REPORT OF THE

COMMITTEE ON FINANCE AND ADMINISTRATION

DATED JANUARY 31, 1994

On motion of Councillor Eadie, the Report of the Committee on Finance and Administration, dated January 31, 1994, was considered clause by clause.

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

Her Worship the Mayor and Councillors:

Loan Guarantee - Richmond Kings Community Centre - Silverstone Arena Phase 3A Rehabilitation
File PR-2.1 (Vol. 21)

433 - 1. Your Committee on Finance and Administration, at its meeting on January 6, 1994, considered a request from the Richmond Kings Community Centre, for the City to guarantee a loan in the amount of $100,000.00, to allow the Community Centre to proceed with the Silverstone Arena Phase 3 Rehabilitation Project.

Section 313 of The City of Winnipeg Act states the following:

> "Subject to the approval of the Minister of Finance, the City may, on such terms and conditions as the Minister of Finance may approve, make loans and grants for, and guarantee indebtedness incurred for, any community undertaking not otherwise authorized under this Act, and the Minister of Finance may refer any application for approval under this section to The Municipal Board for its advice and recommendation".

As at December 31, 1993, the City of Winnipeg was the guarantor of nine different loans. With the exception of a loan guarantee involving Rainbow Stage Inc. all of the other loan guarantees are for capital projects that have been undertaken by, or in conjunction with, community centres.

The City has been concerned that there has been an increasing number of requests for loan guarantees over the past few years, as loan guarantees do, in fact, constitute meaningful commitments by the City. These commitments have to be recorded in the notes to the City's financial statements and are factors in determining the City's potential liabilities, with the possibility of ultimately negatively affecting the City's credit rating. As a result of its concern, Council adopted a "Policy and Criteria to be used as a Guideline in the Consideration of Requests for Loan Guarantees" on June 17, 1992.

The Richmond Kings Community Centre is proposing to undertake a major construction project on the Silverstone Arena, at an estimated construction cost of $327,000.00, that would upgrade or add to the facility in three significant ways; namely, a change room addition, a tractor storage addition and interior renovations to the northwest corner of the community centre.

The Community Centre submitted a comprehensive information package which includes a history of the Community Centre, a rationale of the need for the renovations, a description of the project, financial statements, projected budgets, plans for repayment of the loan and letters of support from the community. Following a review of the information package, it is the opinion of the administration the loan guarantee request meets the guidelines that Council established on June 17, 1992.

The loan that the City is being asked to guarantee represents only 30% of the total project cost ($100,000.00/$327,000.00), and the Community Centre will provide the balance of the required funding (70%) from its accumulated surplus ($227,000.00/$327,000.00). The Community Centre has demonstrated by its past financial practices and its cash flow forecasts, that it will be able to repay the loan, which they plan to do over a five-year period.

Your Committee on Finance and Administration therefore recommends:

I. That the request from the Richmond Kings Community Centre that the City guarantee its proposed loan financing in the amount of $100,000.00, to allow the Community Centre to proceed with the Silverstone Arena Phase 3 Rehabilitation Project, be approved.

Report of the Committee on Finance and Administration dated January 31, 1994

II. That the Proper Officers of the City be instructed to take all the necessary steps to give effect to the above recommendation, including obtaining approval from the Minister of Finance in accordance with Section 313 of The City of Winnipeg Act.

Adopted by consent.

Amendment to the City of Winnipeg License By-law 4007/85 - Carnival - Bond of Indemnity File EL-1.34 (Vol. 3)

434 - 2. Your Committee on Finance and Administration has been advised that the requirement for a bond of indemnity for a carnival license is no longer considered necessary as the insurance requirements for any rides operating at the carnival provide adequate protection to the public.

Six carnival licenses were issued by the License Branch in 1992. Carnivals are defined as follows in the License By-law:

> "carnival" means a collection of side shows, rides, ball, dart, disc throwing games, or any of them, operating at the same time and place but does not include a collection consisting of five or fewer rides designed and operated to be used by children ten years of age and younger"

Currently one of the requirements for license approval is a bond of indemnity in the amount of $10,000.00 covering the period for which the license is applied. Any rides operating at carnivals also have to be licensed under the provisions of the By-law with an accompanying comprehensive general liability insurance requirement as follows:

a)	to operate 1 to 10 rides	-	$500,000.00
b)	to operate 11 to 20 rides	-	$1,500,000.00
c)	to operate more than 20 rides	-	$2,000,000.00

Bonding, in some situations, provides greater coverage than general liability insurance because coverage is provided where the loss results from an intentional act. Damage to a carnival site where a carnival operator fails to restore the site to its original condition is one of the reasons why bonds were originally required. Insurance would not have applied assuming the damage occurred intentionally.

The Administration is of the view that this type of damage is a matter to be dealt with between the property owner and the carnival operator, be it a city owned site or private site, on a case by case basis. According to records in the License Branch a claim against the bond of indemnity for carnivals has never been filed. This change results in a regulation that does not penalize the diligent carnival operator who adequately restores the site to its original condition. Currently all licensees in this category are required to obtain a $10,000.00 bond at their own expense. It is the opinion of the administration that the greater risk to the public results from the operation of the rides and outlined above, insurance requirements appear adequate.

Your Committee on Finance and Administration therefore submits draft by-law and recommends:

I. That The City of Winnipeg License By-law 4007/85 be amended by deleting the requirement for a bond of indemnity for carnival licenses, as adequate protection to the public is provided under the insurance requirements for any rides operating at the carnival.

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

Adopted by consent.

Report of the Committee on Finance and Administration dated January 31, 1994

Bid by the City of Winnipeg to host the 1995 Grey Cup
File GC-8.11 (Vol. 1)

435 - 3. Council on December 17, 1993, amended and adopted Clause 12 of the Report of the Executive Policy Committee dated December 8, 1993, and referred Recommendation IV. with respect to the method of funding for the bid by the City of Winnipeg to host the 1995 Grey Cup event to your Committee on Finance and Administration.

On January 31, 1994, your Committee on Finance and Administration considered a report from the Commissioner of Finance and Administration outlining alternatives relative to the funding of the aforesaid bid by the City of Winnipeg (Exhibit "A").

Your Committee on Finance and Administration after deliberation submits the following resolution for consideration and adoption, namely:

WHEREAS whether it be the City of Winnipeg, Winnipeg Enterprises Corporation or another organization, that places a bid for The City of Winnipeg to host the 1995 Grey Cup;

AND WHEREAS both the City of Winnipeg and the Province of Manitoba derived significant economic benefits and national and international exposure from the 1991 Grey Cup;

AND WHEREAS it appears that the City provided the greater financial contribution to the hosting of the Grey Cup in 1991;

AND WHEREAS the Province of Manitoba recovers its contribution towards the Grey Cup event through avenues such as provincial sales tax, and the City of Winnipeg does not appear to have similar avenues for recovery of benefits resulting therefrom;

AND WHEREAS the City of Winnipeg should be entitled to recover its costs associated with the placement of a bid and the hosting of a Grey Cup event;

THEREFORE BE IT RESOLVED THAT your Executive Policy Committee be requested to meet with the Province of Manitoba to negotiate a fair funding formula for the recovery of costs associated with hosting a Grey Cup event;

AND THAT the foregoing negotiations should not include consideration of the economic benefits derived by the Winnipeg Blue Bombers Football Club from the previously hosted Grey Cup event.

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

Adopted by consent.

Loan Guarantee - Folk Arts Council of Winnipeg Inc.
File FG-1.1(F) (Vol. 7)

436 - 4. Your Committee on Finance and Administration, at its meetings held on January 6 and 31, 1994, considered representation by the Folk Arts Council of Winnipeg Inc. in connection with their request for a loan guarantee in the amount of $100,000.00 and a debt reduction grant of $43,406.36.

Section 313 of The City of Winnipeg Act states the following:

"Subject to the approval of the Minister of Finance, the City may, on such terms and conditions as the Minister of Finance may approve, make loans and grants for, and guarantee indebtedness incurred for, any community undertaking not otherwise authorized under this Act, and the Minister of Finance may refer any application for approval under this section to The Municipal Board for its advice and recommendation".

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As at December 31, 1993, the City of Winnipeg was the guarantor of nine different loans. With the exception of a loan guarantee involving Rainbow Stage Inc. all of the other loan guarantees are for capital projects that have been undertaken by, or in conjunction with, community centres.

The City has been concerned that there has been an increasing number of requests for loan guarantees over the past few years, as loan guarantees do, in fact, constitute meaningful commitments by the City. These commitments have to be recorded in the notes to the City's financial statements and are factors in determining potential liabilities, with the possibility of ultimately negatively affecting the City's credit rating. As a result of its concern, Council adopted a "Policy and Criteria to be used as a Guideline in the Consideration of Requests for Loan Guarantees" on June 17, 1992.

It must be stated that at the outset of discussion, the loan guarantee request from the Folk Arts Council does not meet the policy guidelines that City Council established on June 17, 1992, as the City's policy states that "the loan that the City is guaranteeing must be related to a capital asset". The request from the Folk Arts Council is to guarantee a loan that has arisen due to accumulation of operating deficits.

Notwithstanding the fact that the loan guarantee request from the Folk Arts Council does not meet the City's loan guarantee policy guidelines, the Finance Department has briefly reviewed the Folk Arts Council's financial position and strategy in the event Council decides that it would be willing to guarantee a loan.

Although the Finance Department's analysis is only based on a brief and somewhat cursory review, it would appear that the Folk Arts Council has a sound business plan and financial strategy for working their way out of their financial difficulties.

After the Folk Arts Council experienced an operating loss of $350,000.00 in 1992, Arthur Anderson & Co. were hired to conduct an organizational review that resulted in a refocusing and restructuring of its organization. Full-time staff has been reduced from 20 to 11 and total staff from 37 to 24. The 1993 loss was reduced to $45,000.00, and based on conservative estimates, the 1994 budget is projecting a net income of $124,000.00.

The Folk Arts Council's cash flow projections indicate that even if the Province and the City do not provide any debt reduction grants, it will have worked its way out of debt by the end of 1995.

The Folk Arts Council currently owes the City of Winnipeg, Transit Department an amount of $43,406.36 for Folklorama's 1993 public transport service. The Folk Arts Council is requesting a debt reduction grant from the City in the amount of $43,406.36 to eliminate this liability.

The Folk Arts Council has also requested that the Province of Manitoba provide them with a loan guarantee in the amount of $100,000.00 and a debt reduction grant in the amount of $50,000.00. The Government of Canada has been asked for a minimum of $50,000.00 in support of Folklorama tourism marketing initiatives budgeted for 1994.

It should be noted that your Committee on Finance and Administration asked the Administration to review and formulate a recommendation on the Folk Arts Council's five-year business plan, however, the Folk Arts Council has a 1994 business plan and budget, and stated that these documents would form the basis of a five-year plan.

The Administration is of the view that some or all of the following conditions should be considered if the request for a loan guarantee is to be approved, namely:

1. That the City's loan guarantee be conditional on the Province of Manitoba entering into a similar loan guarantee.

2. That the City's loan guarantee be structured with specific pre-set limits and a fixed maturity date (i.e. the guarantee could be $100,000.00 during 1994, $50,000.00 during 1995, and come to an end on December 31, 1995).

3. That the Folk Arts Council be required to provide quarterly operational status reports to the City including quarterly financial statements during the life of the guarantee.

4. That the Folk Arts Council be required to report significant events that could have an impact on the City's loan guarantee as these events occur.

Report of the Committee on Finance and Administration dated January 31, 1994

5. That the Folk Arts Council provide the City with a copy of its annual audited financial statements for 1993, 1994 and 1995, and 1995 approved operating budget, as soon as these documents become available.

Your Committee on Finance and Administration therefore recommends:

I. That the Policy and Criteria to be used as a Guideline in the Consideration of Requests for Loan Guarantees be waived inasmuch as the request does not meet the criteria, and the Folk Arts Council of Winnipeg Inc. be granted its request for a loan guarantee in the amount of $100,000.00.

II. That, upon submission, the Winnipeg Arts Advisory Council be requested to review a three year business plan from the Folk Arts Council of Winnipeg Inc.

III. That the Proper Officers of the City be instructed to take all steps necessary to give effect to the above recommendation, including obtaining approval from the Minister of Finance, Province of Manitoba, in accordance with Section 313 of The City of Winnipeg Act.

In amendment,

Your Executive Policy Committee recommends as follows:

That Recommendation No. I. be amended by: -
a) increasing the amount of the loan guarantee from $100,000 to $143,406, and
b) including at the end of Recommendation No. I., the following words:

"with the provision that $43,406 be used to pay to the City the outstanding costs of Folklorama's 1993 public transport services."

Adopted by consent.

Funding Formula - Folk Arts Council of Winnipeg Inc.
File FG-1.1(F) (Vol. 7)

437 - 5. Your Committee on Finance and Administration, at its meetings held on January 6 and 31, 1994, considered representation by the Folk Arts Council of Winnipeg Inc. in connection with their request for a loan guarantee in the amount of $100,000.00 and a deficit reduction grant in the amount of $43,406.36.

Your Committee on Finance and Administration was of the view that the City of Winnipeg, Province of Manitoba, and the Government of Canada derive significant economic benefits and national and international exposure from the annual Folkorama Festival. Whereas the Province of Manitoba and the Government of Canada both recover some of its funding allocations, for example, through avenues of federal and provincial sales taxes, it appears that the City of Winnipeg provides financial contributions without a similar avenue for recovery.

Your Committee on Finance and Administration after deliberation submits the following recommendations for consideration and adoption, namely:

I. That the Executive Policy Committee be requested to meet with the Province of Manitoba to negotiate a fair formula for funding allocated by the City of Winnipeg and the Province of Manitoba to the Folk Arts Council of Winnipeg Inc., taking into consideration all sources of revenues of the Folk Arts Council of Winnipeg Inc.; And That these negotiations incorporate the matter of the debt reduction grant in the amount of $43,406.36 owing to the City of Winnipeg Transit Department for the 1993 festival transit service.

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

Report of the Committee on Finance and Administration dated January 31, 1994

In amendment,

Your Executive Policy Committee recommends as follows:

That the second paragraph of Recommendation No. I. be deleted in its entirety, namely:-

"And That these negotiations incorporate the matter of the debt reduction grant in the amount of $43,406.36 owing to the City of Winnipeg Transit Department for the 1993 festival transit service."

Adopted by consent.

St. Anne's Road Widening - Proposed Transfer of Jurisdiction - Parks and Recreation Properties
File FI-2(35) (Vol. 1)

438 - 6. Your Committee on Finance and Administration has considered Item No. 1 of Report 1A of the Technical Advisory Committee on City Properties dated January 14, 1994, with respect to the above referenced proposed transfer of jurisdiction from the Parks and Recreation Department to the Streets and Transportation Department for the St. Anne's Road Widening Project.

On September 23, 1993, the Board of Commissioners approved a report recommending the Director of Land Surveys and Real Estate negotiate for the acquisition of the properties required for the proposed widening and reconstruction of St. Anne's Road between Compark Road and Sterling Avenue.

The construction of the St. Anne's Road Widening Project is included in the 1994 Capital Program.

The subject City-owned park lands shown as proposed widening on Misc. Plan No. Riel 8854/5 are required by the Streets and Transportation Department for the future widening of St. Anne's Road from Compark Road to Sterling Avenue.

The two referenced properties are part of a total of five City-owned holdings which have been identified as required in part for this project. Transfer of jurisdiction of the other three City parcels will be handled by the Director of Land Surveys and Real Estate under the authority delegated to him by Council on July 21, 1993.

Both the Parks and Recreation Department and the Riel Community Committee have advised that they have no objections to the proposed transfer of jurisdiction.

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

Your Committee on Finance and Administration therefore recommends:

I. That the transfer of jurisdiction of those Parks and Recreation lands as outlined on Land Surveys and Real Estate Department's Misc. Plan No. Riel 8854/5, to the Streets and Transportation Department for the St. Anne's Road Widening Project, be approved.

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

Copy of Misc. Plan No. Riel 8854/5 regarding this proposal is on file in the office of the City Clerk.

Adopted by consent.

Report of the Committee on Finance and Administration dated January 31, 1994

Erection of a Signboard on City Land - South side of Regent Avenue, east of Bradley Street File FI-2.2(33) (Vol. 1)

439 - 7. Your Committee on Finance and Administration has considered Item No. 2 of Report 1A of the Technical Advisory Committee on City Properties dated January 14, 1994, with respect to a request from Mediacom Incorporated to erect a signboard on City land located on the south side of Regent Avenue, east of Bradley Street.

Mediacom Incorporated had a double-faced signboard structure on City land at the northeast corner of Regent Avenue West and Bradley Street, which land was subsequently designated as the Bradley Street Tall Grass Prairie Site, and hence Mediacom was instructed to remove said signboard.

Mediacom Incorporated has indicated it wishes to retain a structure in this immediate area and has requested permission to erect a signboard structure on the south side of Regent Avenue West, east of Bradley Street, which property is legally open, but not a physically improved street right-of-way. The new structure would be a single pole, 3.048 metre by 6.096 metre poster panel.

The Streets and Transportation Department has no objections to the erection of the signboard structure on the subject land provided the signboard is located at least 7.5 metres south of Regent Avenue West and 20 metres from both the east and west property limits. The Streets and Transportation Department will ultimately approve the exact location of the signboard structure in the building permit approval process.

On November 22, 1993, your Committee on Finance and Administration requested that the various Community Committees review individual signboard locations within their respective areas and to provide advice and comments. The East Kildonan-Transcona Community Committee has no objections to this signboard.

Your Committee on Finance and Administration therefore recommends:

I. That the request of Mediacom Incorporated to erect a signboard structure within the public street right-of-way on the south side of Regent Avenue West, east of Bradley Street, be approved.

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

Adopted by consent.

Proposed Closing and Sale of a Public Lane between Deer Lodge Place and the Assiniboine River File DAC 20/90

440 - 8. Your Committee on Finance and Administration has considered Item No. 3 of Report 1A of the Technical Advisory Committee on City Properties dated January 14, 1994, with respect to the proposed closing and sale of a public lane between Deer Lodge Place and the Assiniboine River; outlined as Parcels A and B on Misc. Plan ASBA 8678/1.

The owner of 50 Deer Lodge Place, Irene Habib, has been leasing the entire lane, since 1977, for landscaping and gardening purposes.

The owner of 52 Deer Lodge Place, R. R. Williams, whose dwelling was built in 1990, requested that the referenced lane be closed and offered for sale or lease to both adjoining owners.

Council Policy directs that street-ends providing access to the rivers are to be retained by the City.

The usual circulation was nevertheless undertaken to all interested City Departments and Public Utilities. No objections were received, but Manitoba Hydro requested an easement for an existing overhead distribution line.

On October 16, 1990, the former St. James-Assiniboia Community Committee considered the proposal and recommended the proposed closing be approved.

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On October 18, 1990, the Committee on Planning and Community Services approved the closing as to planning considerations.

While it is the City's usual practice to offer one-half to each adjoining owner, both adjoining owners have agreed to divide the land as shown on Misc. Plan ASBA 8678/1. Irene Habib has irrevocably agreed to purchase Parcel B, as outlined in Schedule "A".

Council, at its special meeting held on March 22, 1993, in considering revenue sources for 1993 Current Estimates, directed that in the "Sale of City of Winnipeg Lands, which were acquired by a variety of means, including tax sales, which are determined to be surplus to the City's needs (the net sale proceeds therefrom will be credited to the revenue requirement of $5,000,000.00").

Your Committee on Finance and Administration therefore recommends:

I. That the terms and conditions of the lane closing and sale thereof to Irene Habib, 50 Deer Lodge Place, as outlined on Schedule "A", be approved.

II. That the Director of the Land Surveys and Real Estate Department be authorized to finalize a sale of Parcel "A" on Misc. Plan No. ASBA 8678/1 to the owner of 52 Deer Lodge Place on the basis of the same terms and conditions as 50 Deer Lodge Place.

III. That the Committee on Works and Operations be requested to approve the proposed closing of the lane and instruct the Acting City Solicitor to prepare the necessary By-law to effect the closing in the manner shown on Misc. Plan No. ASBA 8678/1 for submission to Council; all costs, including the By-law estimated at $200.00, to be borne by the City at large.

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

Copies of Schedule "A" and Misc. Plan No. ASBA 8678/1 are on file in the office of the City Clerk.

Adopted by consent.

Readyfoods Option to Purchase 2 Acres in St. Boniface Industrial Park
File FI-2.4.5 (Vol. 15)

441 - 9. Your Committee on Finance and Administration has considered Item No. 4 of Report 1A of the Technical Advisory Committee on City Properties dated January 14, 1994, with respect to the purchase of two acres of land in the St. Boniface Industrial Park by Readyfoods Limited.

Council on May 26, 1993, approved the granting of a five year option for Readyfoods Limited to purchase two acres of City land adjacent to their property shown as Parcel "B" on Misc. Plan No. SBSV 8430/1 in accordance with terms and conditions as outlined in Schedule "A".

The title to Parcel "A" on Misc. Plan No. SBSV 8430/1 which Readyfoods Limited purchased from the City has since been transferred into the name of "41 Paquin Drive Inc."

Readyfoods Limited has requested that the City grant the option to 41 Paquin Drive Inc. instead of Readyfoods Limited since the adjacent lands are now in the name of 41 Paquin Drive Inc.

Readyfoods Limited are in the final stages of completing the construction of their new facility on Parcel "A" and are anticipating moving into the new facility in February 1994. Readyfoods acquired the option on the adjacent property to satisfy their anticipated future expansion requirements.

The Law Department has indicated that it concurs in the need to amend the option to the name of 41 Paquin Drive Inc. in order to preserve the strength of the caveat which allows the City to buy the land back at the original sale price should the applicant decide to sell, assign or dispose of Parcel "B" prior to the construction of a building on the site.

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Both Readyfoods Limited and 41 Paquin Drive Inc. are owned and controlled by Cyril Martin Levenstein.

Your Committee on Finance and Administration therefore recommends:

I That the granting of the option to 41 Paquin Drive Inc., in accordance with the same terms and conditions as the original option granted to Readyfoods Limited on May 26, 1993, be approved.

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

Copies of Schedule "A" and Misc. Plan No. SBSV 8430/1 regarding this proposal are on file in the office of the City Clerk.

Adopted by consent.

COMMITTEE ON FINANCE AND ADMINISTRATION

MOTIONS

Moved by Councillor Eadie,
Seconded by Councillor Fraser,
442 - WHEREAS:

(a) Pursuant to its By-law No. 6244/93, The City of Winnipeg authorized the expropriation of the land described therein and executed a Declaration of Expropriation, dated the 21st day of October, A.D. 1993; and

(b) Notice of Intended Expropriation was served by The City of Winnipeg upon all owners and interested parties in the land intended to be expropriated and published in the newspapers, pursuant to Section 1 of Schedule A to The Expropriation Act; and

(c) Notices of Objection to the intended expropriation were served upon the Confirming Authority by some of the owners pursuant to Section 3 of Schedule A to The Expropriation Act; and

(d) The Confirming Authority had written to the Attorney-General's Department requesting the appointment of an Inquiry Officer; and

(e) The Attorney General, on the 24th day of January, A.D. 1994, appointed an Inquiry Officer pursuant to Section 4(2) of Schedule A to The Expropriation Act and an Inquiry was conducted on the 26th and 27th days of January, A.D. 1994;

AND WHEREAS the Inquiry Officer has submitted his report to the Confirming Authority on the 17th day of February, A.D. 1994, wherein he stated that the intended expropriation is fair and reasonably necessary for the achievement of the objectives of The City of Winnipeg; the said objectives being the acquisition of the said land intended to be expropriated for the purpose of Public Streets, and the acquisition of additional lands thereto that the City deems it advantageous to acquire in connection therewith.

BE IT RESOLVED that the Declaration of Expropriation, dated October 21st, 1993, executed pursuant to By-law No. 6244/93, and expropriating respectively the following lands:

1. The lands taken for Main Street, Main Street South, Mayfair Avenue, Bell Avenue, Stradbrook Avenue, Donald Street, St. Mary's Road, Marion Street and Public Lane as the same are shown bordered on Plan Deposit 1074/93 WLTO, prepared by James Taylor Wood of The City of Winnipeg, Manitoba Land Surveyor, hereto attached,

and the Additional Lands, namely:

2. Parcels A, B, C, D, E, F, G, H, J, K, L, M, N, P, Z and AA, as the same are shown bordered on said Plan Deposit 1074/93 WLTO, hereto attached,

is hereby confirmed.

Committee on Finance and Administration - Motions (continued)

3. The lands described in Sections 1. and 2, herein are expropriated free and clear of all encumbrances, excepting said Parcel Z in Section 2. herein which is expropriated subject to Caveats 218711 and 87-123221; and excepting said Parcel AA in Section 2. herein which is expropriated subject to Caveat 173907.

4. The lands described in Sections 1. and 2. herein except mines, minerals and named substances which are excepted from or not included in the Certificate of Title of the registered owner of the surface under the Real Property Act or are not owned by the owner of the surface under the Registry Act, and except reservations in favour of the Crown as excepted from the Title of the owner of the surface, or to which Title is subject by implication under the provisions of the Real Property Act.

5. It is hereby declared that pursuant to By-law No. 6244/93 of The City of Winnipeg, the said lands expropriated for the purpose of Public Street in Section 1. herein shall, by and upon the registration of this Declaration and said Plan Deposit 1074/93 in the Winnipeg Land Titles Office, be opened as a highway and dedicated to the public use for that purpose, and Title to same shall vest in Her Majesty The Queen in Right of The Province of Manitoba; and Title to the Additional Lands in Section 2. herein shall vest in The City of Winnipeg.

Carried.

Moved by Councillor Eadie,
Seconded by Councillor Fraser,

443 - WHEREAS Council has enacted amendments to the Amusement Tax By-law to change the exemption process in order to eliminate the perceived abuse in the current amusement tax system;

AND WHEREAS under the proposed amendments, applications for exemptions will require review by the Winnipeg Arts Advisory Council, consideration by the Committee on Finance and Administration, and implementation through a by-law of Council;

AND WHEREAS several applications for amusement tax exemptions have been received which require consideration in order that the organizations may offer tickets for sale;

THEREFORE BE IT RESOLVED that The City of Winnipeg Amusement Tax By-law No. 3107/81 be amended by inserting the following at the end of Subsection 7(6) thereof, to approve the following exemptions:

"Theatre Projects Manitoba Incorporated for a play "Live With It" from February 22 to March 6, 1994 at the Prairie Theatre Exchange;

Manohar Performing Arts of Canada Inc. for a dance drama "The Kingdom of Cards" held on February 27, 1994 at the Centre Culturel Franco-Manitobain;

Aurora Musicale Inc. for a concert on March 14, 1994 at the Winnipeg Art Gallery."

The Speaker ruled automatic referral to the Committee on Finance and Administration in accordance with Rule 16.1 of the Procedure By-law.

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

Carried.

The motion was put and declared carried.

COMMITTEE ON FINANCE AND ADMINISTRATION

CONSIDERATION OF BY-LAWS

444 - On motion of Councillor Eadie, By-law No. 6346/94, a by-law of the City of Winnipeg to amend By-law No. 4007/85, was read a first, second and third time, the rule being suspended for the third reading and was passed and ordered to be signed and sealed. File EL-1.34 (Vol. 3)

On motion of Councillor Eadie, the rule was suspended and By-law No. 6352/94, a by-law of the City of Winnipeg to amend the Amusement Tax By-law No. 3107/81, was read a first, second and third time, the rule being suspended for the third reading and was passed and ordered to be signed and sealed. File FL-2.5 (Vol. 8)