation from the Manitoba Heavy Construction Association and the Winnipeg Construction Association Inc., in opposition to the proposed licensing of non-resident contractors.

Copies of the briefs have been distributed to all members of Council under separate cover.

Your Executive Policy Committee concurs with the recommendation of the Committee on Finance and Administration and therefore recommends that the implementation of a license fee for non-resident contractors not be proceeded with.

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

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

The Deputy Speaker recognized Deputy Mayor Fraser who raised a point of privilege regarding Councillor Murray's comments pertaining to Councillor Fraser's voting and support for a resolution debated at the M.A.U.M. convention.

The Deputy Speaker ruled that Deputy Mayor Fraser had a made a valid point of privilege in that he was acting in his capacity as a Council appointed representative on the M.A.U.M.

Councillor Murray challenged the ruling of the Chair.

The question, "Shall the ruling of the Chair be sustained?" was put and the ruling of the Chair was sustained.

The motion for the adoption of the clause was put.

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

Yea: Councillors Boychuk, Clement, Eadie, Golden, Hyman, Lazarenko, O'Shaughnessy, Prystanski, Silva, Fraser, Her Worship Mayor Thompson and Councillor Reese. 12

Nay: Councillors Murray and Thomas. 2

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

Municipal Election Review
File GK-2 (Vol. 17)

620 - 10. 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".

The Ad Hoc Committee on Election Review is continuing its examination of the Campaign Expenses and Contributions By-law No. 5550/90, and intends to submit a report in 1994 to Executive Policy Committee and Council. The Ad Hoc Committee therefore requests a further extension of 60 days within which to report to Council on this matter.

Report of the Executive Policy Committee dated April 20, 1994

Your Executive Policy Committee recommends that Council grant an extension of time of 60 days to allow further consideration.

Adopted by consent.

Appointment to the Board of the amalgamated North Portage Development Corporation and the Forks Renewal Corporation
Files GC-7(Vol. 24), FR-4.1(Vol. 1)

621 - 11. On April 20, 1994, your Executive Policy Committee passed the following resolution and submits same to Council for adoption, namely:

Moved by Councillor Fraser,
WHEREAS on May 7, 1993, Shareholders approved the amalgamation of North Portage Development Corporation and the Forks Renewal Corporation;

AND WHEREAS the new organizational structure of amalgamation will require three Federal representatives, three Provincial representatives and the three Municipal representatives;

AND WHEREAS Ms Mary Richard, Mr. Rudy Friesen and Ms Janice Penner, being strong community-minded citizens dedicated to making Winnipeg a more vibrant and healthy city, have agreed to stand in nomination thereof;

THEREFORE BE IT RESOLVED that Ms Mary Richard, Mr. Rudy Friesen and Ms Janice Penner be appointed to the Board of the amalgamated North Portage Development Corporation and the Forks Renewal Corporation.

Adopted by consent.

(See Minute No. 608 for opposition recorded by Councillor Murray)

Appointments of Additional Citizen Members to the Board of Revision
File GK-11.1 (Vol. 1) & GC-7 (Vol.23)

622 - 12. At its meeting held on November 17, 1993, City Council adopted a series of recommendations contained in a report from the City Auditor, intended to streamline the operations of the Board of Revision. Among the changes approved by Council was a reduction in the size of the Board from 27 members to 21. On January 26, 1994, Council appointed 21 members to the Board of Revision for the term ending November 1994.

In late December, 1993 the City Treasurer advised the Chairperson of the Committee on Finance and Administration and the Commissioner of Finance and Administration that with the coming 1994 reassessment and the possible large number of assessment appeals, it was extremely vital that the Board of Revision make every effort to complete all of the 1994 assessment appeals before the end of the year, in order to minimize as much as possible any financial liability to the City. The Chairperson of the Committee on Finance and Administration subsequently apprised the Presiding Officer of the Board of Revision of the seriousness of the matter and requested that the Board endeavour to escalate the number of appeals by year-end. The members of the Board of Revision subsequently approved a meeting schedule for 1994, to provide for 30 appeal panels a week. The hearing schedule accommodates 6 hearings per day including an evening hearing on Wednesdays with six different locations throughout the City being used to accommodate concurrent sessions. In the meantime, an administrative task force, chaired by the City Treasurer, has been co-ordinating efforts amongst all of the City Departments involved in the appeal process (City Clerk's, Law, Finance, Computer Services, Assessment) to have all of the required information needed to conduct a proper appeal available to the Board of Revision in order that appeals can be heard in a timely fashion.

Report of the Executive Policy Committee dated April 20, 1994

In recognition of the fact that many members of the Board of Revision have regular full-time employment and that from time to time conflicts with regular employment duties may mean that not enough panels can be struck in a given time-frame to hear appeals that are ready to be heard, your Executive Policy Committee is of the opinion that it would be appropriate and desirable to appoint some additional members to the Board of Revision, at least for the balance of the current year, to assist with the work that has to done.

On March 23, 1994, Council approved an addition of 3 Citizen Members to the Board of Revision.

Your Executive Policy Committee has considered applications that have been received for the Board of Revision membership and recommends that the following persons be appointed to the Board of Revision for the balance of 1994:

Edward Baetz
Max Goldack
Rod Jagger
Louis Levine
Ken Lucyk
John McDougall
Gordon Mears
Matthew (Ted) Moffat

For the information of Council, all eight appointees have experience in commercial and residential real estate matters, which your Executive Policy Committee believes is necessary for the Board at this time.

Adopted by consent.

EXECUTIVE POLICY COMMITTEE

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Moved by Councillor Golden,
Seconded by Councillor Reese,

623 - WHEREAS rural municipalities located in close proximity to the City of Winnipeg use City of Winnipeg services below the cost of providing said services;

NOW THEREFORE BE IT RESOLVED that these municipalities that develop to an urban density be automatically annexed to the City of Winnipeg;

AND THEREFORE BE IT FURTHER RESOLVED that the City of Winnipeg ask the Province of Manitoba to pass legislation enabling said annexation.

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

The Speaker returned to the Chamber and resumed the Chair.

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

Carried.

The motion proposed by Councillors Golden and Reese was put.

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

Yea: Councillors Reese, Clement and Golden. 3

Nay: Councillors Boychuk, Duguid, Eadie, Hyman, Lazarenko, Murray, O'Shaughnessy, Prystanski, Silva, Thomas, Fraser, Her Worship Mayor Thompson and Councillor Angus. 13

and the motion was declared lost.

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

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

624 - The Speaker recognized Councillor Silva who identified in attendance Lorne Davis, President of the Isaac Brock Parent Council and student representatives.

Council here proceeded to consider the order of business - "Executive Policy Committee - Motions".

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by Councillor Murray,
Seconded by Councillor Thomas,

625 - WHEREAS May 1st is International Workers Day;

AND WHEREAS this year marks the 75th anniversary of the 1919 Winnipeg General Strike;

AND WHEREAS the Winnipeg General Strike is recognized locally and nationally as being a pivotal event in Canadian labour history;

Executive Policy Committee - Motions (continued)

AND WHEREAS the labour movement plans the largest May 1st parade in decades, with over 40 floats and bands;

AND WHEREAS this event is likely to attract large crowds and the attention of many Winnipeggers;

THEREFORE BE IT RESOLVED that Winnipeg City Council apply to the Province under Section 100 and any other relevant sections of the Liquor Control Act to allow Winnipeg hotels, restaurants and clubs to be open for business on May 1st, 1994, in recognition of the May 1st anniversary of this historical event in our City's history.

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

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

The motion to suspend the rule was put.

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

Yea: Councillors Boychuk, Duguid, Golden, Hyman, Murray, Prystanski, Silva, Thomas, Angus and Reese. 10

Nay: Councillors Clement, Eadie, Lazarenko, O'Shaughnessy, Fraser and Her Worship Mayor Thompson. 6

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

With the concurrence of the seconder, Councillor Thomas, and with the permission of Council, Councillor Murray withdrew his motion.

Moved by Councillor Angus,
Seconded by Councillor Thomas,
626 - WHEREAS since November 16, 1977, Council of the City of Winnipeg has had a policy on the Official Delegation;

AND WHEREAS this policy (Official Delegation C153) provides for agendas and subsequent reports on Official Delegation meetings;

AND WHEREAS as reported at the last meeting of Council, during Question Period, the Executive Policy Committee replaced the Official Delegation;

AND WHEREAS Council is desirous of being informed as to the discussions between various levels of City of Winnipeg and Provincial or Federal Governments;

THEREFORE BE IT RESOLVED that for the next meeting of Council to be held on May 25, 1994, the Executive Policy Committee prepare for Council a report for adoption to:

1) identify the name, mandate, rationale for and responsibility of a new committee identifying the proposed changes and a process of communication between the City and other levels of government;

2) identify a system of communication between the members of the new committee and City Council; and

3) that a regular reporting relationship to Council be put in place.

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

Executive Policy Committee - Motions (continued)

Moved by Councillor Golden,
Seconded by Councillor Lazarenko,

627 - WHEREAS the City of Winnipeg has refunded $135 million in assessment appeal refunds in the past 5 years;

AND WHEREAS over $100 million of these refunds were due to process, as opposed to $35 million in refunds due to inequitable assessments;

NOW THEREFORE BE IT RESOLVED that Council set up a task force, which would include representation of Council, to monitor, advise and report on the operation of the assessment system in the City of Winnipeg.

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

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

628 - WHEREAS there have been 19,352 assessment appeals filed in 1994;

AND WHEREAS 2,827 of the 1994 appeals have been heard or withdrawn;

AND WHEREAS there remain a significant number of appeals to be heard from 1990 - 1993;

AND WHEREAS Council has adopted that the appeal hearings be expedited;

THEREFORE BE IT RESOLVED that the Board of Revision be requested to hear all 1994 appeals prior to December 31, 1994, and that the Proper Officers of the City be directed to do all things necessary to assist in implementing the foregoing request.

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

Moved by Councillor Angus,
Seconded by Councillor Clement,

629 - WHEREAS many of the people of the City of Winnipeg feel they pay too much property tax;

AND WHEREAS Council has taken a number of initiatives to reduce costs by downsizing management and combining Departments;

AND WHEREAS multi-year budgeting is consistent with good management techniques;

THEREFORE BE IT RESOLVED that Executive Policy Committee be directed to bring in a 1995 Budget that projects a 0% tax increase for the citizens of the City of Winnipeg;

AND BE IT FURTHER RESOLVED that Executive Policy Committee be directed to introduce a system of multi-year budgeting which will target for a substantial property tax decrease by 1997;

AND BE IT ALSO RESOLVED that the new budgeting system allow departments to establish three year budgeting which may involve fewer line items, more authorities for managers to move money between line items and freedom for Departments to retain or roll-over year-end savings to attain overall Departmental objectives;

AND BE IT FURTHER RESOLVED that an annual contingency reserve be established to address unforeseen required expenditures;

Executive Policy Committee - Motions (continued)

AND BE IT ALSO RESOLVED that managers be allowed to develop incentive programs that meet the needs and reflect the cultures of their Departments; considering bonus programs, gain-sharing programs, and departmental awards linked to performance.

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

Moved by Councillor Golden,
Seconded by Councillor Lazarenko,
630 - That the Procedure By-law be amended to allow Councillors to remove jackets in the Council Chamber whenever the temperature control is inadequate to provide comfort.

Automatic Referral to Rules Sub-Committee in accordance with Rule 16.1 of the Procedure By-law.

Moved by Councillor Fraser,
Seconded by Councillor O'Shaughnessy,
631 - WHEREAS Council, at its meeting of November 29, 1989, in approving the relocation of the Central Works Yard to accommodate the Laboratory Centre for Disease Control, in part approved the replacement of the Primary Materials Section, which section also includes the asphalt and concrete plants;

AND WHEREAS the concrete plant discontinued operation in November, 1992 and the asphalt plant in November, 1993;

AND WHEREAS there is no funding in the Current Year or 1995 - 2000 Five Year Capital Program for the construction of the concrete and asphalt plants;

THEREFORE BE IT RESOLVED that the Council Order requiring that the plants be constructed (Recommendation No. 3 contained within Clause 10 of the Report of the Executive Policy Committee dated November 22, 1989 and adopted by Council on November 29, 1989) be rescinded.

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

Moved by Councillor Murray,
Seconded by Councillor Thomas,
632 - WHEREAS City Council passed Plan Winnipeg - Toward 2010 and it is intended the proposed restructuring of the Civic Administration should conform to the objectives of Plan Winnipeg;

AND WHEREAS Plan Winnipeg calls for a policy driven approach to Civic Government decision making and specifically calls on Council to undertake the following measures:

7A - 01	Prepare a Priorities Plan
7A - 02	Prepare Action Plans for Sustainable Development and Healthy Communities
7B - 01	Reflect the Plan in the Budget
7C - 01	Ensure Cross - Functional Co-operation
7D - 01	Prepare Strategic Plans for Civic Departments
1D - 01	Ensure Quality Service
1D - 02	Foster Excellence
1D - 03	Manage Financial Resources Effectively
1D - 04	Prepare a Staff Development Plan
1D - 05	Foster Better Understanding of Civic Functions
2A - 08	Ensure Quality Administration
2B - 01	Prepare Financial Management Strategy
2B - 02	Stabilize Expenditures
2C - 07	Provide Staff Training
2H - 01	Define Role of Municipal Government

Executive Policy Committee - Motions (continued)

THEREFORE BE IT RESOLVED that City Council establish a working group to develop a policy paper and strategic 5 year plan to define civic services levels. Specifically, the plan should assign priorities to the objectives laid out in Plan Winnipeg and ensure that appropriate resources and staffing are provided to enable the implementation of Plan Winnipeg priorities. The working group should ensure the structure of City Government reflects, and is reviewed, in the context of Plan Winnipeg and is consistent with the restructuring objectives and continuous improvement commitments of City Council;

AND BE IT FURTHER RESOLVED that each Standing Committee of Council should be responsible for developing a priorities plan in the context of these initiatives.

The Speaker advised that the motion would stand as Notice.

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

Carried.

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

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

Carried.

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

633 - On motion of Deputy Mayor Fraser, By-law No. 6385/94, being an initial borrowing 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 Twenty-nine Million, Six Hundred and Twenty-six Thousand Dollars ($29,626,000.00) to fund the City's share of the Canada/Manitoba Infrastructure Works Program, was read a second and third time, and was passed and ordered to be signed and sealed. File S-7 (Vol. 1) and FC-2 (Vol. 17)

On motion of Deputy Mayor Fraser, the following By-laws were each read a first time, namely:
By-law No. 6386/94, a By-law of the City of Winnipeg to authorize the undertaking of certain local improvements during the year 1994. File SL-1 (Vol. 19)

By-law No. 6392/94, a By-law of the City of Winnipeg to amend By-law No. 1340/76 being The Solid Waste By-law. Files FE(1994) (Vol.1) and WT-1.2 (Vol. 9)

By-law No. 6393/94, a By-law of the City of Winnipeg to establish Resident's Advisory Groups for each Community Committee in the City. File GN (Vol. 4)

By-law No. 6395/94, a By-law of the City of Winnipeg to authorize the undertaking of certain local improvements during the year 1994. File SL-1 (Vol. 19)

By-law No. 6396/94, a By-law of the City of Winnipeg to authorize the undertaking of certain local improvements during the year 1994. File SL-1 (Vol. 19)

By-law No. 6402/94, a By-law of the City of Winnipeg for the provision of municipal services in both official languages. File GL-5.7 (Vol. 4)

Deputy Mayor Fraser moved that this constitute the first reading of By-law Nos. 6386/94, 6392/94, 6393/94, 6395/94, 6396/94, and 6402/94 which motion was carried.

The Speaker advised that as a result of a request by Councillor Reese, By-law No. 6393/94 would be considered separately.

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

On motion of Deputy Mayor Fraser, By-law No. 6393/94 was read a second time.

Deputy Mayor Fraser moved that this constitute the second reading of By-law No. 6393/94.

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

Yea: Councillors Reese, Boychuk, Duguid, Murray, Silva and Thomas. 6

Nay: Councillors Clement, Eadie, O'Shaughnessy, Prystanski, Fraser and Angus. 6

and the motion that this constitute the second reading of By-law No. 6393/94 was declared lost in accordance with Rule 58 of the Procedure By-law.

On motion of Deputy Mayor Fraser, the following By-laws were read a 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. 6386/94, a By-law of the City of Winnipeg to authorize the undertaking of certain local improvements during the year 1994. File SL-1 (Vol. 19).

By-law No. 6392/94, a By-law of the City of Winnipeg to amend By-law No. 1340/76 being The Solid Waste By-law. Files FE(1994) (Vol.1) and WT-1.2 (Vol. 9)

By-law No. 6395/94, a By-law of the City of Winnipeg to authorize the undertaking of certain local improvements during the year 1994. File SL-1 (Vol. 19).

By-law No. 6396/94, a By-law of the City of Winnipeg to authorize the undertaking of certain local improvements during the year 1994. File SL-1 (Vol. 19)

By-law No. 6402/94, a By-law of the City of Winnipeg for the provision of municipal services in both official languages. File GL-5.7 (Vol. 4)

Councillor Prystanski asked to be recorded as having voted against the second and third reading of By-law No. 6392/94, in accordance with Rule 50.7 of the Procedure By-law.

Council recessed at 11:59 a.m., and reconvened at 1:32 p.m., same members present.

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

The Speaker recognized Councillor Golden who rose on a point of privilege regarding the voting procedures.

The Speaker ruled his concerns did not constitute a point of privilege.

Councillor Golden challenged the ruling of the Chair.

The question, "Shall the ruling of the Chair be sustained?" was put.

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

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

Nay: Councillors Golden and Thomas. 2

and the motion to sustain the ruling of the Chair was declared carried.

The Speaker advised that he would entertain a motion to reconsider the second reading of By-law 6393/94.

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

Moved by Councillor Reese,
Seconded by Councillor Boychuk,
That second reading of By-law No. 6393/94 be reconsidered.

The motion that Council suspend the rule to reconsider the second reading of By-law No. 6393/94 was put.

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

Yea: Councillors Reese, Boychuk, Duguid, Golden, Silva and Thomas. 6

Nay: Councillors Clement, Eadie, Lazarenko, O'Shaughnessy, Prystanski, Fraser and Angus. 7

and the motion that Council suspend the rule to reconsider the second reading of By-law No. 6393/94 was declared lost.

EXECUTIVE POLICY COMMITTEE

QUESTION PERIOD

634 - Councillor Golden noted that he had received numerous inquiries on the Infrastructure Renewal Program's Albert Street redevelopment project and questioned whether the project could proceed at the end of the season so as to not interfere with the activities in the area.

Councillor Duguid responded that Councillor Silva had brought the matter to his attention and that he would be looking into the scheduling so as to avoid disruption to activities as possible.

Councillor Golden questioned when a Committee would be struck to focus on the problems of Main Street, as previously discussed.

Deputy Mayor Fraser noted that the Main Street issues were a high priority in the context of the current Winnipeg Development Agreement negotiations and referred to Councillor Silva, currently involved in these negotiations. Councillor Silva confirmed the priority of Main Street and noted that the details of the agreement were still in the negotiation phase.

Councillor Golden referred to the North Portage/Forks Development Corporation and requested information on the salaries, per diems and expense allocations allotted to Board or any other Corporation representatives.

Deputy Mayor Fraser took the question as notice.

Councillor Hyman referred to the imminent Council budget seminars focussing on Departmental and Corporate costs and requested whether there would be any focus on revenue diversification.

Deputy Mayor Fraser noted that a pro forma budget would be made available by May 12, followed by a financial management strategy seminar on May 24 which could include discussion on revenue diversification, and on June 9 there would be a priorities planning session for Council, which could also include a focus on revenue diversification. Councillor O'Shaughnessy further referred to the revenue strategies seminar held last August and noted that a report arising out of the seminar was part of the larger financial management strategy report for the City of Winnipeg.

Councillor Hyman questioned whether payments to other authorities, the corporate portion of the budget, would be discussed in the seminars.

Deputy Mayor Fraser noted the integral role of the corporate portion of the budget and stated that as such, it warranted extensive discussion in the scheduled seminars.

Councillor Hyman noted the revenue concepts advocated by the Winnipeg Into the Nineties group which had been referred to the Board of Commissioners and questioned when Council would be apprised of the discussion relating to such.

Executive Policy Committee - Question Period (continued)

Deputy Mayor Fraser stated that the administration would be presenting a pro forma budget on May 12, which would consider all budget information items referred to the Board of Commissioners to date.

Councillor Thomas referred to the Annual Meeting of the Local Airport Authority and noted that she had been informed of a vacancy in representation for the City of Winnipeg, and questioned when this vacancy would be filled.

Deputy Mayor Fraser advised that Her Worship was currently in process of finding a replacement person and that Council would be further apprised.

Councillor Thomas referred to the KOR presentation, noting that the City of Winnipeg had provided $10,000 to the project and questioned how these funds had been allocated to KOR without Council approval.

Councillor Duguid noted that he believed that the funds had been allocated through the Committee on Works and Operations as an "innovative transit grant", receiving approval of Executive Policy Committee and Council, but that he would indeed confirm this for Councillor Thomas.

Councillor Thomas referred to the Winnipeg Development Initiative and requested that Council be apprised of further program specifics under negotiation.

Councillor Silva again noted that only a general framework agreement had been developed to date and that specific details would be reported on as they were developed. Deputy Mayor Fraser further noted that Council would be privy to the specifics of the agreement before adoption of the agreement.

Councillor Murray noted the Heritage Building Tax Relief proposal passed by Council two years ago and questioned whether there would be any lobbying with the Provincial Government to request the related legislation.

Deputy Mayor Fraser agreed to take the matter as notice.

Councillor Murray suggested this issue be a topic of consideration for the Intergovernmental Affairs Committee and report back to Council on the matter, prior to the 1994 winter season.

Deputy Mayor Fraser noted that the Committee on Planning and Community Services could follow up on the matter and again referred to the upcoming Council seminar on priorities, as a good time to raise the issue.