COUNCIL OF THE CITY OF WINNIPEG
Wednesday, September 24, 2008

The Council met at 9:41 a.m.

The Clerk advised the Speaker that a quorum was present.

The Speaker called the meeting to order.

The opening prayer was read by Councillor Vandal.

ROLL CALL

Clerk: Mr. Speaker, Councillor Lazarenko, His Worship Mayor Katz, Councillors Browaty, Clement, Fielding, Gerbasi, Nordman, O'Shaughnessy, Pagtakhan, Smith, Steeves, Swandel, Thomas, Vandal and Wyatt.

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

Mr. Speaker: Thank you. I'd like to introduce the pages; Rory Mitchell of Kelvin High School resides in Fort Rouge-East Fort Garry Ward. Welcome. Welcome of Guests and Announcements, I understand Mr. Mayor you have an announcement?

Mayor Katz: Thank you Mr. Speaker. I'd like to take a moment Mr. Speaker to acknowledge the event being held here today at City Hall that will recognize contributions of hockey moms in amateur hockey in Canada. And I'm referring to Don Cherry's nationwide Salute to Hockey Moms. Today at noon, on the second floor, I will join representatives from the events organizations as well as hockey legend, Mark Messier, to honour Corry Ann Gibson, Manitoba's hockey mom selected by Hockey Manitoba as the nation wide event kicks off in Winnipeg.

Mr. Speaker through you, I would like to invite all my colleagues to join me in the salute to hockey mom event and basically, help us celebrate the wonderful contribution that hockey moms make to our children. Thank you Mr. Speaker.

Mr. Speaker: Thank you Mr. Mayor. A leave of absence motion, Mr. Clerk.

MOTIONS

Moved by Councillor Gerbasi
Seconded by Councillor Smith

That Councillor Leipsic be granted a leave of absence from today's meeting due to a personal family matter.

Mr. Speaker: All in favour, contrary? Carried.

MINUTES

Councillor Browaty moves that the Minutes of the meetings held on July 16, 2008 and August 6, 2008 be taken as read and confirmed.

All in favour, contrary? Carried.

DELEGATIONS

Mr. Speaker: Councillor Thomas.

Councillor Thomas: I'd like to move that Ed Innes and Bruce King be added to the list of delegates to speak with regard to the report of the Standing Policy Committee of Infrastructure Renewal and Public Works dated September 23. They couldn't be listed until this time because it wasn't on our agenda and now that it's been brought forward by Executive Policy Committee, they would like an opportunity to speak.

Mr. Speaker: So Council decides that it'll be ten minutes for the two of them and no questions. Five minutes each. Oh, Councillor.

Councillor Thomas: Why no questions?

Mr. Speaker: Ten minutes for both, for both, total of ten minutes, five minutes each.

Councillor Thomas: Why no questions, wait a minute? Isn't it ten for the first and five for the second Mr. Speaker? Isn't that how it goes, first person to speak to the clause.

Mr. Speaker: Usually, what happens is that if you are moving to suspend the rules to hear additional delegations.

Councillor Thomas: But Mr. Speaker, it wasn't their fault that they were not on the list, because Executive Policy Committee didn't put it on until this morning.

Mr. Speaker: Okay, then look, Councillor Thomas we haven't suspended the rules yet, see what, see what Council will make, I'll ask Council members to decide. Councillors, a motion by Councillor Thomas has been moved to hear two additional delegations for five minutes each.

Councillor O'Shaughnessy: Question?

Councillor Thomas: I didn't move that five minutes, I moved ten for one, five for the other.

Mr. Speaker: Councillor, they're speaking to the same subject matter?

Councillor Thomas: I know. The first one gets ten minutes; the second one gets five minutes. That's the way it's always been done.

Councillor O'Shaughnessy: We need to suspend the rules.

Councillor Swandel: Let's get some order.

Mr. Speaker: Councillor O'Shaughnessy.

Councillor O'Shaughnessy: I just want to know, what would be the proposed order. Who would get the ten, who would get the five. No, It's not up to them. Which name did you say first? That's all I'm asking.

Councillor Thomas: I don't know which names, I'm sorry.

Mr. Speaker: Mr. Clerk would you read the names that Councillor Thomas just introduced. Ed Inness and Bruce King, is that correct?.

Councillor Thomas: Sure, okay.

Mr. Speaker: Councillors so, Mr. Innes will get ten minutes and Mr. King will get five minutes.

Councillor Thomas: Yes.

Mr. Speaker: Councillors you heard that motion. All in favour, contrary? Carried. Okay the first delegation, we have is Mark Newman, on behalf of Fillmore Riley, support of Item 1 of the report of the Standing Policy Committee on Downtown Development. Mr. Riley you have ten minutes.

Mark Newman: Thank you. Good morning Councillors, thank you for the opportunity of appearing this morning. I appear in support of the recommendation made by Executive Policy Committee which in turn, accepted the recommendation made by the Winnipeg Public Service, in relation to the matter concerning a lease of what is known as Parcel 4, some land to the south of Pioneer and to the west of Waterfront, and I have provided a handout, and in the handout I have provided, there is a site plan, a map, a colour map, which is about four pages in and that colour map shows as Parcel F, the land that we are concerned with and the land that we are speaking about.

I want to start by addressing with you the fact that we are concerned with a lease covering the period October 2005 through September 2008. I want to start by addressing with you a little bit of the history of this land. As Council will know, the CanWest Ballpark was opened in 1999 as part of the Pan American Games and associated with that, has been decisions to be made as to how the lands surrounding the ballpark and to the north of the Forks would be developed.

Council has gone carefully and slowly to ensure that the right decisions are made for the benefit of the citizens of Winnipeg and that resulted in interim lease arrangements being entered into, which actually date back as far as 1999. And indeed, the first interim lease that was entered into was ultimately cancelled by the City of Winnipeg in June of 2001, pursuant to the right that was contained in that lease agreement which gave the City the right to cancel the lease on six months notice.

No lease agreement was thereafter executed until 2005, and as I indicated at the outset of my presentation, the matter that concerns us this morning relates to the time frame, October of 2005 through September of 2008.

Council, in its wisdom and being careful as I indicated earlier, to ensure that the purposes and uses to which this land would be developed were appropriate, adopted a, what I'll describe as a go slow approach and therefore was prepared to grant leases on an interim basis only. Those leases contained significant restrictions. Those leases gave to the City of Winnipeg the right to cancel a lease upon six months notice and as I've indicated earlier, that in fact is what happened in June of 2001, when the initial lease was cancelled by the City of Winnipeg. Council also ensured that there would be no development upon that land and that its use would be limited solely to parking. Council ensured that in a couple of ways.

Firstly, the lease specifically indicated that its sole use or the sole use of the lands was to be parking. Secondly, Council indicated that there were to be no improvements constructed upon the lands. And indeed, that went so far as to prohibit the installation of electrified parking or plugs so that those who might use the lot in the winter would have no opportunity to ensure that the cars would start at the end of the day. And again, that was part of Council's concern to ensure that the use be an interim one only and that Council would ultimately have the freedom to determine the ultimate use to be made of these lands.

Council in the fall of 2005 debated and considered an extension of a lease for this land for a three year period and resolved that a lease would be entered into and in fact, that lease was ultimately signed a short number of months thereafter. And under that lease, of course, the rent was to be one dollar and it was to be one dollar plus taxes. And, of course, it is the issue of those taxes that brings us here today.

At the time that the lease was being contemplated in the fall of 2005, Riverside had an expectation that the taxes would be based upon an assessed value approximating five to six dollars a square foot. That expectation was consistent with the assessed value that had been put in place by the City of Winnipeg Assessment Department, which was to take effect for the new general reassessment, which was to become effective January 1 of 2006.

That new assessment was put in place in June of 2005 and in the written handout I've provided to you, you can see on page three, a breakdown of the lands which comprise Parcel 4 and a breakdown of what that total assessment was that was put in place in May of 2005 at 1,550,000 dollars. That assessment was consistent with values between five and six dollars a square foot, and you see at the bottom of page three of the presentation I provided to you, the breakdown of the lands and you see map references, A through E, and map, those map references are to the surrounding lands that are shown on the color map, that is part of the presentation. And what you can see is that for 2006, all of those surrounding lands remained in the range of five to six dollars a square foot.

While discussions were ongoing with the City there were also discussions ongoing with Property, Planning and Development. There was an indication from Property, Planning and Development that the assessment was expected to be in the range of five to six dollars a square foot. Of course, while those discussions are ongoing, the City of Winnipeg Assessment Department is part of the 2006 assessment has already put in place the assessment at five to six dollars a square foot for these surrounding lands and indeed for this land itself, as I've indicated to you at page three of my presentation.

So, it was with great surprise that in June of 2006, Riverside learned for the first time that the assessment had not been set at five to six dollars a square foot, but rather in March of 2006, the City had amended the assessment that had

already been put in place for 2006, and had increased the assessment to approximately $15.81 per square foot, essentially tripling the value of the land and of course with a significant consequence in terms of taxes.

When this matter was brought to the attention of Riverside in late June of 2006, Riverside immediately raised issue with Property, Planning and Development and as a consequence of discussions with Property, Planning and Development, it was suggested that the appropriate route to go was to appeal the assessment to the Board of Revision.

That was done. The Board of Revision significantly reduced the assessment to something in the range of six dollars a square foot. Unfortunately, the City of Winnipeg Assessment Department chose to appeal that assessment and the matter ultimately found its way to the Municipal Board where finally in December of 2007, the Municipal Board rendered a decision fixing the value at fifteen dollars a square foot.

I should indicate to you that Riverside immediately again raised issue with the Property, Planning and Development and as a consequence of that, there was discussion and negotiation between Property, Planning and Development and Riverside, and ultimately an agreement was reached subject to the approval of the appropriate Committees and this Council, but an agreement was reached between Riverside and the City of Winnipeg, which is reflected in two letters which are also provided as part of the handout to you.

The essence of which is that the lease would be amended so as to effectively cut the area of the leased land in half, thereby reducing the taxes. Riverside in turn would agree not to pursue claims for misrepresentation, not to pursue matters to the Court of Appeal insofar as the assessment was concerned and matters would be resolved on that basis. As Councillors will know, Downtown Development Committee did not see fit to recommend that. EPC did see fit to recommend that and support the recommendation that was made by Winnipeg Public Service.

At the EPC meeting last week, Winnipeg public service representatives indicated clearly that they supported the recommendation and were prepared to have the amendment of the lease go forward on the basis that it was recognized that there had been communication issues at the time in the fall of 2005 when all of this was being done.

So I want to as I've indicated at the outset, seek the support of Council to the recommendation that's been made by the Winnipeg Public Service, to the agreement that's been tentatively reached between Riverside and the City of Winnipeg and ask that this Committee or sorry, this Council approve the amendment to the lease as proposed.

Mr. Speaker: Thank you. Councillors any questions? Councillor Gerbasi your first question.

Councillor Gerbasi: Thank you Mr. Speaker. According to the Municipal Board ruling, the amount of net profit made from the use of the parking lot was around 170, 187,000 per year in years from 2002 to 2005 and I'm just wondering, there was no monies paid to the City for the use of that land at that time. Is that correct?

Mark Newman: My understanding Councillor is that in time frame of 2002 through 2005, as I indicated at the outset, there was no lease in place. The lease had been cancelled by the City of Winnipeg in June of 2001. As Council will know, in that time frame of 2002 and 2003, indeed going back to 2001 I believe, the Provencher Bridge was under construction, the roadway systems in that area were under construction and put simply, they were, the lands were not available as they now are.

Mr. Speaker: Your second question Councillor.

Councillor Gerbasi: Thank you Mr. Speaker. Did, was that land not used for

parking though at that time by Riverside Park Management on behalf of the Winnipeg Goldeyes and was that money not received by the, or to the benefit of the baseball park indirectly or.

Mark Newman: My understanding Council is that, there was parking use made of those lands to a limited extent during that time period because of the impediments and restrictions brought about by the ongoing construction.

Mr. Speaker: Your final question Councillor.

Councillor Gerbasi: Okay, I'll allow some other Councillors time for questions.

Mr. Speaker: Councillor Thomas your first question.

Councillor Thomas: Thank you. You have this interesting coloured map here. Was this map made available to the Municipal Board when the appeal went to the Municipal Board?

Mark Newman: I understand that the same information was made available, perhaps not this particular map.

Councillor Thomas: Okay.

Mr. Speaker: Your second question Councillor Thomas.

Councillor Thomas: Second question is also with regard to the period from 2001 to 2005. I continued to be surprised and I'd like you to clarify this for me. Were you not continuing to utilize the land and take money from that land, even though you didn't have a formal lease signed from the City, thereby utilizing City property without paying City any compensation for it?

Mr. Speaker: Sit down Councillor Thomas.

Mark Newman: My understanding Councillor is that as I've indicated earlier to Councillor Gerbasi, there was limited use made of these lands due to the impediments caused by the construction.

Mr. Speaker: You have a final question Councillor Thomas

Councillor Thomas: So, was that a yes, you utilized the land?

Mark Newman: Yes, to a limited extent.

Mr. Speaker: That's it. Councillor Browaty your first question.

Councillor Browaty: Thank you. When your lease was originally set up, why was the amount of the lease tied to the assessed value of the land?

Mark Newman: The lease was structured; the original lease was structured on the basis that it would be one dollar plus realty taxes. So, that's how it was structured, it wasn't directly structured to the assessed value of the land although indirectly of course, the taxes are driven by the assessed value.

Mr. Speaker: Your second question Councillor.

Councillor Browaty: If the expectation was to have the lease payments based on a value of five to six dollars per square foot, are we not jeopardizing that, that the 2007 assessment you know if this is to be continued to be used as parking, if we cut the land area in half, if the value, the assessed value for some reason was doubled, would we not be in the same situation basically as 2007 assessment?

Mark Newman: No because effectively what happens is by cutting the leased area in half, the tax bill that ultimately results as a consequence is affectively cut in half. If I may just add one thing, the reality is because of the restrictions imposed by the City in terms of developing this land, because it can't be improved with paving, there's no electrified stalls, the demand for this parking lot is actually in relative terms, much smaller than one might expect.

Mr. Speaker: Your final question Councillor Browaty.

Councillor Browaty: We are not experts here at Council on values of the property

and I do agree that the notion that they should be paying, you know based on the highest and best use of this land is maybe not the right circumstance here. I'm just asking again, if the value, cutting the area in half so the, based on the 2003 assessment the taxes are cut in half. If the value of downtown land were to say double based on the 2007 assessment, would we not be in the same situation again.

Mark Newman: Well there is no change in assessment forthcoming until 2010, so whatever we have today will remain in place. Certainly when the matter was discussed at EPC, there was discussion if a new lease were to be entered into, the structure of the lease should be different in the sense that it should specify quite clearly what the obligation of the tenant is rather than tying it to an uncertain factor, such as the assessed value which in turn will drive the realty taxes.

Mr. Speaker: Councillor Smith your first question.

Councillor Smith: Yes, through Speaker to you sir, I don't understand why after the Municipal Board ruling, why you didn't appeal that hearing, appeal that ruling? Why did you choose to negotiate a difference with the City?

Mark Newman: Councillor, I can indicate that the matter was appealed out of an abundance of caution and that matter stands in abeyance. As I indicated earlier, when to its surprise, Riverside learned for the first time in June of 2006 that the assessment had been effectively tripled and the impact that would have on the tax bill, it immediately addressed the matter with Property, Planning and Development and as a result of those consultations the route of going the appeal to the, through the assessment appeal process was taken.

When that process ended up as it did in December of 2007, Riverside immediately returned to Property, Planning and Development and again through consultation and discussion with them, the agreement that's now before you was reached and I say to you, simply that throughout this process, Property, Planning and Development have been involved, have been aware of the problem and the routes that were taken were as a result of consultations with them.

Mr. Speaker: Your second question Councillor Smith.

Councillor Smith: My second question is a little different. I'm curious about what the profit on that parking lot has been. Can you give us some figures so we can understand how valuable that land is?

Mark Newman: Well, the value of the land ultimately will lie in whatever use Council may approve and that's why Council was only prepared to allow a temporary and restricted use of the lands. So its ultimate value I can't really speak to because I don't know what that will turn out to be, that'll be the decision of Council. Certainly without question, in the time frame of 2006-2007-2008, there were parking revenues received. Reality is that this parking lot will be in a deficit position based on the revenue received and the expenses incurred if this tax bill is left in place.

Mr. Speaker: Your final question Councillor Smith.

Councillor Smith: Yes, I don't think that answer really clarifies, answers my question. I'd like to know what profit that block of land in effect achieved. You obviously had a profit. What was it?

Mark Newman: The, I don't know what the exact profit is Councillor, because again, this is money received by Riverside and Riverside of course, is the entity that addressed the construction of the stadium and so the money feeds into the, that general revenue stream. But as I've indicated to you Councillor, the parking lot with the taxes at the level proposed, if left intact will operate at a deficit.

Mr. Speaker: Councillor Pagtakhan your first question.

Councillor Pagtakhan: Thank you Mr. Speaker. Through you to the delegation,

Mr. Newman, during the limited time that your client Riverside had access during 2001, during the construction period, were any monies remitted to the City of Winnipeg for use of that land?

Mark Newman: During that time frame Councillor, there was no lease in place and my understanding is that no monies were remitted.

Mr. Speaker: Your second question Councillor. Councillor Pagtakhan do you have a second question? Councillor Clement your first question.

Councillor Clement: Yes Mr. Newman, when did Riverside Park Management find out that the assessed value had changed? Was it when it changed, did somebody receive a document from the City or did they not find out until they received their tax bill?

Mark Newman: My understanding is that at the end of June of 2006, Property, Planning and Development sent to Riverside an invoice for the rent due under the lease, which was effectively one dollar plus the taxes. When that invoice was received, it became apparent to Riverside that the anticipated and expected level of taxes was now being far exceeded by the invoice. That immediately led to discussions with representatives of Property, Planning and Development and through those discussions it was learned that in March of 2006, there had been an amendment to the assessment roll that Riverside had not previously been aware of, which effectively had moved the value from 1.55 million to 3,965,000 dollars.

Mr. Speaker: Your final, your second question.

Councillor Clement: Given that and given the way that the assessment

Mr. Speaker: Go ahead, go ahead.

Councillor Clement: Given the way that the assessment appeal system works, you didn't find out until you got your invoice from Property, from the property management folks in June of 2006, the appeal process which was in '05 was gone, and then there is a time frame each year when you can appeal, when were you, when was the first date that you were allowed to appeal the assessment?

Mark Newman: The assessment appeal heard in November or December of 2006 ultimately because an attempt was made to pursue an appeal immediately after the receipt of the invoice and the Board of Revision allowed that appeal to be pursued.

Mr. Speaker: No that's it Councillor, time has expired. Thank you Mr. Newman. The second delegation is Mr. Tom Simms together with Cindy Gilroy-Price on behalf of the Winnipeg Citizens Coalition in opposition to Item 1, the both of you have ten minutes.

Cindy Gilroy-Price: Thank you very much Mr. Speaker. My name is Cindy Gilroy-Price, I'm the co-chair of the Winnipeg Citizens Coalition, I'm joined here today by Tom Simms who's also a member of the coalition. We'd like to thank you for this opportunity to appear before City Council this morning to speak to you about the amendment of the lease agreement regarding the City of Winnipeg Riverside Park Management.

The Winnipeg Citizens Coalition held its funding meeting in the past June of '08. The coalition is a broad-based progressive group of citizens who want to improve the quality of life in Winnipeg. We are dedicated to working towards an alternative vision for the city by mobilizing more citizen participation and civic government, ensuring ethical and accountable civic government and preserving the boundaries between the public good and the private interests.

The Winnipeg Citizens Coalition recommends that City Council not support the recommendation to amend the lease agreement between the City of Winnipeg and Riverside Park Management. We believe that there's a better process to deal with this matter. You've all been elected to make sound and reasonable decisions on how our tax dollars are spent and the decision you make regarding the lease agreement with

Riverside Park Management should be no exception to that responsibility that the citizens of Winnipeg have entrusted in you.

Among our many, among your many duties as Councillors, you have a very important responsibility of influencing how our city is perceived as a place to live, work, and raise a family, how we see ourselves and how others see us. A place where business want to stay, stand and expand. City Council has been asked today to decide to amend a lease agreement to reduce the property taxes of a company associated with the senior ranked member of City Council.

The Winnipeg Citizens Coalition believes that the debate which has surrounded this issue has not presented well for our city and nor has it fostered the confidence of the citizens of our city. We ask that you consider this very, very carefully.

In 2006, Riverside Park Management felt that the new 3.96 million assessment of land on which the gravel parking lot was located was too high. River Park Management followed the rules and appealed this assessment to the City of Winnipeg's Board of Revision to reduce the assessment value to this land what, for 1.63 million. The City of Winnipeg also followed the rules when it appealed this decision to the provincial government, Manitoba Municipal Board. In December of 2007, the board ruled that this land should have been assessed value at 3.69 million.

This ruling in effect means that River Park Management owes 233,000 in property tax arrears. Other institutions in our city have correctly concluded that and publicly stated, it is now Riverside Park Management's right to appeal this decision to the Manitoba Municipal Board of Manitoba Court of Appeal, which is what it should do to, to do so to question the appropriate assessment and taxation can be properly and impartially settled.

The Winnipeg Citizens Coalition agrees that this position, with this position and believes that most open and transparent approach to resolve this dispute is by the courts and not by the politicians. The Coalition is calling upon City Council to reject the amendment to amend the lease with Riverside Park Management. This means that River Park Management should pay the outstanding property tax arrears or go to court to seek the legal remedy regarding this property assessment dispute.

The perception which has clouded this debate is that in Winnipeg there appears to be one set of rules for Council insiders and another set of rules for the rest of us. Your decision will have an impact on this perception and greatly influence how the citizens of Winnipeg see their city and how others see us.

This controversy regarding Riverside Park Management points to an inadequate ethnic guidelines and conflict of interest legislations for elected members of City Council with respect to the important issues of public trust, transparency and accountability. The unfortunate reality is that the debate itself has not been good for the image of our city. Regardless of the outcome today, some of these images will remain and we think you should be mindful of that. Thank you for listening to our presentation and we will be willing to take any questions.

Mr. Speaker: You have ten minutes. Mr. Simms, do you have something to say?

Tom Simms: No.

Mr. Speaker: No. Okay. Councillors any questions? Thank you, oh Councillor Thomas your first question.

Councillor Thomas: Thank you for coming here Ms. Gilroy-Price. Are you aware of any other business in the city who after they've gone to the Appeal Board of the province of there being an oral arrangement made with the City to change their taxes after the fact? Are you aware of any other time this has happened?

Cindy Gilroy-Price: You know.

Mr. Speaker: Councillor Thomas.

Cindy Gilroy-Price: I'm not really concerned about; I'm not really concerned about other dealings that have been made. I'm more concerned about this one today. I think there's a perceived conflict of interest. So what you have decided in the past on other decisions, it was a different circumstance.

Mr. Speaker: Councillor Thomas do you have a second question? That's it? No further questions? Thank you. Thank you for your presentation. We have two additional delegations and I would like to, Councillors on June 18th of this year, we made amendments to the procedural By-law and the reason Councillor Thomas when you moved the suspension, I had said it would be five minutes and the rule is, when a Councillor request that a rule be suspended to hear a delegation, the mover shall give a brief description as to why the rule shall be suspended.

If the suspension rule is carried, the delegation may speak for five minutes but no questions by Council. That is what we passed June the 18th. But since Council has made a decision here today, and allowing two to be heard, Mr. Innes will get ten minutes and Mr. King will get five minutes. Mr. Innes, Mr. Innes.

Ed Innes: Hello, my name is Ed Innes. By training, I am an engineer. I hold two engineering degrees as well as a technology diploma. Many of my friends are engineers and many of my colleagues are engineers and I wind up talking an awful lot about engineering, so it's no surprise that I'm here today. I'm used to hearing the details in engineering reports that sometimes aren't quite up to snuff if you like. Another day and yet, yes?

Mr. Speaker: No, no go ahead. Councillor, would you wait until they're all finished.

Ed Innes: Another day and a new plan for the Disraeli Bridge and what a brave new world it is, for this plan for Disraeli Bridge is almost identical to the old one. Disraeli Bridge will be closed for one year and four months, just like the old plan. People will be stranded and will have trouble getting to where they're going because of the lack of this vital facility. It'll be a four-lane bridge, just like the old plan, but it won't be as good a bridge as the existing bridge. It'll be missing one sidewalk. And the reason is that too much is being jerry-rigged on to too small a structure and you just simply can't do this. You don't need a degree in engineering to understand this. Too much is being asked of too old a set of infrastructure that's rotting and falling apart.

But no matter when this bridge closes, angry, stranded motorists, transit riders and pedestrians from a quarter of this city will have trouble getting across. And they are quite angry, because when I speak to these people at the door, they're more than willing to give their information and more than willing to have someone represent them on this matter.

Other bridges in Winnipeg, such as the St. James Bridge, the Maryland Bridge, the Main Street Bridge, the Norwood Bridge, are all wider than the roads on one end, Kenaston for example, Academy Road for example, both four lane streets with six lane bridges. Yet over in Elmwood we have the Redwood Bridge, the Louise Bridge and the Disraeli Bridge and each of them are narrower by two lanes than the streets on both ends. There's a clear discrepancy here and there's no answer as to why.

And there is no technical reason why Disraeli Bridge cannot be the full six lanes of those streets. Every reason that justified those other bridges justifies Disraeli being wider and I might remind this Council that in 1969, September, the Metropolitan Corporation of Greater Winnipeg released an engineering study recommending the Disraeli Bridge be eight lanes wide and it had the means to deal with it. But unfortunately, many of our consulting engineers don't appear to be aware of these studies. They don't appear interested in them.

I might add that the new plan for this Disraeli Bridge includes a separate bicycle bridge, a bicycle bridge that if it is built, should manage to shave thirty seconds to a minute off the route that I've been traveling for forty years from Brazier

Street to Annabella Street to get downtown only over the Louise Bridge instead. I don't wish to hold anything back from the bicycle community that obviously will appreciate this bridge, but for fifteen million dollars you really have to wonder if this is being spent wisely.

Two years ago, Disraeli Bridge closed for the first time since it opened in 1960 and it led to pandemonium, gridlock, literally the definition of gridlock. Traffic was going absolutely nowhere. It was not a question of a five minute delay or a ten minute delay; it was a question of hour long delays. It is unconscionable for anyone in this room to consider instituting this kind of a closure as a semi-permanent year long or longer process. And might I remind you that when the Nairn Overpass was closed completely for repairs, it was closed for twice the intended time as the wrong drawing showed up to supply the wrong steel to the project and there was a dispute between the construction company and the City that led to their bankruptcy.

Nearly 5,000 responses have been received to a questionnaire or survey that I've been distributing, seven times the response to the City's supposed public consultation. That public consultation by the way resulted in eighty four percent of people rejecting through their concerns, this concept of closing the bridge. Yet this concept of closing the bridge resurfaces and resurfaces. There's nothing polite to say about not learning a lesson but there's a lesson that's not being learned here.

Instead, these people would like a six lane bridge twinned as the other bridges in this city have been twinned. They would like at least half a bridge kept open during the construction process. Keeping Disraeli open would save about fifty five million dollars over the intended closure period and this is a saving in damage due to roadways caused by the unnecessary detouring of traffic. This also hasn't been figured out by our consultants yet it has been figured out by the Minnesota Department of Highways. Why not? Why are we not looking for the savings where they exist?

It's actually cheaper to build a six lane bridge than a four lane bridge just by keeping three lanes open. By that simple act, businesses will not collapse as they are inevitably going to collapse as they inevitably collapse with any bridge. City officials have pegged the six lane Disraeli Bridge at three hundred million dollars, plus or minus fifty million dollars. Quite a wide spread for something that's supposedly been studied. It certainly hasn't.

In Minneapolis, the two hundred and thirty four million dollar bridge that was just completed is a much bigger bridge. It is not the six lanes that was mentioned up in the EPC room a few minutes ago, it is fourteen lanes wide. There's no way you could carry the hundred and forty thousand cars a day that that bridge carries over a six lane bridge. It's a physical impossibility. There's much misinformation floating about this Council about the Disraeli Bridge unfortunately.

The low bid for that bridge was a hundred and seventy six million. It was felt that the higher bid was necessary due to the emergency of the collapsed bridge and we are approaching the reconstruction of Disraeli with the same logic that led to that collapse. We are trying to do it in the most miserable, the cheapest, and the most scraping, grasping, clutching way possible to save money and it is going to cost us more in the end.

In Saskatoon, a six lane bridge is being built with several miles of freeway plus overpasses for two hundred and thirty four million. It's becoming very difficult to justify three hundred million for a Disraeli Bridge when everyone else seems to have found a better way to build bridges. Saskatoon is getting a six lane bridge that's expected to carry twenty thousand vehicles when it opens, and yet Disraeli already carries forty thousand cars per day. Funding for the Saskatoon Bridge is split between the three levels of government. We've certainly heard indications of their willing to accept applications from the city. Why doesn't the city do it? Why doesn't the city do it back when the City of Saskatoon did? Thank you very much.

Mr. Speaker: Councillor Smith you have the first question.

Councillor Smith: Yes, you know I'm wondering why you haven't opted for eight lanes? Why, eight lanes are certainly superior to, you know a six lane.

Ed Innes: Six lanes will do the job. It'll certainly provide a level of.

Councillor Smith: How do you know it will do the job? What is your criteria?

Ed Innes: What's your criteria? If we wish to play the capacity.

Councillor O'Shaughnessy: Keep him in order. He doesn't get to ask questions.

Mr. Speaker: Please, Councillor Smith, any further questions.

Councillor Smith: No.

Ed Innes: That was a rhetorical not a question. We can certainly play games with capacity. In planning for the future, how much do you plan for the future? It's a very valid question. Why not eight lanes? Why not ten lanes? It's a rhetorical question, again, why not? We only need so many lanes. It's quite natural to build a six lane bridge between two, six lane roadways.

Mr. Speaker: Councillor Swandel your first question.

Councillor Swandel: Thank you. I just want to make sure, the fifteen million dollars for the pedestrian active transportation bid, do you consider that a waste of money, it's something that wouldn't be appropriate to be spent at this time in that area?

Ed Innes: The fifteen million that I've seen, not fifty.

Councillor Swandel: Fifteen is what I said.

Ed Innes: Okay, it's fifteen, at that particular location; I don't see it as being a high need. I can think of other locations where you could use a bicycle bridge. It's not part of the Disraeli structure, it certainly doesn't provide improved pedestrian access to downtown, it's a longer route than Disraeli and as I've mentioned, for forty years I've been using the Louise Bridge, a thirty second minute saving on cycling is neither here nor there for several tens of thousands you could probably improve the access to Louise through a better path.

Mr. Speaker: Second question Councillor Swandel.

Councillor Swandel: If I were to suggest to you that linking the University of Manitoba to south St. Vital would be a much better place to spend fifteen million dollars on an active transportation bridge, would you agree with that?

Ed Innes: I can think of many locations, but the answer is, is there a better use for the fifteen million dollars, certainly there is in the Disraeli structure itself.

Mr. Speaker: Your final question. Councillor Steeves your first question.

Councillor Steeves: Thank you very much for your presentation sir. I'm not going to talk about or ask questions on anything you've brought up. On the issue of valuation of the project, you seem to have indicated that our administration is over valuing the cost of these types of projects, in this instance. The, my experience has been and we've just come through a whole process where we've had to go back through all of our capital projects and essentially reevaluate them and bring the values up, because we were under valuing the cost and as such we were getting burned all the time in terms of going over budget on projects. How do you reconcile all this?

Ed Innes: That's a very good question and how does one reconcile the construction of projects in other areas. Perhaps there's a fault or a flaw in the way that we're procuring our projects here at the City of Winnipeg. When you're looking at other areas and you're coming up with different numbers than what we're coming up with here, you would hope to

find an explanation for that, certainly and it's a very valid concern.

I am not exploring how the City conducts its affairs. It's quite a mammoth, quite a mammoth undertaking in and of itself, but it certainly is a valid concern. Just recently it was quoted by a city transit official that the cost of light rail is on the order of the cost of the Laval Subway, bored through bedrock under the St. Lawrence River. I mean this is preposterous. The inherent cost of building light rail and busways are roughly identical as borne out by the experiences across Canada.

Mr. Speaker: Your second question Councillor.

Councillor Steeves: First of all, I share your wish that these projects might cost less as opposed to more, sir. Having said that, the projects are tendered, there're a product of the tendering system. We put them out there, we receive bids back and obviously we generally take the least costly bid. Not always but generally, the bid of the least cost. In these circumstances, isn't it just what the market comes back to us with?

Ed Innes: Perhaps we have a faulty market then, perhaps there is some better oversight needed on this.

Mr. Speaker: Your final question Councillor.

Councillor Steeves: No, thank you.

Mr. Speaker: Mr. Mayor your first question.

Mayor Katz: Thank you Mr. Speaker. First of all I appreciate you very much being here today. I'm hoping you're aware that the reason this whole project came into being is because we had concerns about the bridge and unlike what took place in Minneapolis, we want to be proactive and fix the problem. I can tell you that I had the opportunity to get up in some equipment and throw me over the side of the bridge and look under it and after being under it I'm not sure you want to drive over it. So we had a problem to address. We didn't have the money so we decided to go P3 to get it done as soon as possible.

I've heard you very clearly say that you have genuine concerns and I understand those concerns. I heard you clearly say you're not supportive of the recommendation. What I'd like to hear clearly, is what you as a resident, think should happen and two, how it would be paid for, please.

Ed Innes: I think what should happen is very clear and very simple, that half of a new bridge should be built beside the existing one, precisely where the four lane half that was proposed to have been built back in 1969, the land is still there. Of course the City would need to acquire some of it, but the right-of-way is still there with relatively little pain.

From that, whether the bridge itself is repaired or whether it is replaced is of no concern to me. It is possible to patch up an old bridge and keep it serviceable. Whether it's cheaper or not, the figures that we're coming up with for repair are much higher than the figures for brand new bridges elsewhere. For the price of less than this pedestrian bridge, the old bridge can be removed. So I'm not going to prescribe whether it should be completely a brand new bridge or not, but certainly the practice today that is standard is to twin a bridge, partially to keep it open, partially to get the bridge in roughly the same site as where it was as a cost-saving measure.

To the residents of Elmwood, there is no question that closing that bridge is completely unacceptable. To the residents of East Kildonan and North Kildonan and Transcona that I've spoken to, clearly that is completely unacceptable. I believe that answers both your questions.

Mr. Speaker: Do you have a second question Mr. Mayor?

Mayor Katz: Yes, I do. Thank you very much, I do appreciate that. I'm just, I'm hoping you're cognizant of the fact that when quite often people throw around numbers you do appreciate that every city

and every marketplace is different, i.e., go to Calgary, it will cost you a lot more than here. You understand drawing those comparisons may not be valid. I hope you do appreciate that.

Ed Innes: I do appreciate it and I throw it out earnestly as a challenge to you to seek those values. I mean, coming across with some enthusiasm, perhaps you feel that I'm not on your side, but I would like us all to be on the same side here. I would like us all to seek that value, and genuinely have a better city.

Mr. Speaker: Mr. Mayor your final question.

Mayor Katz: My final question is, we are all on the same side.

Ed Innes: I'm sure we are.

Mr. Speaker: You knew that, questions? Councillor Swandel the second time around your first question.

Councillor Swandel: Just a quick follow up, sort of, similar to what Councillor, what the Mayor had asked, in Winnipeg we have very unique soil conditions and climactic conditions and I'm assuming you are aware that those issues greatly impact on the cost of delivering the project, the geo technical piece in Winnipeg is always far higher than pretty well any other city in Canada. You are aware of that?

Ed Innes: We also have hardpan foundation that's very close to the surface unlike many other cities and the structure of this bridge, being very short spans that are very low, is inherently a low construction cost style of bridge. This is just a simple girder on pier type of bridge. It's about as cheap as file construction as you can approach. The bridge in Minneapolis is nine to ten stories up in the air. It's almost being built with one complete span and a few short spans on either end.

Inherently to span something, you need very thick material to carry the longer span and you need very thick piers to hold that up and those materials translate into higher costs very directly, you also need larger cranes. We have a very cheap construction environment here from that point of view for this particular bridge.

Mr. Speaker: Mr. Innes, thank you very much, your time has expired for question period. The next delegation is Mr. King. He will have five minutes.

Bruce King: Thank you Councillors. I don't want to add to the technical engineering side of this thing, more the human side and the business side. Henderson Highway is beginning to feel like, at least to the people I've talked to, second class citizens as far as infrastructure goes and dollars spent in East Kildonan and North Kildonan.

I run a successful insurance brokerage there, but its tough going and we rely very heavily upon traffic going back and forth down Henderson Highway. My concern is closure of the bridge dries up my traffic. We've seen this happen to successful restaurants and others on Provencher when their business, when the bridge was closed, the traffic was gone, the business went away. Our business is under many stresses right now from MPI not the least, and my clientele are very, very adamant about the fact that their voice has not been heard with respect to the closure of the bridge.

I don't want to talk about the engineering side of it, I want to talk about, can we not put in the RFP or RFQ, I understand the RFQ is already out there because I read it last night that of paramount concern is non-closure in the construction of the bridge. It may cost a few more dollars to do it that way, it may not cost the price of a six lane or eight lane bridge each way but it certainly would allay the fears of the public in our part of town. I thank you for listening.

Mr. Speaker: Thank you Mr. King. Thank you for your presentation sir. That takes in the delegation. The Executive Policy Committee report of September 3, 2008 Mr. Mayor.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED SEPTEMBER 3, 2008**

Mayor Katz: Thank you Mr. Speaker. I'd like to introduce the report and move adoption of consent agenda Items 1 to 10.

Mr. Speaker: All in favour, contrary? Carried.

Mr. Speaker: September the 10, there is no report, the report of September 17 Mr. Mayor.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED SEPTEMBER 17, 2008**

Mayor Katz: Thank you Mr. Speaker. I'd like to introduce the report and move adoption of the consent agenda Items 1 to 3.

Mr. Speaker: All in favour, contrary? Carried. Oh, Councillor Vandal.

Councillor Vandal: Can I talk Number 2.

Mr. Speaker: Number 2, Mr. Mayor.

**Item 2 - General Revenue Transfers from the Water and Sewer Utilities
E-File W**

Mr. Speaker: Councillor Vandal.

Councillor Vandal: Thank you Mr. Speaker. I brought up this issue last year in the budget for a couple of reasons and one of them was of course to point out that the Mayor was breaking a mayoralty campaign promise that he made in '04 by transferring the thirty plus million dollars of water and sewer revenue to general revenue and the more important reason, however that I brought that up last year and I'm talking about this, this morning, is because our water and sewer infrastructure challenges are clearly a priority for this Council. They're certainly if they're not, they should be. The challenges are enormous and I hope that we all appreciate that.

We should be ensuring that absolutely every penny that we can afford should go towards our water and sewer infrastructure challenges, and I mean every penny that we can afford.

Now, the transfer is the report as it's written this morning, the transfers from the water and sewer rates to general revenue will end almost. There are thirteen million dollars of sewer transfer to general revenue that will continue and I'm not sure why we have to hold back and not transfer the entire amount rather than continuing to transfer thirteen million dollars. So, on paper anyway, that should free up thirty more million dollars that we can direct to our water and sewer infrastructures but there's another transfer that's ending that simply I don't think is fair.

For a long time, for years and years, the City of Winnipeg has been charging a frontage levy on our property taxes and that frontage levy has been going to our water and sewer infrastructure and we've been doing that because our water and sewer infrastructure improvements are a priority. And I checked out my property tax yesterday, 2007, the Vandal household, water and sewer renewal, frontage levy, a hundred and fifty dollars was going for water and sewer on our property taxes and we all pay proportionate amounts if we own property in this Council and in this City, and that's something we've done because it's a priority to do.

But we're not doing that any more. We're stopping that. So, at the end of the day, once all the transfers are added up and the smoke is cleared, our water and our sewer utilities, our infrastructure challenges are not getting are not going to get any more money in 2009 than they did in 2008 or 2007, 2006, because we're keeping the frontage levies in general revenue. And that's simply not in keeping with the spirit of what we should be doing to address our water and waste challenges.

So on one hand, yes, it's positive that we are in some ways becoming more transparent although I don't know why

we're not just cancelling out the thirteen million dollars as well. But in another way, we're not putting any more money to our largest environmental infrastructure challenge that we've had in the last twenty five years and that's simply wrong. I think we should be trying to direct every penny that we can to our water and sewer environmental challenges and if we approve this we're simply not. We're improving the transparency but we're not addressing the challenges and remember one thing, we have the highest water rates in all of Canada and our sewer rates are right behind. And I'd like to be able to tell my constituents that when they phone me to complain about their water bills, that all of that money is going to improve our water and our sewer systems but right now if we approve this, we simply can't.

We're taking away from one hand and we're putting, putting in one pocket and taking out of the other pocket and we're not putting every penny that we should be towards water and sewer. That's why I'm not voting for this.

Mr. Speaker: Thank you Councillor Vandal. Councillor Clement.

Councillor Clement: Thank you Mr. Speaker. I'm going to I guess be on the other side of that argument. I know that at least in part that this is here because of the little tirade I had last year, a reporter chasing me around with a television camera wondering where I was for a little while in that day and somehow or other it escaped that reporter that a couple of weeks later we actually passed a motion, in fact the Mayor introduced the motion and I seconded it that we were going to deal with this issue within twelve months and we did.

And one of the problems that drew us to this, frankly, was the fact that we've been directed by the provincial government to spend what has worked out to be in 2006 dollars I think, about 1.2 billion dollars to renew our water treatment plants, or not water treatment plants, pardon me, but our waste treatment plants and dealing with phosphorous and nutrients and all types of different issues, some of which I'm not going to pretend I understand. I'm not a chemist. I don't have expertise in that area. But, the reality of this was is that when this first came back from the Clean Environment Commission it was suggested that all three levels of government share in the cost and while they directed to us do it they never sent the cheque and we've never received money from the federal government either, other than I think twenty six million dollars that was announced at the Forks the same day that the Kenaston underpass was announced and the forty three million for rapid transit was announced back at that time.

It was the only federal money that ever flew and the reason for that was because the provincial government has been negotiating with the federal government for money for the floodway all this time and we wind up paying. And so the only way that we could pay to cover the cost on these improvements, not knowing whether we would ever get any money of any consequence out of the province or the federal government, was to increase our rates for ten years to cover the cost which is what we've been doing and we're about halfway through that. And whenever we raise the issue with the provincial government, what did they do, no different than several years ago, every time we ask for some money we were told get your house in order. They never ever gave us a list of what that meant, because a couple of us asked for it, once in a while.

But the fact of the matter is we not only got our finances in order and our house in order but we have a better bond rating situation right now than they do. But the fact of the matter is, is that every time the issue comes up about that infrastructure money, the provincial government bureaucrats in particular, point to the fact that we were transferring this money from the utility to general revenues and as long as you're doing that, the situation can't be that bleak.

So we're doing it and I don't agree with Councillor Vandal, it doesn't mean we can't spend more water in this area even though the other money was pigeon holed. You might remember that a couple

of years ago we were given the opportunity Mr. Speaker, that not only could this money be used for water renewal and sewer renewal but it could also be used on roads. And so when the transfer is being made it's going to be made in that regard and it's not going to just go into some deep hole in general revenue.

And the other side of that coin Mr. Speaker is there's nothing preventing the Water and Waste Department from increasing expenditures in those areas if they're required and that obviously would increase rates too, there's nothing that says they can't do that and those are policy decisions that we have to make and we have every opportunity to do that through the budget process when we're going through it.

It's appropriate to make these types of changes for transparency. It's appropriate to do it because once we do this and vote for this and structure it like this; the province isn't going to be able to point here any more. They'll have to come up with money. And the interesting thing is about a week or ten days after my little tirade last year, magically in the thrown speech there was two hundred and thirty five million dollars provided by the provincial government to the waste water initiative and it's the first time, I've been here a little while, I've never seen the provincial government hand us anything near that kind of money without having a provincial first Minister, pardon me a federal first Minister standing beside them with an equal amount.

Of course that couldn't happen because they were feuding with them at the time and if you think that that two hundred and thirty five million was in the throne speech ten days before, you're crazy. It wasn't anymore there. They knew they had to do something with this because they were stuck. They made inappropriate decisions or at least the Minister did by forcing this on us and what's happening magically now is as more and more information comes out, now out of a sudden they're going to review something they should have reviewed in the first place that's costing us millions of dollars that we probably don't have to spend.

So, and that's a good thing by the way. But it should have been done before they sent the licencing changes and forced us into this financial situation in the first place. So I think this is the right thing to do. It's going to force those other issues onto a different, or into a different form and they're not going to be able to hide behind the simple little phrases that they've been able to do in the past Mr. Speaker. So I support this whole heartedly.

Mr. Speaker: Thank you Councillor Clement. Councillor Steeves.

Councillor Steeves: Thank you Mr. Speaker. For all the technical reasons that Councillor Clement went into, I'll be supporting it as well. I would hasten to add and I guess highlight some of the things that were mentioned by Councillor Clement. I think the history here is very important and our cohesion as a Council is very, very important in this instance.

When the CEC came out with their recommendations, these recommendations stated, categorically, that all three levels of government should be playing a role in these very expensive; some would say almost crippling, infrastructure upgrades. Everyone here knows that as a Council, we're going to be forced to double, double again, and then potentially double again, over the next twenty five years the rates that our citizenry is paying.

When originally announced, the provincial government stated their contribution to this 1.5 million, billion dollar problem was going to be about twenty five million dollars. That was their contribution to the problem that we were facing. If we didn't do these upgrades Mr. Speaker, you're aware that we would not receive our license to deliver water to our citizens. That was the choice that we were given as a city.

The science tells us that at the end of these 1.5 billion dollar upgrades we'll probably see about a three to four percent

reduction in the amount of phosphorous that's going into Lake Winnipeg. That's widely accepted and agreed upon. Councillor Clement is quite right. Because of the noise made by this Council, because of this issue being brought forward and I regret to inform, probably mostly because when their water bills came out, so many citizens started calling us and then all of Councillor, or Members of Council directed those calls to the provincial government, then the provincial government changed their mind and put another two hundred plus million dollars into the pot. That is what happened.

We had to pound away for years, in the same way that we originally had to pound away for years to have the original time line extended and moved out to make this whole situation just a little bit more breathable for the citizens of the City of Winnipeg.

Now, again, as Councillor Clement alluded to, after years of pounding away, placing piece of evidence after piece of evidence, after piece of evidence, buttressed this time by the Winnipeg Free Press and a very fine article written by Bartley Kives and another reporter, who'll shall go nameless, and then supported by an excellent letter of the day to the editorial department, the provincial government has now post a debate at the Canadian Club of Winnipeg, a three person debate, Minister Steve Ashton, the leader of the two opposition parties, the next day the provincial government is now referring back this issue of nutrient removal and whether or not as a city it makes sense, as a province, it makes sense to really consider the removal of nitrogen in this context.

I think the information we're going to get back is perhaps a complete redevelopment and they'll say yes, it may save us some real money; it may save the citizens of Winnipeg some real money in these circumstances. Why is all of this important? We have done this because certain Members of Council have hung together and put forward a unified approach to the provincial government. Some Councillors have chosen to stand aside and we may see that again today, on this report. But we have precisely achieved these significant improvements in our lot in life and in the lot in life of the citizens that we represent, because as a Council we have been able to stand together on this issue with very few exceptions, another plea for team work on this issue, Mr. Speaker.

Yes, it is going to be easy for certain Councillors to stand up today and beat on Executive Policy Committee and to beat on the Mayor for this policy and this report. I'm going to suggest to you Mr. Speaker, that is a bad move, because as individual Councillors stand up and chip away at the unity of this Council on this very important and might I add, very expensive issue, it weakens us. We are not the provincial government. I respect the provincial government. I know they have a hard job to do, but we are not them and from time to time we have to take a contrary and unified position for the interest of the citizens that we represent and this is one of those times.

My expectation Mr. Speaker, is that when this question is called, that we will stand together as a Council and put aside our differences and continue moving forward together on this issue and potentially, we can realize even more success in the realm of this very difficult and yes, again, extremely expensive problem that our citizenry faces. I look forward to unanimous support Mr. Speaker.

Mr. Speaker: Thank you. Councillor Wyatt.

Councillor Wyatt: I don't know how I can follow on a tra chillin speech like that but I'll do my best. You know there's no doubt Mr. Speaker that the report is a positive step in the right direction and I'll be supporting it. I believe it is increasing the transparency, I believe it is ensuring that a long standing issue is addressed that we've heard about. But I will add that in my view we still have a lot more to do.

Mr. Speaker, when we recently met I think all Councillors met with Public Works to discuss residential streets in their wards, the number that was given to me by Public Works was eighty million dollars.

Eighty million dollars just to maintain our existing residential street network at the existing level that we have today, at the existing condition that we have today which is not a great condition, I think we all admit. But just to maintain it at right now at the existing level, eighty million dollars and we're spending anywhere from ten to fifteen million dollars given the year, Mr. Speaker, on our residential street network.

The report is transferring the money into general revenue and it states for the purpose, general revenue fund to pay for upgrading, repair, replacement and maintenance of streets and sidewalks, but let's be honest, it is a sleight of hand. The budget for maintaining residential streets and sidewalks is not going up; we are just simply moving monies around. We're moving money, you know to cover that we used to fund out of capital to be covered from this, from our tax supported.

It would have been nice to see us be able to increase; increase the residential street budget and I state clearly residential because I think there is a difference between local verses regional, I think that's another issue here that's missed in this report. I'm a little concerned once again, is the transparency, is the fact that regional I think is a separate issue completely from the residential street network. I think a lot of homeowners who pay for the frontage levy expect and hope that frontage levy gets reinvested back into the street that's on their street.

I think we should really seriously be talking about looking at a sustainable picture when it comes to how we maintain our residential streets. The concept that three or four generations ago someone has paid for their street to be paved and that that street now, forever, indefinitely, will be maintained and replaced through general revenues, seems to me to be relatively unrealistic.

I think there is an incumbency on other generations who come onto the residential streets to also pay to maintain those streets that they enjoy. Indeed Mr. Speaker, when somebody buys a new house they're paying for the cost of residential streets and the house and the do it through local improvement, they pay for that, but as generations go on and fifty years down the road and the street needs to be replaced, how do we replace it?

We're going to have to face this hard question Mr. Speaker and to me a frontage levy is a simple system whereby the property owner who enjoys the paved street pays for the ongoing maintenance, as long as it's transparent and open. This Mr. Speaker is moving us in the direction so we can do that in this report and that's why I'm supporting it, but it's not taking us that next step we need to do and that is truly find a sustainable way to do it.

A lot has been said about the provincial government and the federal government Mr. Speaker, well in all fact, in all intensive purposes actually Mr. Speaker, if you look at how much we've actually increased spending on residential, on streets, roads and bridges, by and large, by and large, the vast majority if not all of those new funds that we've increased have come from revenues being increased from grants from the federal and provincial government, whether it be the gas tax or whether it be, you know just a straight increase that I think we've received from the provincial government on our regional streets.

We as a Council have not said you know what, we're going to have to start finding revenues to start dealing with these things and I think its incumbent on us to do it. If we don't do it now, when are we going to do it Mr. Speaker because the problem of eighty million dollars on residential streets just continues to go up, we're not even talking about knocking off the deficit of accumulated infrastructure, this is accumulated infrastructure that there's now. We have to start addressing this Mr. Speaker. You know, I mean when are we going to stop you know talking about potholes and actually doing something about potholes. That's what it comes down to.

So I'm supporting the report because it's a step in the right direction but it's definitely, we've got a long way to go Mr. Speaker. Thank you.

Mr. Speaker: No further speakers? Mr. Mayor, do you want to close, oh pardon me, I'm sorry, Councillor Swandel.

Councillor Swandel: Thank you Mr. Speaker. I just, a couple of quick comments. You know obviously this is clean up from days gone by. This practice was not started under this Mayor or this Council. It's something that has been done for years and years and it was always just a movement of money to make the budget work.

You know I've listened to some of the comments and other cities and in particular Calgary and Edmonton take huge dividends from their utilities, from their sewer and water utilities. They've actually set them up as stand alone utilities and I think in the case of Calgary it's in the hundreds of millions of dollars that come into their budget every year as a result of the work that their stand alone utility does.

It doesn't only provide sewer and water services to the City of Calgary, it also supplies into the capital region. So they've taken the asset of the utility and found a way to have that create great new revenues for the City of Calgary and Edmonton as well. They're providing services across the country and across North America, so there are many examples out there of how to take money from a utility by providing other services.

And I think you know the intention was good here when it started. It did help balance the budget and as a result of the stuff that's happened with the province we ended up finding ourselves in the position that we are now. We need to correct this. We need the transparency, we need to be able to make the arguments better to the province, on what the real numbers for the provision for sewer and water and the huge increase in capital requirements to meet their conditions under the CEC recommendations.

You know, none of us are down banging on the door; none of us are down banging on the door of the Public Utilities Board when the province seeks to take a dividend from crown corporations like Manitoba Hydro and others. You know there is huge amounts of money that come into the province from crown corporations and you know, if this utility was stand alone as a separate entity from the City of Winnipeg, you know the single shareholder, it would be much the same thing. We could take that money, any profits that were garnered on an annual basis and it would be the same as the province, you know, taking hundreds of millions of dollars from Manitoba Hydro on an annual basis or having Manitoba Hydro spend hundreds of millions of dollars in cases like the east verses west on the bi-pole lines running.

So you know at the end of the day I'm very comfortable in supporting this motion. You know as Councillor Wyatt suggested this is a step in the right direction. I think there are other places that we need to do more, you know as the City of Winnipeg, we charge ourselves you know, we don't even charge ourselves the bulk rate for water in the city of Winnipeg which would be a savings of millions of dollars, that's coming from the utility that is part of our budgeting process, to the corporation of the City of Winnipeg. We don't charge ourselves the bulk water rates which if you look at the difference in those costs; it's a huge amount of money.

So there are other things that we should be doing with the utility side that serves the regular operating budget or regular capital budget better than what we're doing right now. So I will be supporting the motion and I look forward to unanimous support as Councillor Steeves had suggested.

Mr. Speaker: Thank you. Mr. Mayor.

Mayor Katz: Thank you Mr. Speaker. First of all let me say Mr. Speaker, I think it would be very sad and unfortunate if all Councillors do not support this motion. Number one, this motion is all about transparency and being open. I as Mayor and this Council made a commitment that we would no longer, what some people would say, raid the utilities and we moved a motion Mr. Speaker and know we are

bringing this to fruition. It's going to happen. No longer will we be raiding the utility.

What I find so surprising is that for ten years as a Councillor and a member of EPC, Councillor Vandal had no problem with that going on, never bothered raising that issue once. How the realities are, Mr. Speaker is that I believe if you make a commitment, you fulfill it. We've made this commitment, we intend to fulfill it. That's the way we operate, I'd like to think everybody operates that way and number two regarding the frontage levy, it's very clear Mr. Speaker that the frontage levy can be used for sidewalks and streets.

I very clearly understand Councillor Wyatt would like to see more money going in there and I concur with him, more money should go in, but the truth is Mr. Speaker, when the gas tax was mentioned earlier, it was I who had to go to Ottawa and fight the battle with Ottawa to let us use that money for roads and bridges because we were not allowed to use that money for roads and bridges and we won that battle and I think every Councillor and every citizen would say that's a wonderful thing because we're spending records amounts of money on our infrastructure, which unfortunately is still not enough but just imagine how much deeper we'd be going in the hole if we didn't have access to the gas tax and Councillor Wyatt is right, the provincial government has come on board as well and right now, during the budget process Mr. Speaker, and the capital maybe we will in operation, maybe we will be able to identify more money to go into streets. That's a process that's going on right now.

But the facts are this is a giant step and should be supported by all Councillors and I think the public will know who's sincere about doing something and who is just showboating. Thank you very much.

Mr. Speaker: Thank you Mr. Mayor. On the report of September 17, 2008 we have approved clauses 1 and 2, I mean 1 and 3 and now on the vote of number 2, on the general revenue transfers, those in favour, all in favour?

Mayor Katz: Mr. Speaker, can we have a recorded vote?

Mr. Speaker: Recorded vote, all in favour please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Katz, Councillors Browaty, Clement, Fielding, Gerbasi, Nordman, O'Shaughnessy, Pagtakhan, Smith, Steeves, Swandel, Wyatt and Mr. Speaker Councillor Lazarenko.

Nays

Councillors Thomas and Vandal.

City Clerk: The vote Mr. Speaker, Yeas 13, Nays 2.

Mr. Speaker: Carried. Now we have the walk on report of September 24 and Mr. Mayor, I understand there is 3 clauses, would you like to introduce the first one please.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED SEPTEMBER 24, 2008**

Mayor Katz: Mr. Speaker, I'd like to move that the rule be suspended and the report of Executive Policy Committee dated September 24 be considered.

Mr. Speaker: Thank you. All in favour, contrary? Carried.

**Item 1 - Organizational Restructuring
E-File GL 5.6**

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker as most Councillors are aware of there, it was only a few days ago where we had a Council seminar and unfortunately many Councillors didn't make a point of attending to listening to our CAO explain why this was something that he believed was necessary, why this would reduce

duplication, why this would add to accountability and why this was a good thing. There is very little doubt that there are many of us who still have our reservations and I look forward to hearing from some comments from other Councillors and at that point in time I will basically make my comments. I can say today that although I do have my reservations I will repeat what I said when our CAO came to work for the City of Winnipeg, I made the comment publicly that this was an individual that I believed I could learn from.

And so this is something that I will be supporting, although I do have reservations and I look forward to hearing from other Councillors on this issue.

Mr. Speaker: Any further speakers? If not, Councillor Steeves.

Councillor Steeves: I should put my comments on the record Mr. Speaker. I will not be supporting this report and I want to say at the outset Mr. Speaker that, it has nothing to do with personalities or people who are bringing forward the report. I like our new CEO. Glen's a friend of mine. I think we get along well and I think we work very well together. I think I've proved myself to be a person that works decently with the Mayor and Council over the years.

But from time to time, even though I do my very best to try and reconcile my position with the position of Executive Policy Committee and other Councillors, I guess there are going to be times where that's for me simply is not possible. This it would appear is one of those times.

I think back to the great garbage debate of years gone by and that is since I came to Council as a Councillor who had said that during this By-election that I would not support the Mayor's plan to make people put a tag on every bag of garbage that they put out in front of their house. The original plan during my campaign was that every single bag would have to have a tag on it, cost of a buck fifty each. When I got here, I spoke to the then Mayor, talked to him about his plan, perhaps not because of me only, but because of his relationship with other Councillors he altered the plan and people were allowed to put out two bags for free.

The reason I told that anecdote was to, I guess highlight that generally, with enough compromise and with enough discussion, with enough I guess communication we can sometimes find a middle ground that we all can agree on. Not that we all agreed on that issue at the end of the day, I regret to inform.

The report purports to, I guess, get rid of, eliminate the EPC Secretariat and it's with that part of the report that I have my concerns, Mr. Speaker. My take on the history of the City of Winnipeg is that EPC Secretariat was formed by a previous Mayor; I believe it was two Mayors ago. Not the past Mayor but the Mayor before that was formed because at the time Council felt that they didn't have enough access to administrative information. That was their concern. They felt they were being locked out. EPC Secretariat was formed, since then and perhaps not exactly since then, it would seem to me that this Council has developed a real proficiency and an ability to get into affairs with administration and go through fine detail and alter them, time to time, through the political process, appropriate, to make sure that what the politicians feel is the will of the people who elected them is represented at the ultimate decision made in body be it EPC or Council or Standing Committees in some instances.

As you've know I've had an opportunity to travel across Canada with the Federation of Municipalities president and have had an opportunity to speak with so many different Councils that I couldn't even put a number to it. Every Council is known for something, if they're from a big community and some from smaller communities as well. This Council is known across this nation and I dare say, across this continent, for its ability to manage its fiscal agenda. That dates back to Mayor Susan Thompson, it followed through in the years of Mayor Glen Murray who kept that very high standard of fiscal management and the property tax reductions and the business tax freezes. It's been carried on by the

current Mayor, Mayor Sam Katz and all of the Councillors on EPC and on Council who supported those Mayors throughout that time period.

I believe Mr. Speaker that the reason we've been able to do that is because of this Council's close proximity to administration and our ability to get into the reports. Prior to EPC Secretariat, perhaps not exactly prior, we had a situation where there was a wildly unpopular Board of Commissioners or at least it seemed to me as a citizen, a wildly unpopular Board of Commissioners. Budgets were being presented from the City of Winnipeg Council and it was not uncommon at that time, I was not on Council to see tax hikes of five percent, six percent often seemingly without rationale, without explanation. That's why we evolved away from that model as a citizenry and as a Council. That may or may not be the exact way to evolve, people may have different opinions on that but that's the sense that I had and that's the sense I believe as to why that process was eliminated.

Indeed, other cities in Canada I think have a similar model to this, to what is being proposed today, not necessarily a bad model, but what concerns me is that I see those cities doing what we used to do, four percent, five percent, six percent, we see that all the time in other cities.

Now, I am not saying that the City of Winnipeg can continue to hold the line on taxation revenue forever. I am not saying that Mr. Speaker. In fact, I do not believe that to be the case. We have people that we hire, good people in our administration and our front line services and we need their support and in certain circumstances we're going to need more of them and more of their support. I believe that. But while I believe that over the next couple of years not much is going to change, precisely because I have the personal belief that this CAO, and this Mayor, and this EPC, and to a larger extent this Council, still has the commitment to work together, that we're still going to be able to achieve that. Because I think the personalities are such that we do have that good working relationship.

I'm not concerned about the near term. I'm more concerned about the more distant term that eventually we are going to see a widening of the gap between elected politicians and the administration that we put here to steward, to the best of our ability.

Those are my comments Mr. Speaker and I can say this, my impression is that most Councillors here are in favour of the new model as brought forward and I completely respect that. My opinion is just my opinion. I will offer this commitment, if today this model goes ahead and is accepted by this Council, you have my pledge that I will do everything in my power to work within this model and to try to make it work for the betterment of the citizens of this city. It will not be in my interest to try to derail the process in any manner. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor Steeves. Councillor O'Shaughnessy.

Councillor O'Shaughnessy: I think I'm a little confused after that last speech. What did you say, Gord? Our current setup of our administration does indeed go back to the tenure of Mayor Susan Thompson. I was honoured and privileged to be on her executive Committee for all six years of her tenure year. It wasn't an evolution, it was a revolution that got rid of the Board of Commissioners, there's no question about it. It was time in the evolution of our City for a minor revolution and we did it.

Unfortunately while Council took on the ability to arrest control from the administration, we didn't do it and there was a void. When Glen Murray came in as Mayor, he filled that void and created the EPC Secretariat, I've heard people say it was created under Susan, not so, it was one of the very first things Glen did putting Ernie Gilroy in as the Chairman of it and did a good job. But it was indeed a continuation, it was bred out of fear, it was us verses them and it who was going to take control and have the power.

We have a new CAO in the city who's actually said to me in telling tales out of school I'm sorry, that he was a little bit

hurt by this situation. He says Council tells him what they want and he does it. He doesn't have a philosophy contrary or otherwise, his job is to do what Council wants him to do and to have an EPC Secretariat and a CAO Secretariat and everybody generating reports for each other and having to vet reports before the other can see them is no longer necessary. It's a delay and it's not needed, he says this is how I would like to setup the administration, if it works good, if it doesn't work or revise it, if it really doesn't work, he'll fire me.

Is that not the way it should be? There's no more us and them. This is one city, governed by this Council, operated by our administration through Glen. Let's give him his chance to set it up the way he sees fit, to let it roll out and if it doesn't work we can say Glen change it or Glen, good-bye. We have that authority. Let's just do our job, not meddle in his job and let him carry out our policies.

Mr. Speaker: Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker. I also will be supporting this. The EPC Secretariat, my understanding of it, was that it was created to provide policy, advice and support for the Mayor and Standing Policy Committee Chairs and when I was on EPC it was helpful to have somebody who could provide that kind of support.

Having said that, the problem with that system is that it seems to have become less clear who's a political staff person and who is simply an administrative person providing their best advice as an administrative person and to me this change seems to make things more transparent for everybody, so I see it as on that principle, moving in a more positive direction. We still need to do policy, so who's going to do that and I think, I'm not sure exactly where the staff is all going to go. My understanding is that there will be some staff, the Mayor's office staff will be Mayor's office staff, the CEO staff will be administrative staff and we'll know who's who and we'll know and I think that's more transparent.

In terms of policy I hoping that this frees up some resources to direct people probably on the administrative side to do more things. For example, we have an environment office that has one person, that's absolutely ridiculous at the level of priority, that that should be when you look at other cities. So this might free up the opportunity to move those policy people to where they're needed, we're dealing with Plan Winnipeg and other issues that are going to require a lot of focus on sustainability and that should be the direction our city is going.

So there's examples of how and it'll be up to the CAO I assume, to take those resources and focus them on the policy issues we really need to work on and it will be more suited to the direction Council has given the administration, rather than, and less political perhaps. But it's our direction ultimately.

So, and I think the success of this model as Councillor O'Shaughnessy pointed out will depend on how the CAO implements it. He's asking us to let him do his job and I think we all have to allow that to happen and put some trust in the person we hired and we can judge from there and it's about, and that's accountability, which he has and we have.

So, I think the successful also depend on, obviously, the success of any, you can change structures around all you want, the success depends on the people that are put in those positions. And that's going to be a decision that has to be looked at carefully and, but if you have a system that is in itself more accountable and clearer, it's obviously better. So I'm prepared to trust the CAO, allow him to do his job and I think we need policy advice but we need to know who we're getting it from in our reports, you know if it's coming from a political person, or if it's coming from an administrative person, we need to know that. We need to know who they are and I think this is clear. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor. Councillor Wyatt.

Councillor Wyatt: Thanks Mr. Speaker. I first of all want to say that I think all of us, I recognize and I think all of us feel the same way that the folks who contributed over the years within the EPC Secretariat and CAO Secretariat, I think have done a lot of good work on behalf of the citizens of the city and we appreciate all their efforts and support in the various capacities that they've fulfilled.

I think it's, I think the CAO is clearly, we have a new CAO, and this is a new initiative, it's a new organizational structure. I think we shouldn't see anything beyond that, other than the fact that the CAO is basically saying that look, make me accountable at the end of the day. You've hired me, you pay me the big bucks, make me accountable. That's what I'm, we're here for. I think that's what he's saying when I read this report and what I see before me.

And I think that's not a bad thing. I think we as Councillors should be giving policy direction. We shouldn't be doing the day to day administration of the City and we need to get the best advice, the best information to make the best policy decisions. But at the end of the day Mr. Speaker, I believe that a CAO who has the ability to deliver, to make decisions on administrative matters, by hamstringing him or her or saying that you know what, a new model is definitely not doable or shouldn't be looked at, is unreasonable.

And I welcome the fact that the CAO is committed to give us, you know I think there's, we've heard even just lately, concerns with regards to the flow of reports to Standing Committees and Councillors getting surprised with reports and there's been a commitment and we've seen it now, that that will be a problem that should hopefully be no more. There'll be better communication with regards to the full reports.

I think also, the need for better departmental co-ordination and I use the term silo's, is something which I've heard more now over the last few months than I've ever in my entire life and I am not even a farmer. But silo's are clearly, Mr. Speaker, exist within our departments and we want to overcome that and clearly, every large organization has that challenge and I think this is a report moving in the direction of attempting to overcome those differences within the different departments and better coordination when it comes to delivering public policy.

Also, I think there is a need, I think we've seen it and it was referred to in the previous debate on the other matter, there is a need with regards to a revised effort with regards to how we approach the other levels of government. Not just the other levels of government but also even surrounding municipalities around the city and the capital region. I think that it is crucial that when we're dealing with the provincial government, we're dealing with the federal government, if we're doing it on a department level or at a departmental level or political level, the message is coordinated, that we've, that everybody knows the parameters of how far they can go and what we're asking for and I think that coordination has been there at times and hasn't been there at times and I think we need to have that, I think this will move us in that direction.

I'm a little concerned about to be honest I'm concerned about the re-assignment of positions into the public service and the Mayor's office. I don't like the idea of seeing the public service grow. I know we're saving 1.5 million here. I don't like the idea of seeing the Mayor's office grow in size either. I'm a believer in the, you know in a strong committee system which we right now in many ways do not have. If there is one thing that I've seen, is where committees I think can be more effective if they have better policy support, better research and independent support sometimes of the administration, to be able to develop public policy and work as a committee.

I think the greatest negative aspect of our existing system and it's has nothing to do with the model before us today, but it has to do with the strong Mayor model that we work under, is the fact that I think half of Council sometimes feels that it's disenfranchised, that it's not at the table. And I think a stronger committee system

with better supports within those committees to develop public policy would in no doubt hopefully, I think it would assist with helping Councillors to be part of the process and that policy is not necessarily something that has to come from the ground, the top down but it can come from the bottom up, if you like, within this Council. And I don't think there's anything wrong with that and I think sometimes we see it as a threat but I mean if we have a public debate and the discussion, I think we can arrive at solutions.

So Mr. Speaker, Mr. Deputy Speaker, I think we, this is, I think the CAO should be given the opportunity to be held accountable if you like and to help us face the various challenges that our city is facing today. So thank you very much. I'll be supporting this.

(Councillor Pagtakhan in the chair)

Mr. Deputy Speaker: Thank you Councillor Wyatt. We have three speakers left. Councillor Lazarenko, Swandel and Smith. Councillor Lazarenko.

Councillor Lazarenko: Thank you Mr. Deputy Speaker. I will be supporting the item and to the fact that I being the only member of Council left here back when Susan Thompson she was the Mayor, we had selected to do some changes to our structure of the management and we proceeded to go getting a consultant, Norah Prior of Prior and Hamilton I believe sorry and two Councillors of City Council were on that committee, Councillor Angus is not here and myself and the administration, the only one who's left in the administration was and that person is gone.

Back in 1990, Mr. Deputy Speaker when I moved a motion in Council, we had over one thousand positions that were classified as management, WAPSO, WAPSO Exempt and my motion was kind of ill founded because I had moved the motion the first year and cut it twenty percent, the following year another twenty percent and I got swamped in Council by delegation came, representing the WAPSO managers, they ripped into me because I did not have a business plan.

And it's true and I got swamped and I deserved it because it just down right, saying twenty percent would have been forty percent because the salary that we're paying at that time was fifty three million dollars for a shade over one hundred, one thousand people. But then once we proceeded with the new directions and reshaping the city government, we had two consultants that worked with us and to provide better governance for the City of Winnipeg.

We proceeded to go into that phase and then George Cuff came on the same and he presented us with a comprehensive report on what we had done with the consultants. But, we made a mistake. When we had allocated the authority to the Chief Commissioner and what happened, reshaping of the new city government didn't take place the way it should have. We had reclassification take place where managers were, positions were reclassified for a, from six to ten thousand dollar salary increase. So our cost did not succeed.

We proceeded to go further then with former Mayor Glen Murray as Councillor O'Shaughnessy had alluded to with the establishment of an EPC Secretariat and the CAO secretariat. That did not work out too well because they were mothballed into one section and they were doing reports by the request of EPC members and some members of Council depended, all depended on what they had wanted.

When you take a look at the style of governance that we had at that time, what we still have, when we had appointed the first City Chief Administrator, the second City Chief Administrator, nothing, nothing happened. We did not, we were not privy to having a get together like we had here just previously not too long ago, arranged by the Mayor and our new CAO, that was for us to sit down, that changes have to come and those changes that are here before us Councillors, is something that I've been waiting as myself, for over ten years to see these changes because

when you talk about allowing a Chief Administrator of a corporation such as the City of Winnipeg, with a budget well over one billion dollars, you have to give them the right to govern the best way you know how and what we've delegated that person to do.

Now I know Glen has started out in the right direction. His past experience and the place where he has been doing this kind of work has been very successful and I'm just waiting to see the time that we'll have these changes come about, because you don't want to box people in the box and the atmosphere that they're faced with is just the four walls and answering phone calls. People that may have the experience and the knowledge go out in the field. Prove yourself that you can help us in providing a better government for the citizens of Winnipeg. People have been asking over and over again, they say you know why is that whenever you have a report and something doesn't make much sense because the report is, especially motions that come, by the time the motion comes back to Council it's worded differently.

I presented so many motions on Council that they never saw the light of day because they were shelved. There is no one on the other side to say look let's proceed and let's do due diligence to the point of saying that we have to provide good service and dedicated, dedicated civil servants that will do the job. The problem we had also at that time and the Mayor's were able to appoint people not through the process of them being hired through the bulletin, through bulletin's qualification, the rest of it, they were there because they were friends or whatever, they were put into that position and then they were committed just to that one person and to the Executive Policy Committee. Politics was playing at its highest.

Now, hopefully that Council will approve what's before us here today, is to be able to have our Chief Administrator will run the city as any corporation, General Motors, Manitoba Hydro, whatever it is, you have a Chief Administrator that, that person, they do their job, no interference, political interference. The reporting process has to come the way it is now, the Chief Administrator reports to the Executive Policy Committee and the Executive Policy Committee then reports to Council. And if there is anything, I'm positive that now we will be able to have more seminars, that any major changes that be coming or any such as this, that the Chief Administrator will be asking the Mayor to call a seminar of Council, for Council to be able to take a look at what is before them and ask questions and proceed in the right direction.

I remember some time ago when we're talking about making some changes, a lot of departments don't want the changes. They want the status quo. I think some same thing with Council. I was with the fifty member Council, we didn't want to see the change and drop down to twenty and somebody had to loose their jobs. Councillor O'Shaughnessy was here with the fifty members. We're the only two. We didn't want to but we're still here and then when it was dropped from twenty nine to fifteen nobody wanted that either, but the legislation said changes are coming for better government and so we got that down to fifteen.

It was tough because when we're used to having fifty and then twenty nine and then fifteen, Councillors, incumbents had to go against one another, I was faced with the same challenge. I was faced with that challenge and what happened, what happened I went through a hard judicial recount that I was faced with and the City Clerk knows because it took us six days over something that I was ready to call it quits.

When you have a challenge by a opponent that comes along, and votes from twenty to twenty eight and to find out there is an X and that X has a, two X's technically, there's no more than one X on there and it's classed as a spoiled ballot and I was so disappointed, I thought what the hell that I got myself into, politics.

Mr. Deputy Speaker: All in favour, contrary? Carried.

Councillor Lazarenko: Some people told me, so to be positive, go in the right direction and I did and it amounts to the same thing Mr. Deputy Speaker as what we're trying to do here today. We're trying to make changes for the betterment of every citizen, betterment for the governance, better for us who have to make important decisions. We have to have a good, positive Chief Administrator that can show us leadership, provide us with good information, solid information, and anything what we do, we know when we vote on that it's going to be positive and the positive direction to satisfy the taxpayers as number one, the customers of the City of Winnipeg, our taxpayers that we're responsible for.

So with that I thank the present Chief Administrator for bringing this forth and you have my support on this. Thank you Mr. Deputy Speaker.

Mr. Deputy Speaker: Thank you Councillor Lazarenko. Next up we have Councillor Smith.

Councillor Smith: Mr. Speaker, first of all I'd like to congratulate Councillor Steeves for his wonderful speech. You know, he gave us so much information, so much detail, it was such a good speech, such a forceful speech that it persuaded me to vote for the reorganization.

You know, we have a recommendation from the CEO. I'm not enthusiastically supporting it but I am supporting it because I think we have to give him a chance. You know, I think it does give better accountability. We'll know what our political advice and what our bureaucratic advice. So I'm supportive of this. But you know we could do far much, far more than this. We could abolish EPC which I think should be done, but this is an improvement. It's the right direction and therefore I'm supporting it. Thank you.

Mr. Deputy Speaker: Thank you Councillor Smith. Next up Councillor Thomas.

Councillor Thomas: Thank you Mr. Speaker. I, unlike some people, actually liked all the various systems that we worked under. I liked the Board of Commissioner system. I was comfortable with that, and it was unique in Canada and when some other organizations like Toronto started copying it, the city moved on, and moved on to the CEO system which I think the word CAO hadn't been used for some time. I really didn't like the way it happened but I became comfortable with the new system and then a CAO Secretariat and EPC Secretariat were added, and I really wasn't, didn't like the way that happened but I was comfortable with the consequences of that.

And I'm actually quite pleased to stand up here and support this because our new CAO has asked. I felt like a lot of the changes had been done to me rather than with me, and what I like is that he asked. He brought us in, explained to us what he was going to do, had a meeting, like we normally handle things, we normally had once a month where we had members of the administration to come in and explain to us. We block them off on our calendars, Council seminar day and various people would apply. I think Susan Thompson started that. I'm not sure, I don't recall whether it was on a regular basis under Bill Norrie but I know that we did have meetings on a regular basis. We blocked them off on our calendar, the administration applied for opportunities to come and talk to us about an issue that that they thought that we needed to be informed about, we lost that. And I appreciated being involved at the front and explain and have my questions answered before it became open and this is the way we're going and then trying to play catch up. So I like that.

Yes, we have a new CAO and he has new ideas and I'm open to hearing them and I think this is probably going to be the beginning of changes, but I think it's important that we change but we should try our best to make sure it's a planned change and I think this is one of the reasons I feel comfortable with this, is that it's a planned change. We've been all brought in. We had an opportunity to ask our questions. We've actually been told that you know if we need some more

information he'll get it for us, I'm very comfortable with that.

I know I'll be surprised by some of the new things that are being brought in but I know that those, that with those surprises that there'll be planned change and we'll have the opportunity to get the information so that it won't just whack us up the side of the head after with a public announcement. I know a process has been established where we'll be brought in at the beginning and I'm very comfortable with that and I will be supporting the clause.

Mr. Deputy Speaker: Thank you Councillor Thomas. Next up we have Councillor Fielding.

Councillor Fielding: Yes, thank you Mr. Speaker. In essence the best political speeches are, can be the shortest, I intend to keep this very brief. You're probably thinking to yourself right now there goes Fielding again supporting Councillor Thomas and Councillor Gerbasi. So I'll have to say I am supporting this and the three particular pieces, one thing is in terms of streamline the system that's in place. Being still a fairly new Councillor, two years in, just the experience for myself, you're new, you're trying to learn the system the first five or six months that you're there, and there seems to be a variety of silo's, power sources, whatever in City Hall, it's hard to find, I can imagine the people that are trying to enter our system, whether they're businesses, nonprofit groups or organizations like this and I think what this does is it really streamlines the process and allows us to govern more effectively.

On a second front, I do enjoy the efficiencies. I know there is some cost savings that are there, 1.5 million dollars which makes a lot of sense and Councillor Gerbasi spoke of some resources that goes towards other committees, I think that probably does make sense as well.

And a third front, you know we hire, we're here, we're not administrators, we're not administrating. We should allow those people, the CAO to make these types of decisions and I think our new CEO has come up with a plan which I think we should give him the freedom of flexibility to implement what he thinks is right and how they can see the system working more efficiently. So I'm very much in support of this and with that thank you very much Mr. Speaker.

Mr. Deputy Speaker: Thank you Councillor Fielding. Are there any other speakers? Seeing none, Mr. Mayor would you like to sum up.

Mayor Katz: Thank you Mr. Deputy Speaker, I very much would. You know I've always said that every day of your life is a learning experience and today certainly has been a learning experience for me. Today I learned that Councillor Steeves has a phenomenal amount of influence on Councillor Smith, so I think that's important for us to acknowledge.

On a serious note Mr. Speaker is that, many people may not know but prior to the CAO being hired, conversation and meetings had already started on potential merging of the EPC Secretariat and the CAO Secretariat. This is conversation that was already taking place and you know, you hear all sorts of stories why something came into being, you know, you believe what you want to believe, to me it's not really important today.

What is important is that this is major, major change. I think everybody realizes whether you're for it or against it, this is major change. And what I like, what I'm happy about, is I see the majority of Council embracing change which doesn't always happen here. We need to change to keep up. What I need to do is to make sure that I express to everyone that the people who are with the EPC Secretariat have provided yeoman services to EPC members, to Council and yours truly.

And I truly believe that most people don't realize all the work they do and sometimes trying to bring Councillors together and trying to answer questions, it's seven twenty four and if this motion goes through, I just want to make sure that I thank them for their intelligent observation, putting forward policy which is what they're supposed to be doing and

more so, attempting at every step of the way to work with Council and to work with the administration. Thank you.

I've said before that when you're working with something and there are many Councillors here who work with EPC Secretariat a lot longer, you get used to it, and you know what a lot of people are afraid of change. We all have reservations. Councillor Steeves in my opinion eloquently said why he has some reservations. I certainly have some as well.

But the realities are I think it's time for the city to move forward. I like the idea and I've always tried maintaining an open door policy but I believe with this, you will see much more Council involvement and I think as Councillor Thomas said, she prefers being part of a process and being talked about before something is thrown at her and saying approve it or reject it, to me, I think that's what hopefully will happen with this reorg.

I can also state that I'm sure there will be some surprises. Some we'll love, some we may not love so much but the realities are, it is time for change. I believe when I ran for office I wanted to see change. So when the CAO comes forward and recommends change, I'm most definitely supporting it Mr. Speaker and I thank you. Thank you Mr. Deputy Speaker.

Mr. Deputy Speaker: Thank you Mr. Mayor for the summation.

Councillor Smith: Councillor Steeves has persuaded me to ask for a recorded vote.

Mr. Deputy Speaker: A recorded vote has been called for.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Katz, Councillors Lazarenko, Browaty, Clement, Fielding, Gerbasi, Nordman, O'Shaughnessy, Smith, Swandel, Thomas, Vandal, Wyatt and Mr. Deputy Speaker Councillor Pagtakhan.

Nays

Councillors Steeves.

City Clerk: The vote Mr. Speaker, Yeas 14, Nays 1.

Mr. Deputy Speaker: Okay Councillors we have number 2 of the Executive Policy Committee report of September 24, 2008. Mr. Clerk can you introduce number 2.

Item 2 - Memorandum of Agreement - Professional Paramedics Association of Winnipeg
E-File GU-4.9

Mr. Deputy Speaker: Mr. Mayor do you wish to introduce the report?

Mayor Katz: Mr. Speaker I think this is, hopefully everybody has an opportunity to take a look at it. There is an agreement and I'm hoping everybody will support it.

Mr. Deputy Speaker: Okay, question has been called, all those in favour, against? Carried. Item Number 3, Memorandum of Agreement.

Item 3 - Memorandum of Agreement - Winnipeg Fire Paramedics Senior Officers Association
File GU-4.9

Mr. Deputy Speaker: Mr. Mayor.

Mayor Katz: Mr. Deputy Speaker my apologies once again, the same situation, an agreement has been reached and I'm certainly hoping that everybody will support it.

Mr. Deputy Speaker: I'll call the question, all those in favour, contrary? Carried. Okay, we have Notice of Motions.

EXECUTIVE POLICY COMMITTEE
NOTICE OF MOTIONS

Councillor Thomas: Mr. Speaker.

Mr. Deputy Speaker: I'll turn it over to Councillor Lazarenko to introduce Notice

of Motion. Are you standing on a point or order?

Councillor Thomas: Yes, Mr. Speaker, I'm imagining that this is going to be some debate and so I was going to request that we declare it twelve o'clock and that we begin the debate after lunch.

Mr. Deputy Speaker: We have a Notice of Motion here, what's Councillors will, to debate until twelve o'clock or call it twelve o'clock? Okay. I'll call a motion for twelve o'clock, all those in favour of calling twelve o'clock, all those against? It's carried. Council stands adjourned.

Reconvened meeting of Winnipeg City Council of September 24, 2008 at 1:30 p.m.

Mr. Deputy Speaker: Do we have a quorum?

Clerk: Yes Mr. Speaker, we have quorum.

Mr. Deputy Speaker: Thank you Mr. Clerk. Okay, before we broke we have EPC Notice of Motions, Councillor Lazarenko you have a motion that you would like to speak to.

Motion No. 1
Moved by Councillor Lazarenko
Seconded by Councillor Smith

WHEREAS the price of gasoline has risen to $1.40 per litre in Winnipeg;

AND WHEREAS the high price of gasoline hurts the operations of the City of Winnipeg, in particular the operations of the Police Service, the Fire Department and Winnipeg Transit;

AND WHEREAS high gasoline prices create hardship for all Manitoba motorists, especially in winter when a vehicle is often essential;

AND WHEREAS the Public Utilities Board has the ability and section 107 of the Public Utilities Board Act states in part:

The board may perform duties assigned to it

(a) by Act or resolution of the Legislature;
(b) by order of the Lieutenant Governor in Council;

THEREFORE BE IT RESOLVED that Council ask the Provincial Government to direct the Public Utilities Board to investigate and report on the cause of the high price of gasoline, its effect on Manitobans and the desirability of price regulation for the protection of consumers.

Councillor Lazarenko: Yes, thank you Mr. Deputy Mayor. This is about the third motion such as this that I presented to the chambers within the last number of years. The reason for this motion here is that the price of gasoline has skyrocketed to the point of no return. No one to monitor that. Just last week we saw the gasoline price was dollar forty seven a litre, and the cost to the City of Winnipeg is just unbearable with the Police Service, Fire Department and Winnipeg Transit. Transit alone, Mr. Deputy Speaker, I consulted with the Director of Transit and he had told me, for every cent increase in diesel results in additional 150,000 dollars in operating expenses to Winnipeg Transit.

Now, just the Transit alone, never mind what the Fire Department, the Police and all of our fleet vehicles that we use and the price of, the price of gasoline is gone to a point that there is no one who is willing to take on the huge industry such as in the United States. They have challenged some of the corporations and one corporation had said that in three months they made a profit of twelve billion dollars, and we here in Canada, especially in Winnipeg that I'm concerned about, Winnipeg, that we have been trying to send a message to you know, to the Province.

The Provincial government does have the authority under the Public Utilities Board, under the Act, that they can, that they can through the section 107 of the Public Utilities Board, states in part the board may perform duties assigned to it by act or resolution of the legislature, by order of Lieutenant Governor in Council.

So this motion says, "Therefore to be it resolved Council ask the Provincial government to direct the Public Utilities Board to investigate and report on the cause of the high price of gasoline, it's effect on Manitobans and the desirability of price regulation for protection of consumers." Each time you hear the Premier always says we have to put regulations in to protect the consumers of Manitoba. Now Premier Doer had told the Free Press on Friday some time ago, this was on July the 12th, he's asked the Public Utility Board and Manitoba Hydro for an analysis of the gas price and how they may rise this winter with a view to trying to offset the hit. Now that's not good enough. I'm asking for something and I think Council has an obligation to see that this goes to them and asking the Province to try and do something about high price.

The Public Utility Board, what they can do, and they do now, they regulate the rates changed by Manitoba Hydro, electrical utility, Manitoba Public Insurance, that's auto insurance, some gas or propane utilities, Centra Gas, Stitco, Swan Valley Gas Corp and all water and utilities outside of Winnipeg. They license owners and agents under the Cemeteries Act. Can you imagine a person dies and goes to cemetery, and is regulated by them, and funeral directors under the Pre-arranged Funeral Services Act. They supervise the construction and operation of natural gas and propane pipelines and make sure the gas and propane are safely distributed to Manitoba consumers. They register brokers of natural gas under the Public Utilities Board Act.

Now Mr. Deputy Speaker, this is a self-explanatory motion, the Provincial government has the right to act and they must act. They have been saying this time and time again, year after year, the high price of gasoline; we're not going to stand by this. Last week it was $1.47 a litre and today it's gone down to $1.27. No regulation, nothing. You don't see that with your water bills, you don't see that with your natural gas. You don't see that with other utilities or whatever people need to use, that without the regulations, they can skyrocket back and forth. They're making a mockery, the gas industries, the refineries, they're making a mockery out of this and it's, some places, sometimes you see politicians especially members of parliament, they'll say we're being gouged and the Province they'll say we're being gouged but they're not doing anything about that.

So I'm just asking this is a simple motion, Mr. Deputy Speaker, I'd like Council to endorse this, send this onto the Province and asking the Province to act on this and to do that as soon as possible.

Mr. Deputy Speaker: Thank you Councillor Lazarenko. Next up we have Councillor Smith.

Councillor Smith: Yes, Mr. Speaker. You know, since I agreed to second this motion, gas prices have gone even further, reaching new heights and I'd like to refer to Councillor Steeves. He said a useful thing about us being united on certain things. He said this is one of these times. I think that applies to this resolution. It's one of these times when we stick together and tell the provincial government what we want.

Now, you know, it's a motherhood thing. You know, like we, the only way we're going to get something together is by being united on this. So I'd like Councillor Steeves to be very supportive. It's one of those times, Gord.

Councillor Steeves: Point of order. What is the motion?

Mr. Deputy Speaker: Thank you Councillor Smith. Councillor Swandel.

Councillor Swandel: Just quickly, I'll support the motion, I think it's well intended and as Councillor Lazarenko did mention it has a huge financial impact on the City of Winnipeg, once gas goes up by a dollar, it's just, each time it goes up by a cent. I can tell you from preliminary discussions with our Fleet Management Agency that some of the practices that we've put in place this year for reducing fuel consumption are actually proving to be quite successful. So there is some good news for the City in the area of fuel consumption and one of the things with

higher fuel prices, it does tend to drive people to be a little more friendly towards our environment.

But at the same time, I do recognize that this cost of gasoline is a huge impact not only for municipalities but also for families throughout the City of Winnipeg and for that reason I will support the motion.

Mr. Deputy Speaker: Thank you Councillor Swandel. Are there any more speakers to the motion? I'll call the question, All those in favour of the motion, those against? It's carried. Unanimous support.

EXECUTIVE POLICY COMMITTEE MOTIONS

Mr. Deputy Speaker: Okay. Next up, number 2, motion number 2. Where is that? We also have from the Executive Policy Committee reference we have motion number 1 which is a Notice of Motion, Moved by Councillor Gerbasi, Seconded by Councillor, for our next meeting in October. Next up we have motion 2. Okay. All right. Moved by Councillor Smith and Councillor Gerbasi, which is automatic referral to EPC, okay.

Motion No. 2
Moved by Councillor Gerbasi
Seconded by Councillor Wyatt

WHEREAS in the Province of Ontario, the City of Toronto Act 2006 has established strong ethical accountability mechanisms and officers for Municipal Governments;

AND WHEREAS those measures included a Code of Conduct and an Integrity Commissioner who applies the code;
AND WHEREAS via the Conflict of Interest Act of the Province of Manitoba, on the recommendation of the Standing Committee of the Assembly on Legislative Affairs, the Lieutenant Governor in Council appoints a Conflict of Interest Commissioner for the purpose of the said Act who is appointed on a part-time basis;

AND WHEREAS the said Conflict of Interest Commissioner is required to make an annual report to the Speaker of the Assembly about the exercise of the commissioner's responsibilities under the Act;

AND WHEREAS the Conflict of Interest Act and the Conflict of Interest Commissioner only applies to the Province of Manitoba and Members of the Legislative Assembly;

AND WHEREAS there is no such office in regards to the City of Winnipeg;

THEREFORE BE IT RESOLVED THAT City Council call on the Province of Manitoba to review and amend existing legislation to create stronger Conflict of Interest rules and guidelines for the City of Winnipeg and Council through such measures as the establishment of a separate municipal office for the Conflict of Interest Commissioner or by expanding the role and responsibilities of the existing Commissioner.

Motion No. 3
Moved by Councillor Smith
Seconded by Councillor Gerbasi

WHEREAS bottled water is many times more expensive than water from the tap, even though bottled water is just filtered municipal tap water;

AND WHEREAS plastic bottles release dangerous toxic chemicals and contaminants into the air and water contributing to environmental degradation when they are manufactured;

AND WHEREAS toxic contaminants such as arsenic, mercury and bromides have been found in independent, peer reviewed scientific studies of bottled water;

AND WHEREAS the bottled water industry suggests that their product is more pure and healthy than tap water, when tap water is tested more stringently by the Water and Waste Department (hundreds of tests a month) while bottled water is tested by the Canadian Food Inspection Agency once a year;

AND WHEREAS by continuing to allow the sale of bottled water at civic facilities

we are telling Winnipeggers that tap water is an inferior product;

THEREFORE BE IT RESOLVED that we cease selling bottled water in city facilities.

Mr. Deputy Speaker: Okay we're now Executive Policy Committee Consideration of By-laws, Mr. Clerk.

EXECUTIVE POLICY COMMITTEE CONSIDERATION OF BY-LAWS

Mayor Katz: I'd like to move that the following By-laws be read a first time, By-law No. 128/2008, 133/2008, 134/2008, 135/2008, 136/2008 and 142/2008.

Mr. Deputy Speaker: All those in favour, contrary? Carried.

Clerk: By-laws No. 128/2008, 133/2008, 134/2008, 135/2008, 136/2008 and 142/2008.

Mr. Deputy Speaker: All those in favour, contrary? Carried.

Mayor Katz: I move that By-laws No. 126/2008, 133/2008 to 136/2008 both inclusive and By-law No. 142/2008 be read a second time.

Mr. Speaker: All those in favour, contrary? Carried.

Clerk: By-laws No. 128/2008, 133/2008 to 136/2008 both inclusive and 142/2008.

Mr. Deputy Speaker: Mr. Mayor.

Mayor Katz: I move that the rules be suspended and By-laws No. 128/2008, 133/2008 to 136/2008 both inclusive and 142/2008 be read a third time and that same be passed and ordered to be signed and sealed.

Mr. Deputy Speaker: All those in favour, contrary? Carried.

Mayor Katz: No not yet, soon. Mr. Speaker I also would like to move that the rule be suspended and that By-law No. 143/2008 be read a first time.

Clerk: By-law No. 143/2008.

Mr. Deputy Speaker: All those in favour, contrary? Carried.

Mayor Katz: I move that By-law No. 143/2008 be read a second time.

Mr. Deputy Speaker: All those in favour, contrary? Carried.

Clerk: By-law No. 143/2008.

Mayor Katz: And I move that the rule be suspended and By-law No. 143/2008 be read a third time and same be passed and ordered to be signed and sealed.

Mr. Deputy Speaker: All those in favour, contrary? Carried.

EXECUTIVE POLICY COMMITTEE QUESTION PERIOD

Mr. Deputy Speaker: Question Period, Just a second here. Okay, hold on here. Alright, we have up Councillor Swandel.

Councillor Swandel: Thank you Mr. Deputy Speaker. Through you to the Mayor, I'll ask a question hoping to get an update on the inland port project that was initiated by the City of Winnipeg. It would appear that it has now drifted off to a project of the Province of Manitoba and a board that they will appoint or a corporation that they will establish that I assume will be some sort of a crown corporation.

My understanding is that in this process that we will lose control of the planning for the area known as, being identified as the land, the northwest airport lands.

I'm wondering if the Mayor can confirm this and in fact, if the, this concept that we have brought forward or have picked up and moved it to the point of getting it the due attention it requires is now being managed by the Province and this corporation that they've created.

Mr. Deputy Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: Mr. Speaker, through you to Councillor Swandel, I thank him for the

question and I will try and share with him whatever information that I have.

First of all let me state emphatically that I believe the inland port is a phenomenal opportunity for our City and our Province, no question about it.

When this whole process started, I made a statement that in order for this to be successful, there were three key criteria. One, it had to be private sector driven. Two, it had to be under one single authority. And three, it had to be one jurisdiction. I'm referring to the lands.

It was under those conditions that I was completely supportive of it and as many know, through the Mayor's Trade Council which was chaired by Chris Lorenc, this was obviously one of the suggestions in there.

So I can say to you right now I have attended at least two meetings with many of the stakeholders along with our CAO and other representatives from the City of Winnipeg and as most of you probably read in the paper approximately a week ago, the Province is moving on certain legislation.

I can assure Councillor Swandel that the three key criteria that I based my support on have not changed and I will continue to move in that direction, and all three have to come into reality. By the same token, I very much want to see us grasp this opportunity. I also want to see a tax free zone as well.

There is a lot of work to be done. There is going to be a few bumps in the road, but I will stick to the commitment that I made, and the criteria that we based our support upon.

(Councillor Lazarenko in the chair)

Mr. Speaker: Your second question Councillor.

Councillor Swandel: It sounds like the criteria aren't being met, that the government is in fact creating a corporation that is solely owned by the Province of Manitoba.

Would you agree that the ownership of the corporation that's being created is the Province of Manitoba and therefore private sector ownership, or private sector participation, that requirement is not being met?

Mr. Speaker: Mr. Mayor.

Mayor Katz: I would say to you the question is very reasonable and your observation may be correct, but I can tell you, in my one-on-one conversation with the Premier, we both agreed this has to be private sector driven.

In order to raise the monies, the private sector investment that has to be made into this project to become a reality and to be a success, it will be the private sector that has the expertise in doing this. It will not be government.

Government has a role to play. We will play our role and then get out of the way and make sure this becomes a success. That is my approach. That is still the path that I am on and I will not waiver from that path.

Mr. Speaker: Your final question, Councillor.

Councillor Swandel: It seems to me there is a great opportunity to lose wealth for the City of Winnipeg if this is to be planned and controlled by the Province. If the Province is going to go down this route under the auspices of private sector driven, even though the ownership lies with the Province, will the City have representation on this board? Have you been approached yet to have members from the City to be included in this 15 person board?

Mr. Speaker: Mr. Mayor.

Mayor Katz: I can tell you that on any Committee, or any board that's been discussed, there has always been representation from the City of Winnipeg, yes.

By the same token, I want to repeat, okay, the key criteria that we talked

about…a single authority, one jurisdiction and private sector driven and hopefully we'll get there.

I do understand why Councillor is making his point. It appears we've kind of, maybe I guess we're on the shoulder of the highway at this particular point in time. I can understand why he is saying it but we haven't gotten there yet. There still will be further conversation.

I can tell you that the CAO attends these meetings and is having dialogue with the stakeholders on a regular basis and hopefully we'll get to where we all agreed we should be.

Mr. Speaker: Thank you. Councillor Vandal your first question.

Councillor Vandal: Thank you, Mr. Speaker. To the Mayor, several weeks ago you publicly stated that you had nothing to do with Riverside Park Management. And several days after you made that statement it was revealed that you were president of Riverside Park Management until April of 2008. And today, the Chief Financial Officer of Winnipeg Goldeyes, of which you are the president, is currently the president of Riverside Park Management.

My question is do you actually think that this Council and Winnipeggers believe you when you say you have nothing to do…

Mr. Speaker: Councillor Vandal.

Councillor Vandal: with Riverside Park Management?

Mr. Speaker: Councillor Vandal…

Councillor Swandel: That's out of order.

Mr. Speaker: That's not…Councillor Vandal the Mayor cannot participate in this. He has abstained from dealing with this.

Councillor Vandal: Mr. Speaker I am not asking any question about the lease.

Mr. Speaker: No you are asking, Councillor Vandal.

Councillor Vandal: I'm asking a question about the reporting relationships between…

Mr. Speaker: You are asking a question pertaining to a subject matter that will be dealt with here later on.

Councillor Vandal: a non-profit company and the Mayor of the City of Winnipeg.

Mr. Speaker: No. No.

Councillor Vandal: I think it's fair.

Mr. Speaker: It's not fair.

Councillor Swandel: You are impugning the character of somebody on Council (inaudible)

Mr. Speaker: Councillor Vandal I just want to make it very clear. This debate we're dealing with here in Question Period, the debate is not a conflict of interest. The debate is in, in its merits, the lease agreement.

Councillor Vandal: I'm asking clarification from the Mayor about a very legitimate question that involves hundreds of thousands of dollars of public funds. I don't see why the Mayor can't answer just a simple question.

Mayor Katz: I would be happy to answer that Mr. Speaker.

Councillor Vandal: Let him answer.

Mayor Katz: With your blessings only Mr. Speaker.

Mr. Speaker: Go ahead, if you feel comfortable with it then answer it.

Mayor Katz: Mr. Speaker, once again Councillor Vandal is inaccurate. He's wrong. I stated on the record when asked by the media if, that I had no involvement with Riverside Park. They were asking me if I was involved, if I was on the board at that particular point in time and the answer was no, which was an accurate statement.

I can also tell Mr. Vandal through you that I've had no participation in that for at least two-and-a-half, possibly three-and-a-half years. So that is the answer to the question Mr. Speaker, and I'm happy to accommodate it and correct the misconception that is being presented to others.

Mr. Speaker: Thank you. Your second question.

Councillor Vandal: Mr. Speaker that wasn't that bad. April is, April is four, five months away. You were president of the corporation April of 2008, five months away from this date. How can you possibly say that you had no, absolutely no dealings with Riverside Park Management?

Mr. Speaker: Do you want to answer that?

Mayor Katz: Mr. Speaker, I will repeat what I said before, okay.

Mr. Speaker: Okay.

Mayor Katz: And here is how I will answer the question. Since the day I was elected Mr. Speaker, I have tried to be totally transparent by setting standards and rules for this Council, including having our expenses accessible to the public. We've made major, major changes.

On top of that Mr. Speaker, we all have rules and regulations we have to abide with. I can tell you when I was first elected, I met with the clerk and they requested a list of whatever assets I have. I assume every Councillor has to do the same.

In addition to that Mr. Speaker, I can tell you that there is also a rule that says if you receive a present, and I believe it's if it exceeds $200, that you must declare it to the clerk. And I can tell you Mr. Speaker, after my first few months in office, I did receive some presents, some memberships to some organizations.

What I did Mr. Speaker, I made a list of all those, and then I called in the clerk, and I presented it to the clerk. And the clerk looked at that list and he gave me that kind of, I guess you call the deer in the headlight look, and I said did I not fill it in properly? And the clerk responded that you're the third Mayor that I've basically served as clerk and you're the first one to fill this in.

I think I know what has to be done and I can assure you Mr. Speaker, I do it on a regular basis. And I certainly hope that Councillor Vandal does as well.

Mr. Speaker: Councillor Vandal your final question.

Councillor Vandal: Yes thank you, Mr. Speaker. I can't recall the presents, but Mr. Mayor are you saying that the current president of Riverside Park, who is your Chief Financial Officer of the Winnipeg Goldeyes, never speaks to you as the president of Winnipeg Goldeyes about any activity with Riverside Park Management?

Councillor Clement: I think you're crossing the line now.

Mr. Speaker: No. No. Look, look, Councillors, look, I think we're getting over our boundaries, our responsibilities.

Councillor O'Shaughnessy: No kidding.

Mr. Speaker: When we take an oath, just a minute Councillor Vandal, you've done the same thing, all of us, take an Oath of Office.

We also sign a Conflict of Interest that has to be filled out and signed each time, after we take the Oath of Office and any changes that individual members of Council have in property, shareholders, has to be given to the clerk for the clerk to put it on file. Now the Code of Ethics we have here also, but we're seem to be getting carried away.

I don't think Councillor Vandal that this issue is Riverside Park. I think this issue is now because of Mayor Katz, his involvement because he is the Mayor so you've got an attack on him. And I'm just saying, the Code of Ethics we have, please abide by them. If you want to find

out something, you could have met with him inside his office not to have this charade here on the floor of Council.

Councillor Vandal: Mr. Speaker, I'm not attacking the Mayor, I'm asking questions of clarification of which he is perfectly willing to answer so I'm not sure what everyone is...

Mayor Katz: Mr. Speaker thank you for laying down the rules. By the same token I'm quite cognizant of Councillor Vandal's motivation. So you know what, I have no problem responding to that because I think what Councillor Vandal has just done is basically verified what I've been saying now for four years.

As you know, Mr. Speaker, there are many, there are few people who have suggested and have strongly stated that I should take the Winnipeg Goldeyes and put them in a blind trust. You've heard that many times. A few media outlets have repeated that over and over again. I don't think there is a person who lives in the City of Winnipeg who is not cognizant of the fact that I own and I'm president and CEO of the Winnipeg Goldeyes.

But nonetheless, my response to that has been that would be in my very humble opinion, an act of insincerity. Because for anyone to believe that you would take a company that you built, and a facility that you helped make a contribution to becoming a baseball facility and home to the Pan Am Games, in complete opposition to the Mayor at the time, and many members of Council, who did everything humanly possible to make sure that it didn't happen and there are probably those who continue to do that.

The truth of the matter is, with today's communication, whether it be through phone, whether it be through a meeting, whether it be through email, for someone to think you're never going to talk to those people, I think is rather foolish, okay. Which is why I said that's ridiculous. I think I might have used the word that that could be fraudulent.

The realities are Mr. Speaker, is that whenever there has been an issue on this, I have recused myself. So regardless of whether I speak to Councillor Dan Vandal or any member of this Council or I speak to a citizen, I will never pretend that I don't talk to people. I've been very upfront about it. And even if I did put this in a blind trust, Mr. Speaker, I can assure you that I would still recuse myself which there would be no difference whatsoever. Its fool hardy for people to believe that putting something in a blind trust means you can just skip down the sidewalk and smile and everything is wonderful and all of a sudden you can come and vote on that. That is foolish, that is nonsense. I've never accepted it. I've said it for four years and I will continue to say it and you won't see that happen.

But when Councillor Vandal wants to stand up and ask a question, I'm always happy to answer it whether he is abiding by the rules of Council or not, that's irrelevant to me, alright. I don't have any secrets, Mr. Speaker.

I can tell you, for a long part of my life, practically everything I do has been public and open to criticism, scrutiny or positive comments. My life is very much an open book whether it's been my personal life with my divorce, whether it's been the Winnipeg Goldeyes, anything I do, any trip I take, it's pretty much documented through the media. The reality is when you run for public office, this is what you take. This is what you get. When you run for Mayor, the magnifying glass is even greater.

But what I would like Councillor Vandal to do, just for once, take aside whether you love me or hate me, why don't you just make a decision based on the facts and nothing but the facts and treat this entity as if you would any entity that you liked that you supported and wanted to get fairness. That's what I would like Councillor Vandal.

Mr. Speaker: Thank you. Councillor Gerbasi your first question.

Councillor Gerbasi: Mr. Speaker, I had a question about the accommodation tax revenue, that it was reportedly over a million dollars so far that has been

collected and I'm wondering if there is a report coming forward to Council that will clarify how that money will be spent?

Mr. Speaker: Mr. Mayor.

Mayor Katz: Through you to Councillor Gerbasi, the answer is yes there will be. It will be very shortly, Councillor Gerbasi.

And as I stated before, I can assure you that all the monies coming from the accommodation tax will be going through the three key areas that I pointed out in the past. One, Winnipeg Convention Centre. Two, Destination Winnipeg. Three, setting up a special events fund so that when we're asked for money, whether it's for the Junos, the Grey Cup, Junior Hockey, we don't have to scramble around and find money, we will have a special event fund.

As well as, I would say proactively and aggressively doing what other cities do and going out and getting conventions which basically help our City immensely and I can assure you, you will be seeing that sooner than you think.

Councillor Gerbasi: Thank you.

Mr. Speaker: Your second question, Councillor.

Councillor Gerbasi: Thank you. My question further on that, for the amount of contribution that's going to be going to Destination Winnipeg, currently it's budget is one point, well actually I'm not even sure what it's currently budgeted at. Pardon?

Councillor O'Shaughnessy: $1.3 something.

Councillor Gerbasi: Will there be an increase to the amount of funding that Destination Winnipeg receives from the City following the creation of this or are we simply using a different source of funding to fund Destination Winnipeg?

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker I thank Councillor Gerbasi for that and I will try and clarify further. As Councillor Gerbasi knows, I only have one vote, but I can tell you, my hope would be that Destination Winnipeg funding would be $2 million dollars.

Mr. Speaker: Your final question Councillor.

Councillor Gerbasi: Thank you. Just on a different topic, can you confirm to Council when you believe the memorandum of understanding on the rapid transit project that was announced will be coming to Council?

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker I'm just trying to think of some dates. Our plan would be for the, first of all we have a Council seminar on it Mr. Speaker. The department is preparing, doing its due diligence and preparing some information which will be shared with all Council members who do attend the Council seminar and from there it would move on to Council.

And I can tell you the goal would be for the next Council meeting which means obviously the Council seminar would probably be happening within the next two weeks. I don't have a specific date but that would be the goal and the objective.

Mr. Speaker: Thank you. Councillor Nordman, your first question.

Councillor Nordman: Mr. Speaker through you to His Worship Mayor Sam Katz. Sir, about six months ago we held the discussions here on Upper Fort Garry, 100 Main Street. I'd just be curious to know if you have any feedback or information to share with us how the Friends of Upper Fort Garry are proceeding with their accumulation of land and the activity on that property.

Mr. Speaker: Mr. Mayor.

Mayor Katz: Through you to Councillor Nordman, I thank you for the question, I would be happy to bring you up to date and share what information I have. I'm

sure we remember that time very well and I think it's approximately six months ago that took place.

As you recall at that particular point in time, the City of Winnipeg had an agreement with the private sector. The private sector came forward and they were prepared to give a two-year extension to the Friends of Upper Fort Garry in order for them to have more time to accomplish their goal.

In the interim, what I can tell you is that we have been having conversations with the Friends of Upper Fort Garry over the summer. I can tell you there were three key criteria that we were looking at. Number one, was a new business plan. Number two, was the acquisition of the Grain Exchange Curling Club. And number three was funding.

On points one and two, I believe just recently we have received a new business plan as well as documentation outlining the plan to acquire the Grain Exchange Curling Club and I believe our administration is reviewing that making sure it meets the criteria.

We are still waiting for an update as far as the financial aspect. If my memory serves me well Mr. Speaker, they had to have $10 million out of $12.5. We're still waiting for that information and as soon as we get it, once again, the public service will make sure it meets the criteria.

I think everybody is of the opinion that we would like to see this moved forward so right now we are just in a waiting pattern. I believe that should be coming shortly. So two out of three have been presented to the City and are being reviewed and we're still waiting for the third. I hope that answers the question Councillor Nordman.

Mr. Speaker: Your second question Councillor Nordman? Councillor Clement, your first question.

Councillor Clement: Thank you Mr. Speaker. Mr. Mayor, recently I've received a number of inquiries from residents who have handicapped passes for their vehicles. They've shared with me that a letter went out from the League of the Physically Handicapped to them individually, who they have to buy these passes off of I believe for $10 a year or something like that. They received a letter that told them that they were going to have to pay to park on City streets where there is meters. Is that accurate Mr. Mayor, because I don't recall ever asking something like that?

Mr. Speaker: Mr. Mayor.

Councillor O'Shaughnessy: We never did, they always should have been paying.

Mayor Katz: Mr. Speaker through you to Councillor Clement, I will try and respond to the question a different way, telling you what I know to be accurate.

For many years, this process has been going on. It's never been free, but I can tell you, the department has never enforced anything. For whatever the reason may be, I believe that representation from the League was given to individuals that it was free.

Then what happened is there is a new CEO in the League, with the League, and I'm not, I believe they made a honest mistake and didn't understand what is it. But I can tell you to date as we sit here, nothing has changed. They get the passes and we do not enforce the collection of those monies.

Councillor O'Shaughnessy: Shame on us.

Mayor Katz: It's my understanding that as we stand or sit here today, that that status quo is being maintained until the department meets with the League and goes through this and has a discussion with them. But right now we are still not collecting and we still are not enforcing.

Mr. Speaker: Thank you. Your second question Councillor? Councillor Browaty, your first question.

Councillor Browaty: Thank you, Mr. Speaker, through you to the Mayor. Could we get an update on the status of the

replacement or refurbishment of the Public Safety Building?

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker I thank Councillor Browaty. It's like a buffet today, everybody is jumping in.

I can tell you that I know that the department is looking at other options as I'm sure Councillor Browaty recalls and so does everybody else, this project started at one number and practically quadrupled to the point where we thought we'd have a look at the kind of money that is being projected to be spent, are we spending it wisely and maybe it's a time to look at alternatives.

I know that the department is looking at it, I know the CAO is involved, and we are exploring other opportunities which may bring, shall we say, people under one roof and maybe possibly save the City of Winnipeg significant monies.

To my knowledge at this particular point in time, have landed on nothing, but there are a few opportunities that are being explored and if we're getting remotely close to them, I would be more than happy to not just share with Councillor Browaty but with all of Council when I know we actually have something specific and detailed.

But today we do not. The only thing we know is that we just can't spend that kind of money without looking at alternatives. From where we were once upon a time, to where we are today, I believe the figure has quadrupled, if my memory serves me well.

Mr. Speaker: That's it? Councillor Fielding, your first question.

Councillor Fielding: Yes, Mr. Mayor, there has been much talk I guess within our communities in terms of the stadium. I know David Asper has presented his plan. I'm just wondering if I can have a status update from the City's point of view and the next steps in terms of the approach that we need to follow.

Mr. Speaker: Mr. Mayor.

Councillor Steeves: Mr. Speaker, none of us could hear the question.

Councillor Thomas: Yes and I've got an assist here and I couldn't hear him. (inaudible)

Mayor Katz: Would you like to repeat it?

Mr. Speaker: You want to yell it out. You yell that out.

Councillor Fielding: Sure, I'd like a status update in terms of the stadium, where the stadium proposal is at. I know David Asper has been in the paper in regards to this and next steps that would be taken from all levels of government so see something like this happen.

Mr. Speaker: Mr. Mayor.

Mayor Katz: Through you to Councillor Fielding, I would be happy to address that and share all the information that I have access to.

First of all, as I'm sure everybody has read in the media, David Asper and the University have an agreement to construct a brand new football stadium at the University site. In addition to that they're also looking to enhance some of the existing facilities and build some new facilities for the University of Manitoba.

The project is approximately $135 million dollars. Mr. Asper has publicly stated that he will be putting in a minimum of $100 million dollars, asking the Province of Manitoba to contribute $20 million and the Federal government to contribute 15.

As you can obviously see this is far different than the original plan at Polo Park where they were looking at $120 million and asking for $40 million from the Province, $40 million from the Feds, $40 million from the private sector.

The first thing that I can share with you is my personal feeling is that if the University and David Asper have an understanding to utilize land that is already there, that is already serviced,

that the private sector is going to be contributing in excess of $100 million dollars which could be approximately 75% of that project, I am fully supportive of it.

I can tell you this would guarantee you that the Winnipeg Football Club would have a home that could accommodate I believe somewhere between 34 and 40,000 people, would have all the amenities that it should have for all the fans that patronize it.

I also believe that for nine or ten games a year depending on the situation with playoffs and that most of these games are played on weekends, it could just about be located in any reasonable part of the City but to me reasonable becomes the location where the private sector will invest that kind of money.

I can also tell you that I am so supportive of it, that I have signed a memorandum of understanding, subject of course to Council's approval, which has also been signed by Creswin Properties, so now obviously we'll be waiting for the other levels of government and I think we all know that the Federal government decision will not come into play until after the election.

So if all of this happens, Mr. Speaker, in addition to, which is an important part of the equation, the land where the existing stadium is would be sold at fair market value. I can tell you my understanding is that it could be somewhere between $25 and $35 million dollars.

That development, whatever it will be because there is no plan specifically, I can't tell you what will be there. We assume it's going to be retail but I don't know what type of retail. They will pay all property taxes, all business taxes.

So as you can see from the City's point of view, we will be selling a piece of property, probably one of the most valuable pieces of property in the City of Winnipeg, we'll be getting a significant amount of dollars on an annual basis in taxes.

And, as I stated at the Council seminar we had on the football stadium a few months ago, when Point Douglas was brought up, that regardless of a football stadium being built at Point Douglas, we have to do some urban revitalization for Point Douglas, and I believe that opportunity will be there and I believe when we take on this challenge, that we will have the opportunity to get stakeholders' involvement and I have no doubt in my mind that Council will be up to the task of addressing an issue of probably another jewel in our City, which up until maybe two months ago, no one even knew where it was, now everybody knows where it is.

So from my point of view this is all full of opportunity and I believe we're on the verge of grasping it. What will happen in the end I don't know. Obviously anything that I do is subject to Council's approval and we are still waiting for other levels of government but I see some potentially wonderful things on the horizon, Mr. Speaker.

Mr. Speaker: Thank you. Your second question? Councillor Thomas your first question.

Councillor Thomas: Thank you. I would like to thank Councillor Clement for asking about the handicapped parking. It was a number of months ago that I brought this to the attention of the Mayor.

My friend Ken Carlson, whose cancer had been in remission, came up again, living on a disability pension and having to go down to the hospital twice a day to receive his treatments. It was difficult for him to not only pay for his handicapped pass but to also pay for parking. And he had to start doing it because he had received a couple of tickets, (inaudible) making it actually more expensive to have handicapped parking than it was there. I would love to have you talk to Ken about this but unfortunately he passed away.

And I promised him that I would continue to bring this matter forward and now the Manitoba League for, is also doing that. So please look into this because people who are struggling particularly around hospitals where it's important to them to

have access for treatments are being ticketed.

Mr. Speaker: Thank you Councillor Thomas. Mr. Mayor. That was a request and a question at the same time.

Mayor Katz: First of all, I can assure Councillor Thomas that's exactly what is being done today. I can also…I believe this whole thing came about because of a lack of proper communication and some new people being involved in the process. And whether your personal feelings are that they should or should not pay that really is irrelevant right now.

What I'm telling you is that the department has emphatically told me that the status quo is being maintained. There is no enforcement at this stage of the game and they're gonna have a meeting and I will follow up when I hear back from them after that meeting for Councillor Thomas.

Mr. Speaker: Thank you. Question Period has expired. Standing Policy Committee Protection and Community Services report of September 15, 2008, Councillor Steeves.

REPORT OF THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES DATED SEPTEMBER 15, 2008

Councillor Steeves: Thank you very much, Mr. Speaker. I move Item 1 be considered.

Mr. Speaker: Thank you. Okay, stood down. Report number 1.

Item 1 - Increase in Fees for City of Winnipeg 'Learn to Skate' and 'Learn to Swim' Recreation Programs E-File PR-2.10

Mr. Speaker: Councillor Steeves.

Councillor Steeves: Yes, Mr. Speaker, just by way of the briefest introductory comments. As you know right now we've delegated authority to our Community and Services Department to increase fees in such things as sort of they see fit provided they don't go beyond kind of the cost of living and if they want to go beyond the cost of living they need come through Council with a report which is what this is. This report recommends a five percent increase to the "Learn to Swim" and a five percent increase to the "Learn to Skate". Both programs, which is why we're here. Clive Wightman came to Committee asking that Committee ratify the increase in expense. The Committee was dead locked two to two. As it wound its way through, it went to EPC without recommendation, came out of Executive Policy Committee with a positive recommendation to do so.

Just to give people an idea of what this means, two people who are actually using the service, I'll read from the report, " A five percent fee increase translates to a $2.86 to a $3.73 price increase for a ten week "Learn to Swim" program and a $2.36 increase or to a $3.18 price increase for a ten week "Learn to Skate" program. Revenue from the proposed price increase is anticipated to generate approximately $175,000."

So, if you're putting one of your children in this program, you can expect to pay as low as an extra $2.36 for a ten week program or as much as $3.73 hike for a ten week program. I would note, Mr. Speaker, that throughout the course of this discussion in Committee, on the same agenda; for example, we waived the fees for the, oh gosh, now the name escapes me, the Tigers, yes, anyway, it's, the Sharks and the Tigers hockey program. I apologize for not remembering the exact name, but it's a program run out of St. John's High School, thus the name Tigers, where in young people who I guess couldn't access hockey in normal circumstances are now able to access that hockey program by virtue of the fact, partially at least, that our Community Services Department at the request of our, the request of our Committee waived the $8,000 fee.

Again, you also heard the comments about the Sherbrook Sharks, a disadvantaged club and they also received the benefit of a fee waiver. My point of course Mr. Speaker, is that when we do these good things in the

community for the Tigers hockey program or the Sharks swimming program, this money has to come from somewhere, obviously, and we have to find the resources to backfill some of these things we want to do in the community.

My respectful request of Council today is let's continue to do that. The Tigers program was endorsed by the Committee unanimously as was the Sherbrook Sharks program endorsed by the Committee unanimously. All we ask, all I ask is that we give our department the leeway when there's good demand to make sure that we're getting cost recovery out of these types of programs. It's very, very important Mr. Speaker, that we're sort of not cutting ourselves off at both ends because that will result in lower programs and of course as everybody knows, if a kid comes to one of our programs and they have a real issue with expenditure, there is no way that we can't make that work.

I can tell you, with adequate disclosure about the challenges that are facing any kid financially, I'm sure we can make sure that were it not for this two dollars or three dollar extra charge that they would miss hockey, they would miss skating, or miss swimming lessons. It just doesn't work that way. If a kid can't do it, we find a way to make it work, but for parents who can pay, this helps and allows us to do extra programming

Mr. Speaker: Thank you. Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker. I won't be supporting this proposal to increase the fees for the City of Winnipeg "Learn to Skate" and "Learn to Swim" programs. The proposed five percent, as Councillor Steeves pointed out, is a five percent increase over and above the cost of living and it has been identified in our discussions with Community Services that "Learn to Swim" programs and "Learn to Skate" programs are considered core recreational services. Basically meaning they're almost essential for kids to have, for all kids to have the opportunity to learn to swim.

Making these programs affordable to all Winnipeggers is an important City of Winnipeg goal and if it is agreed by all of us that these programs should be affordable to all the Winnipeggers, you would think the cost for swimming lessons would be lower at the City of Winnipeg than going for private lessons. That's why I was quite shocked when I looked at appendix 1 of the report which I didn't even realize until later after our meeting, which compares the City prices with the local market average and more than half of the categories for the "Learn to Swim" classes, the City of Winnipeg was above the local market average and in some cases significantly above.

The "Learn to Skate" prices were quite a bit lower than private learning to skate programs, but not for "Learn to Swim". So we are subsidizing this. We're above, you know, more than half of the cases of the local market average. I heard Councillor Steeves use the word "cost recovery" so I guess that's what we're moving to when it comes to swimming lessons for little kids and I recognize that the Community Services budget is very tight because of the costs going up and I recognize that they have to pay for a huge range of programs with shrinking dollars each year and I'm sure this year is no better. Just those programs that Councillor Steeves mentioned I'd like to point out, the hockey program is not just a hockey program, it's actually a crime prevention program because they're taking kids that wouldn't be involved in any activities and they're taking kids on the edge, and helping them to feel involved and included in our community.

So, that's why we went beyond the call of duty to fund it for this year only hoping that they would, and asking the department to look for other sources of funding in future years probably from the province and other programs that relate to crime prevention because that's where this belongs. So to say that because we're paying, helping out, saving a program that's preventing crime for inner city kids, this year we now have to raise our prices above the cost of private lessons in some cases and over half the

cases, to pay for this, to make $175,000 is really astounding.

And I'd like to point out, that you know, it's easy enough when you're comfortable and you don't really have to watch your budget that much, to say oh it's two or three dollars what's the difference. Well it may not be a difference for you or I, but for a family who is having to decide whether they're going to eat or buy diapers, I think three dollars does make a difference and maybe it doesn't make a difference to you. I have a daughter who's raising a baby right now and she has to sometimes, you know, wait to buy the diapers. You know, I mean not everyone has people to help them out. This is real, this is such a difficulty for people and its death of a thousand cuts, it isn't just one thing that's going up. Everything is going up and people are struggling and we as the City of Winnipeg should be providing core recreational services below the market rates for services that are considered core.

I'm not even talking about our other leisure and recreation services we provide, you know that are maybe considered a little less essential, I think we still should be providing those, but these are the ones that our own department identified as core. Learning to swim…every kid should have a chance to learn to swim and we are charging more than the private sector over half the time now and I don't think you can justify that. We seem to have money for many other things which, a couple hundred thousand dollars for here for other things that we don't seem to worry about and I think you all know what I'm talking about, but for kids learning to swim we need to find that extra 175,000 dollars. Talk about Silo's, this is unsupportable. Thank you Mr. Speaker.

Mr. Speaker: Councillor Thomas did you want to speak? Okay go ahead

Councillor Thomas: Yes, I looked through this report three times. I didn't see anywhere in it where it talked about cost recovery. I saw that it talked about $175,000 in incremental revenue and each year we see in the paper where there's a child that was drowned in the lakes in Manitoba and I think that one of the ways we can prevent that is by providing at a reasonable cost, "Learn to Swim" program, so that a parent is not having to choose between buying milk or buying swimming lessons and it's something that could come back to haunt us if someone did not enter a program that could save their life.

And I took swimming lessons, my, you know, I'm the oldest of five. There was, I had a dad who earned a really good living and was able to help out. I know that many kids on the street where I lived didn't get the swimming lessons that I had and that was unfortunate for them and to have something like this go up, double what the cost of inflation is, is most uncomfortable and I just think back to last month where we found seven million dollars for a water park and I didn't want us putting money into a water park. I wanted it put into our public facilities, into Kildonan Park where it had been originally planned to go, but if these kids are going to take in those opportunities they really need to have swimming lessons and I feel most uncomfortable about this coming forward and I will not be supporting this clause, thank you.

Mr. Speaker: Councillor Nordman

Councillor Nordman: Thanks Mr. Speaker. I rise today to support this like I supported it at Standing Committee. You know Councillor Thomas just mentioned that you know folks were going without milk, well at this point as I look at these numbers, they're going to have to go without one extra slurpee or one extra blizzard to accomplish these needs.

The 175,000 that's approximately generated from these increases go to fix roofs on hockey rinks, it goes to fix liners of swimming pools and I just think at this point in time it's a reasonable compromise to keep programs going and as Councillor Steeves said, there's no way impacts people who are not in a position to afford this. The department will make sure that that happens. So, it has my full support

Mr. Speaker: Thank you Councillor. Councillor Wyatt

Councillor Wyatt: Mr. Speaker, it's fair to say that the Grinch has arrived early this year at City Hall. You know what are we doing here with this report. We're nickel and diming children. You know, this is what this is about, to get $175,000. We can't find $175,000? Keep in mind Councillors that the increases have happened before. The only reason this is here today is because of the fact that it's above the rate of inflation.

Council policy already says they don't have to come to us, they can increase at the rate of inflation. This is above the rate of inflation and here today, that's why they're here, this is why this is before us. We've been increasing. Mr. Speaker at the end of the day you have to believe that we as a municipal government exist for certain reasons and one of the reasons is to offer core municipal services and I can't think of a core municipal service more important than recreation and leisure, offered across this country by municipalities who still have their parks and recreation departments, Mr. Speaker, which we've wiped out, and learning to swim and learning to skate in a country like Canada with twenty percent of the world's fresh water and a winter that lasts longer than we would like, Mr. Speaker, us now nickel and diming children for $175,000?

This is what we've come to as a Council? I find it hard to believe we cannot find $175,000. We've seen other reports and will soon see other reports where we can find more than $175,000 but yet we can't find $175,000. The report says we need this money, Mr. Speaker, to associate it with supporting infrastructure and fixing infrastructure. Well Mr. Speaker, I can tell you right now it's going to take a heck of a lot more than $175,000 to fix this infrastructure of our city, the pools out there and the wading pools and the arenas, a lot more than $175,000, even incremental over ten or twenty years, that's nothing. This is a bunch of nonsense Mr. Speaker. This report should be sent back to the administration, we should be finding this money, we stick to COLA, we don't start nickel and diming little kids. This is ridiculous. I will not be supporting this today Mr. Speaker. Thank you

Mr. Speaker: Councillor Swandel

Councillor Swandel: Thank you Mr. Speaker. There are nickels and dimes involved here but in reality what we're talking about are dollars, many, many dollars that aren't included in this report that we use to subsidize these programs and these facilities from taxpayers-at-large. The programs are generally delivered at a below-cost price and even though there is COLA, cost of living or inflation or whatever you want to use, it is a very general term and is not always specific to one particular area like a swimming pool or a hockey rink or whatever area you're talking about.

You know, this is not the first time this has come here. It's always political, those that want to stand up on the side and champion, you know, the children and the poor and the down trodden, will stand up and say here we are nickel and diming, and then the other side always counters, and in 2003 when it happened, then Deputy Mayor Thomas at the time was actually on the other side of this argument, you know who are these competitors and also public sector organizations, we're talking about the school division, we're talking about the Red Cross, we're talking about the St. Johns Ambulance, we're talking about the Y, we're not talking about somebody who is not another public sector institution.

Here we are, we have employees, everybody has employees and we have to pay them. It's really uncomfortable when you're charging children for things but I think we're continuing to be in most cases either the lowest service provider or below average in every case except one. There are options, if people choose not to go to our life saving program, they obviously, even with it being the highest, there are options even with it being the highest price (inaudible) program they would choose over others.

At that point I'm not going to mention the others who are providing service regardless of what Councillors have asked here. I'm not going to get into a debate (inaudible) the case, but at that time, supporting the increase in recreation fees and at that time in 2003 the people that supported the recreation fee increase were Councillors Eadie, Angus, Clement, Gerbasi, Lubosch, Pagtakhan, Steeves, Thomas, Vandal, Wyatt and Lazarenko and the only two, and of course the Speaker of the day Mr. O'Shaughnessy and there was only two that opposed were Councillor Smith who is always been consistent on this issue and then Councillor Steeves.

So this is not something new to this Chamber. It will continue to go on year after year and somebody will try to get on this side of this, on either side of this issue. At the end of the day we have to be responsible decision makers, ensure that we give our staff the resources to do what they need to do and in this case it is to provide some very valuable education and recreation for the children in our communities.

Mr. Speaker: No further speakers? Councillor Steeves, would you like to close.

Councillor Steeves: Thank you very much Mr. Speaker. Cost recovery…my mistake Mr. Speaker. We're nowhere near cost recovery in these programs. I think everybody understands that. For every user of the Sherbrook Pool we're subsidizing between thirty and forty dollars. We're nowhere near cost recovery per swim. So I just want to be clear. If I said cost recovery that is clearly my mistake and I apologize for it.

Councillor Gerbasi talked of a hockey program, not a hockey program, a "Learn to Skate" program. I'm heartened to hear the comments and my colleague from Transcona rushing to the defense of innocent children worldwide. I don't know what we would do without him. (inaudible). Nickel and diming children. A question Mr. Speaker, rhetorical because I know my friend can't answer. Where is the money supposed to come from? Where would the money come from, everybody knows, everybody knows that our facilities are under stress.

I'm going to suggest respectfully Mr. Speaker, that for somebody to say we don't need $175,000, let's just close our eyes, bury our heads in the sand and send it back and let them come up with a $175, is both irresponsible and immature. We have a responsibility as a Council to fund these facilities. Councillor Swandel.

Mr. Speaker: Excuse me, you meant 175,000, you said 175 dollars, you mean $175,000.

Councillor Steeves: Yes, $175,000 to fund these facilities, thank you Mr. Speaker. We do not have the luxury Mr. Speaker, of saying let's just send it back and let them find the money. It is our job to make these decisions. Councillor Swandel alluded to some of the comments that were made in a previous meeting and it is incredible, absolutely incredible, how times change, based on nothing more than the players. We have debated this issue, I would say, a dozen to twenty times throughout my tenure as a City Councillor. I believe that my position has remained consistent throughout, regardless of Mayor, regardless of EPC, regardless of anything. Let me tell you, let me read you verbatim some words from that meeting of April 2003, hotly contested, spoken against in opposition by my friend, Councillor Smith.

Councillor Steek, who is no longer a member of Council, who stood up in this Council Chambers and said the exact same thing that Councillor Wyatt said today, albeit in somewhat different form, rushing to the aid and the defense of innocent children worldwide, nickel and diming them With the full support of Councillor Wyatt, the categorical, unwavering, full and in no way conditional support of Councillor Wyatt, Councillor Gerbasi said the following, with respect to a recreational fee increase that was being opposed by members of Council at the time, "Just a comment on the process, just to clarify on this particular item Mr. Speaker, this was debated at the Standing Committee, it was debated at

EPC and then again was already voted on. I'm really not convinced that there's a lot of point to debating it again.

I sympathize with Councillor Smith. I wish we didn't charge user fees for anything, I don't think anybody enjoys having to charge a fee. I think I'd like to give all the children everything for free. I think realistically we do have some user fees, occasionally those rates are raised. I think the key thing is that we're sensitive in their reasonable rates; we have alternatives for people who need assistance with lower incomes. Of course if it was a perfect world everything would be free and I think we'd all enjoy that world." True words, as true today as they were then. I will sit down counting on full Council unanimity on these very reasonable and low cost increases.

Mr. Speaker: Thank you Councillor, ready for the vote?

Councillor Smith: Recorded vote.

Mr. Speaker: Recorded vote has been called for. All in favour, please stand

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Katz, Councillors Browaty, Clement, Fielding, Nordman, O'Shaughnessy, Steeves, Swandel and Mr. Speaker Councillor Lazarenko.

Nays

Councillors Gerbasi, Pagtakhan, Smith, Thomas, Vandal and Wyatt.

City Clerk: The vote Mr. Speaker, Yeas 9, Nays 6.

Mr. Speaker: Carried. Motions if any, no motions. Number 3, Motion number 3, Councillor Swandel on motion number 3.

REPORT OF THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES
MOTIONS

Motion No. 3
Moved by Councillor Swandel
Seconded by Councillor Wyatt

WHEREAS the trial use of professional handled herding dogs for goose dispersal has appeared successful at Burland Park; AND WHEREAS the trial period for the Goose Dispersal Pilot Project at Burland Park expired on May 31, 2008;

THEREFORE BE IT RESOLVED THAT the trial period to allow dogs trained to disperse geese to operate in Burland Park be extended to November 31, 2010.

Councillor Swandel: A motion, last year you may recall that we passed the authority to utilize herding dogs as part of a goose dispersal project at Burland School in South St. Vital. The project started late, was somewhat successful, they want to continue with it to see if you can actually measure this success. This is just asking to extend the program to November 31, 2010 so they can properly measure it.

Councillor Gerbasi: Point of order Mr. Speaker.

Mr. Speaker: And what's your point of order?

Councillor Gerbasi: Would this not be automatically referred to the Standing Committee. But would it not normally be automatically referred to the Standing…

Mr. Speaker: Just wait, wait. He just introduced it. You move to suspend the rules to deal with it now?

Councillor Swandel: In light of the time of the year and the issue being immediate, I would suggest that, I would ask we suspend the rules to deal with it now.

Mr. Speaker: You're moving suspension of the rules. All in favour of the suspend the rules to deal with the motion now. I

have you recorded, Gerbasi and Thomas. Carried. Councillor Swandel, this is passed. Now vote…on the vote…on the motion. Suspension of the rules has been passed. Now we'll deal with the motion.

Councillor Swandel: It's a pretty straight motion, it's just a request to extend what we've already approved so they can continue to keep the goose feces away from the children and out of the school. It's a public safety issue more than anything else. (inaudible)…the children.

Mr. Speaker: Councillors all in favour, opposed? Whatever. Whatever has, whatever is whatever, whoever that is. Okay, now, By-laws, none. Question Period. No Question Period? No goose questions? Standing Policy Committee on Infrastructure Renewal and Public Works dated September 9, 2008. Councillor Clement.

REPORT OF THE STANDING POLICY COMMITTEE ON INFRASTRUCTURE RENEWAL AND PUBLIC WORKS DATED SEPTEMBER 9, 2008

Councillor Clement: Mr. Speaker I'll move clauses 1, 2 and 3 as Consent from the meeting on September 9th.

Mr. Speaker: Councillor, what number? Number 2. And 1, 2 and 3, so number 2, so 1 and 3, all in favour, contrary, carried. Item number 2.

Item 2 – Award of Contract for Mechanical Collection of solid Wastes from Apartments and Small Commercial Establishments in the north west area of the City of Winnipeg E-File WT-1

Mr. Speaker: Councillor Clement.

Councillor Clement: Yes Mr. Speaker, this is a simple award of contract and it's being awarded to the lowest evaluated responsive bidder and I'm not sure what the opposition to this would be but I'll sit down and wait to hear what the concerns are.

Mr. Speaker: Yes. Councillor Thomas.

Councillor Thomas: I voted against this at the Standing Committee and I intend to vote against this here because I asked for statistics to be provided on the cost increases and they were provided at the Standing Committee and I think it's important that we evaluate it. I've been told when we went from city forces to private contractors that we'd always get the comparison and the comparison wasn't there. The rationale for it was this wasn't provided by city workers in the past. Well city workers had wanted to compete for this contract, hadn't been offered to them, still isn't being offered to them.

I believe that our city forces need to have a knowledge base from which they can decide whether or not they're going to compete with this and the information on the cost and analysis, the statistical analysis wasn't there and I asked for it, it wasn't there, still not here. I don't have the information and I'm not going to vote for it.

Mr. Speaker: Councillor Swandel.

Councillor Swandel: Just a quick couple of words. It's my understanding that the city forces don't actually have the ability to compete in this regard. An analysis certainly could be done but when we've dealt with these matters and when we're having something that's dealt by city forces and we're moving towards contracting out we often have conversations with the city forces and whatever the bargaining unit may be to see if they want to make some concessions to try and maintain the work as city forces as opposed to us having to go the route of contracting out.

But my understanding is that in many of these cases the constitution of By-laws that makeup the organization, it actually prohibits them from entering into a bidding process for this type of contract work.

Mr. Speaker: Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker, just briefly, I'm wondering if the chair of the Committee could get us some

information about the diversity of the different companies that have been receiving these contracts, because one of the things we were promised when the contracting out a hundred percent of garbage collection was that there would not be a private monopoly and I just keep seeing contract after contract going to the same company and I just would like to have that information if not now, in the near future. Thank you.

Mr. Speaker: Councillor Clement. I guess there are no other speakers so you can close.

Councillor Clement: I don't have any problem with that last bit. I think we probably could go through the contracts and find out what the diversity would be just by contacting the City Clerk's Department probably. But I understand where Councillor Thomas is coming from but I don't believe that there is any way to get that information because I don't believe that the city forces…I don't even they actually did this part in the beginning. I could be wrong but I know they were involved in residential pickup but I don't think they actually did this part in the beginning anyway. I think this was always done by private contractors.

But I may be wrong on that, but in any case whatever her concerns, the contract is here in front of us. They are the lowest bidder on this particular bid opportunity. There was no bid from any city forces to compare it with in terms of this, so if she wants some further information, I'm sure that if she contacted the Water and Waste Department that they probably could give her as much analysis as they have, but I don't think it's got anything to do with whether we award this or not at this time. So, I've moved it and I hope that we will pass it.

Mr. Speaker: All in favour of clause 2, opposed?

Councillor Thomas: Nay, record me in opposition please.

Mr. Speaker: It's carried. Thomas, Smith in opposition.

Okay now we are dealing with the walk on report of September 23. You move suspension of the rules, Councillor.

REPORT OF THE STANDING POLICY COMMITTEE ON INFRASTRUCTURE RENEWAL AND PUBLIC WORKS DATED SEPTEMBER 23, 2008

Councillor Clement: I will move suspension of the rules to deal with Item 1 from the meeting yesterday.

Mr. Speaker: Mr. Clerk.

Item 1 Disraeli Bridges Rehabilitation Project Conceptual Design Recommendation File SB-3

Mr. Speaker: Do you want to introduce it Councillor Clement.

Councillor Clement: I moved suspension of the rules.

Mr. Speaker: Oh, all in favour, contrary? Carried.

Councillor Thomas: Nay, record me in opposition please.

Mr. Speaker: And Browaty, Councillor Browaty, Thomas in opposition. Councillor Clement.

Councillor Clement: Mr. Speaker, I am pleased to introduce this clause. It's a fairly significant issue. I appreciate and it's a multimillion dollar project as everybody knows and when we were reviewing it, the original concept that was…that the stakeholders had landed on which was…I'm going to call it program B or plan B of the three that came forward, A, B and C. That was 160 million dollars and it would have provided for sidewalks on both sides of the bridge and some cycle ability.

By altering it the way that it is now which was the recommendation that ultimately came out of the Public Works Committee, to build a separate bridge for pedestrian and cycle facility for approximately 15 million dollars, actually is, believe it or not, even though there is a second facility, it's

actually 20 million dollars cheaper than plan B was. So this is a modified plan A, if you like, and it obviously is a more prudent cost than the other one.

There are a number of issues that I'm sure we're going to hear about and I think all of them are serious issues, Mr. Speaker. But I believe that the Public Works administrative body itself and the consulting engineers that worked on this put together a comprehensive package based on pretty solid data. I appreciate that everybody still may not agree that the path we're going down is the path you appreciate seeing. I understand that. Particularly for some of the more local Councillors. But the reality is, is that to do it differently was going to cost a substantial amount of more money and I'm not sure that everybody really realizes exactly what the costs are.

When you get into going from 160 to 250 million dollars, that's a lot of money, and it sounds easy to say and people question the justification of those kinds of numbers, in fact I even recall this morning one gentleman said that, you know that we could still build this separate span and the land is still there. Well it's still there. Some of it's got buildings on it; some of it's got other facilities on it. It's all available, it just needs to be expropriated and at what cost.

There is significant cost, and I would submit to you that to do that type of thing you would also have to look at the widening of some other streets for a fair distance which also costs a lot of money and intersection works and so on. So all of those things were looked at. They recognized what the numbers were and they came back with a report that was responsible in terms of putting a first class facility out there at a price that we could afford, and building into it and it is our policy, frankly, to build-in pedestrian and cycle facilities into new projects and this particular initiative, I think, is kind of exciting because it will allow a direct connection with the North East Pioneers walkway and it will connect directly into Annabella across the river, through the underpass and you're about two blocks from The Forks.

And everybody knows we're building a bike path from The Forks to Jubilee as part of the rapid transit initiative, or BRT, and from Jubilee, I know of other bike paths that are very close and we're almost creating a system of bike paths that would allow you, within a very short period of time, to ride your bike from the western extremities of Charleswood all the way around and out to North Kildonan without leaving a bike path, virtually. And we're, we've moved a long way in that direction and that's part of this, and I think by having these separate bridges that they're going to extract that pedestrian and cycle traffic from the roadways where the speeds are higher and I think a lot safer for people.

There was no question that…we had a gentleman here this morning and he said he had a document that was seven times the names on it that the…or seven times more people were on his list than, or petition…whatever you want to call it than what the Public Works people had returned responses. To get seven or eight hundred people respond from public open houses is pretty substantial, I'd submit to you. They don't hold these things for days on end. They hold them for two or three days and you get participation and to get seven or eight hundred people to come out and participate is pretty significant, I would submit to you.

From that group I know that a stakeholders committee was created. I know that the stakeholders like this particular plan. I recognize that there was a concern about the closure and they stated that it was clear from the stakeholders that was the one issue that they had and some of the Councillors are on that one as well, it's just a difficult thing to deal with. The fact is though, is that we do have to do something with this facility and we have to do something in the very short future.

And, which is why we tried to adjust our capital and come up with a way to do this as a P3, because if we had tried to do this project as a capital project it would have meant that we would have had to not do a lot of the initiatives that are in the capital

currently, because you can't P3 ten million dollar initiatives and five million dollar initiatives because people don't want to have anything to do with P3's that are of that size.

So we completely changed our five-year capital last year to accommodate that, so that we could use…do this project as a P3 Mr. Speaker, and I think that our finance people did a good job of recreating that document so that we could in fact find a responsible way to deal with this project.

So, I'm sure that there's going to be some positive comments made. I'm sure there's going to be some that are detrimental to this project going forward, but that's not inconsistent with any democracy Mr. Speaker. We always have pros and cons with these things. It would be nice if we could be unanimous on an exciting project like this but I recognize that the local Councillors have some issues and they have people to deal with, and I understand their concerns and fighting for those concerns as long as they can. That's part of our process and I've got no problem with people arguing their case. It's the type of country we live in and it's the way that we do our business, and there is absolutely nothing wrong with people pursuing things. Even though it's a good project they might like it to be a little better, that's their prerogative.

So with that, I'm going to move it forward, and I hope we have a good debate on it and hopefully at the end of the day we'll move this project forward, Mr. Speaker.

Mr. Speaker: Councillor Thomas is the first one to, followed by Councillor Browaty. Councillor Thomas.

Councillor Thomas: Thank you. As you heard a little bit from the speakers that we had this morning who rushed in because this was put on in the last minute yesterday, and I think that you would probably find a lot more people here if they'd have known that it was coming. But we had two good speakers here and as you heard from them, the existing bridge was inadequately built in the first lane. It was supposed to be an eight span bridge, there was only four spans built.

There is to the east of it, green space and there is part of it that goes over top of a parking lot right now and actually, I think that can continue to co-exist going over top of the parking lot. There may have to be one piece of property expropriated if we haven't done so, to build to the east, but the existing bridge was inadequately built. It was supposed to be eight and it was built at four lanes. Now, let me talk about that inadequate bridge that was built. It was built but the lanes were built wider. But it had to be narrow. Why did it have to be narrow? Because there was no concrete barrier down the middle of the bridge and traffic going in both directions, there was a lot of accidents.

People were being hit because the bridge had too wide an arc on it. It shouldn't have been done that way. There is a lot of things that could be corrected and if you use the existing pedestals you're not going to create…correct a lot of those problems. Putting a new three pedestal on one side and realigning the other three pedestals after that's done will correct that. So when the concrete barriers were put in the middle, people had narrower lanes. Well, they weren't hitting the concrete barriers in the middle any more but there were quite a few times over the years where they've hit the outside of the bridge and that's another reason that it's not safe. There is no barrier between the pedestrians and the outside of the bridge, and you have vehicles in the winter that go over the sidewalk and crash into the side of the bridge and that's why you'll find some of the vertical poles are green, some of them are red because there's so many of them that have had to be replaced because they were hit over the years. Each and every year you will find several accidents a year that occur on that bridge, people sliding off in the winter time and crashing into the side of the bridge. It's not safe for pedestrians. It's not safe for cyclists and it wasn't built properly for that.

There was also a protest after it was built because it was not built to be wheelchair accessible. There's huge curbs, this high. So if you're coming down on, in your wheelchair and you're trying to cross that

bridge, you have to actually go down, all the way on the ramp and all the way back up again, which is really hard on an electric wheelchair and practically impossible unless you're one of those Paralympic racers to do it on a manual wheelchair. And there were protests when it was built, because it wasn't built right.

So that's the existing bridge. Now when the new bridge was supposed to be built, we had a citizens group. They were not given the one thing that a lot of them wanted to see, which was two, three pedestal bridges with the outside lanes being dedicated for transit. They were not given that option to look at. They were told outright it was too expensive. Now, how we managed to build going slightly over budget, the Main/Norwood Bridge that has eight and sometimes up to eleven lanes for 130 million dollars but putting six lane in here is suddenly going to cost 250 million dollars.

I'll tell you why that is. It's because it's gone public private partnership and it's costing a heck of a lot more money. If it had been done the traditional ways it would cost the same as the other bridges that have been built in the city, a lot more reasonable. So they weren't given that option to look at, so they came up with a concept B, which had lanes, pedestrian lanes on both sides and a barrier that separates people so that it's safe.

So now, in spite of what the Committee has decided, it comes back with one that has a sidewalk only on the east side, no sidewalk on the west side anymore. So the people who want to go on the west side and live on the west side of Henderson Highway, particularly below the Elmwood Cemetery, they've got to go down the east side and now they've got to walk underneath the bridge in an area that's not considerably safe.

We're going to put good lighting in there they say, going to put good lighting in there. Well that hasn't helped other areas of the city like Osborne where you have to walk underneath and I don't want to come back here telling you that someone has been killed because they've gone underneath the bridge trying to get home. And I also don't want people to say they're not going to go that way so they're continuing down the east side and then running across in traffic because they feel safer where people can see them rather than going underneath a foot path that goes underneath the bridge to go up the other side, to get home.

And then having the walkway on the east side, then there is going to be another walkway, bicycle path even further east. So the people on the east side are well taken care of but the people on the west side are not. And if they don't want to go underneath the bridge they have to walk all the way up an additional 2/3rd's of a kilometre up to Hespeler in order to cross at the lights to go down that way. They shouldn't have to do that to come all the way back to go to their homes. They shouldn't have to do that. That should have been taken into consideration and it was not.

So now that I've told you all the problems with this, I just want to tell you about some things that I looked at. There is fifteen blocks, approximately between Sherbrook, Maryland and Provencher. There we have the Sherbrook/Marylands six lane, two pedestals, we have Osborne five lanes, one pedestal, we have the Midtown Bridge, four lanes, one pedestal. We have the Main/Norwood Bridge, eight lanes up to eleven lanes, two pedestals, we the Provencher Bridge which has four, five and at some points actually six lanes going across it, one pedestal. Now the Sherbrook/Maryland which is six lanes, two pedestals.

Mr. Speaker: Councillor Browaty moves extension of two minutes all in favour, contrary? Carried.

Councillor Thomas: Thank you, has approximately 40,000 people crossing it but we have five bridges within fifteen blocks and within twenty blocks we have three bridges going to the northeast quadrant. Two of them are tiny community bridges of two lanes, one lane each way that they're both over hundred years old, they're in good condition but they're both over a hundred years old and we have a four lane bridge between the

two of them. At minimum of these five bridges, at minimum the smallest bridge going to the southern quadrant just in the downtown area has five bridges and the smallest bridge is four lanes. And most of them, when we've refurbished them, we've gone to going two pedestal because we know when we want to close it as they had done for a long time when they were doing the Sherbrook/Maryland, people could continue to use the bridge using one side and using the other side while they were working on both sides.

You're asking the people in our area, who…that's the one major corridor to get downtown and has approximately 45,000 people going over it…to do something else for a year and a half while this bridge gets fixed, so that they can get not even what they have now, but something worse.

I don't think the residents of my area will put up with it and don't be surprised if you support this option, that your phone starts ringing off the wall because people signed those petitions. They signed those letters. They asked you not to do this and then within two days, bang on, you're doing it anyways, only making it worse.

Mr. Speaker: Thank you Councillor. Councillor Browaty.

Councillor Browaty: Thank you Mr. Speaker. I am completely and totally disappointed that we are proceeding now without looking to the future, without going to a six band structure that I think should be funded by the Province of Manitoba and doing away with the problems we're having here with the total closure that could last up to sixteen months.

The growth we're seeing now in northeast Winnipeg now, a lot of it is coming from outside of the perimeter. A lot of it is coming in places from East St. Paul, West St. Paul and beyond. The traffic growth we're seen on Henderson Highway, a lot of it is coming from outside the city. At the Standing Policy Committee yesterday, Chairman Clement properly pointed out, in the fall of 2006, when southbound Disraeli was close due to an accident, one of the bridges that took the biggest increase in traffic was north perimeter bridge, not the Chief Peguis Trail, not the Redwood, not the Louise. Redwood and Louise are almost at capacity now. It was the north perimeter bridge. I think that's why at the East Kildonan-Transcona Community Committee we passed unanimously, Councillor Thomas, Councilor Wyatt and myself…passed a motion that said the Provincial Government should be stepping up to build the twin span structure.

And when you look at it, the three of us represent something in the neighbourhood of a hundred thousand residents. If we were to separate and become an independent city, this is radical, I'm not saying we're doing this, we represent a hundred thousand people, we'd be the second biggest city in the City of Winnipeg. We'd be the second biggest city in the City of Winnipeg. If that's not good enough a message that we're trying to send to Broadway then what is?

The reality of it is, our infrastructure is old. The Redwood Bridge is old. The Louise Bridge is over a hundred years old and the Disraeli now is in need of a major rehabilitation. As Councillor Thomas pointed out, all the deficiencies in the Disraeli, the biggest one being is that it's a single span structure. You look at other bridges back in the 1980's when they built the Kildonan Settlers bridge, the Chief Peguis Trail, they had an opportunity of saving some bucks and making it a single span.

I know some of the people on this Council today were there in the 1980's. They made the right decision, they spend the extra money and they built a twin span structure. When you look at most of other major bridges, whether its Bishop Grandin, whether its Sherbrook/Maryland, you look at a lot of the bridges that they've built in recent, more recent times, they've been twin span structures. You can close down one while you work on the other.

You look at what happens when you try to work on a bridge that is open, as the province has done on the south perimeter highway, you get deficiencies and

problems. There was engineering problems, I understand there was also problems in the, having the concrete settle.

The closure is going to be a major problem, a major inconvenience to everyone in northeast Winnipeg. Regardless of what the details were in the Free Press, there was a minor inaccuracy in the diagram, the commute times are going to add significantly to the daily commutes of people in northeast Winnipeg, even after they disperse and find their best routes Even the times like from Chief Peguis Trail, for example, on Henderson to Disraeli, people have to take that extra time to get to there when they would typically go south. Based on the capacities of Redwood and Louise, and some of the other bridges, traffic is naturally going to have to go north to get to Chief Peguis Trail based on the information we had from the engineers and the experts at the Standing Policy Committee yesterday.

I wouldn't be surprised that if at 4:30, 5:00 here trying to leave City Hall, people will be backed up trying to get out of the Civic Centre Parkade. I think that's how severe the problems are going to be.

My problem with the report that was out there yesterday; I mean, again, we do need to have…ensure there's a safe structure and the City alone can't go alone I believe doing a six-lane structure. The problem with the report that came out yesterday was, the final paragraph is where it talked about incentives for the successful bidder on the Chief Peguis Trail project, or sorry on the Disraeli project, to get the road works done quickly and to keep the structure partially open during parts of the construction. It was the final paragraph. And when I asked, you know, what money wasn't an option, how fast can this bridge be rehabilitated, I didn't get a clear answer.

I also asked, when you come up with your criteria for the request for proposals you're replacing different numbers of points on different categories in the request for proposal. What if somebody comes in with a really low price and gets full points for that, but says, what if this project takes twenty months. The response I received back was, well that would be successful bidder. That is completely and totally unacceptable. If we found a scenario where they could close the bridge for two summers for three months when traffic is lighter and we don't have the problems of the weather, it's not a great option, people aren't going to love it, but it's an improvement.

The fact that this was so far down in the report to me is a major problem. I would really like to get assurances from the Chair and perhaps even the Mayor that that is going to be of absolute total importance when the requests for proposals and the evaluations are done, and perhaps it is taken off the chart and given extra special consideration based on…instead of the typical pointing system that they use for rating the requests.

In terms of the active transportation bridge, I think, you know, we're certainly seeing a movement towards better use of those facilities and the connection to Annabella is a good thing, and I think the modified A is better than the B, but in terms of the fifty million dollar expenditure, we need to take a sober second thought of it. We only heard about it yesterday. I haven't had a chance to consult with my constituents; I know nobody else around here has.

In the five-year capital budget, plans to rehabilitate and perhaps replace the Louise Bridge are currently on the books. It's in the five-year capital budget that in the fifth year we'll start looking at what is going to be done with the Louise Bridge because, again, it’s an over a hundred year structure. It was originally a rail bridge. Perhaps that facility would be logical place to add extensive new active transportation facilities. I don't know, but we haven't had a chance to look at it yet. That said, I don't think this should delay work on the Disraeli because again it needs to be safe, but regardless, I'm so disappointed with the Province. The Province has not stepped up and I will be voting against this today. Thank you Mr. Speaker.

Mr. Speaker: Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Speaker. I think at times, you know, we do act like a big city but there's other times where we seem to simply behave like a village. You know, his ox is getting gored and mine is not and to heck with that. You know at least mine's not getting gored, and we stand by and we wring our hands and we say well we understand they're upset, but , you know, what can we do about it.

You know that's kind of the village mentality that seems to be plaguing us with this issue Mr. Speaker. You know, I guess the issue of the delays, I've heard from my constituents and they are quite concerned about the delays. Sixteen months, as we know when it comes to construction, could easily turn into seventeen months or eighteen months or longer. You know, it's something which is a real concern.

Now having said that, I believe that the delay issue is an issue right now in the minds of a lot of folks in northeast Winnipeg. Is it an issue that's not insurmountable, that can be overcome? No. I think it can be overcome. I think the department has taken a lot of steps to provide for detours, there's going to be a permanent improvement of intersections. I think automatically the reaction is, "oh my goodness, its closed for sixteen months, this is going to be a disaster". And in some cases actually, believe it or not, where we've had construction projects and detours in place and where we've actually allowed the traffic to flow more efficiently because we had to require re-routing of traffic, it actually made things, actually sometimes move smoother than what we… than in normal circumstances, you know and the investments are being made to do that.

So I'm not a hundred percent sold on the idea or convinced that the delays are going to be a huge, huge, insurmountable major issue. I think the bigger issue here to me, Mr. Speaker, is the issue of long-term planning, and you know we're spending 120 million dollars, now we're spending more and, you know, we're not just talking…we're talking about one bridge here. But the interesting thing is if you sit down and talk to Public Works which I've done and I know others have, you'll quickly find out that we're not talking about just Disraeli, because in the next few years we're going to be talking about the Louise Bridge. And if you talk to transit, in the next few years after that we'll be talking about a bus lane bridge to get out to the east side of the city, two lanes. And on top of that Disraeli and now we have a pedestrian bridge.

So actually I've counted four bridges in an area, Mr. Speaker, of a kilometre, a kilometre and a half, and yet we have no plan that I can see, Mr. Speaker. I think Councillor Browaty raised an excellent point. Maybe we (inaudible) spending twelve, fifteen million dollars on a pedestrian bridge when conceivably the department might be coming back to us and saying, you know what, the Louise Bridge has had its day, and based on future traffic demands we have to build a brand new structure and we really should probably build four lanes here. We'll turn the old Louise Bridge into…we could make that the pedestrian bridge like we've done with the BDI down in St. Vital.

Mr. Speaker, we don't have any plan, we don't know, we don't have a long term transportation plan with regards to what the needs in that area are. I, I'm not convinced that northeast Winnipeg is not growing, I think it is growing and it's an actively growing part of the city and I don't see the demands lessening, I see the demand on our infrastructure increasing because we're not building something for today, we're building something I hope for the next twenty, thirty, forty years from now. And I think we did show foresight as a Council. I was not here at the time but when the decision was made on the Main/ Norwood Bridges, the Queen Elizabeth Way to build two separate spans and you know we know it's overbuilt. You can go there now and you can see the lanes which are actually blockaded off from automobiles being used by pedestrian cyclists that in the future the concrete blocks have lifted, moved and you've got room for vehicles, and we have also supplied diamond lanes there by the way,

full time diamond lanes going over that bridge.

So, Mr. Speaker, I really think, I was hopeful, I voted back earlier this year when we were going down this path to keep the process going. I was hopeful that Public Works, through consultation, would come back with some innovative options and to look at the long term issues that we were hearing and if we were hearing it, Public Works was definitely hearing the concerns with regards to the long term.

I hope, you know, if this gets passed through this Council, I hope things go well. I mean there is a big issue you know about the girders, I mean there's been tests done, but at the end of the day they don't really know until they get that road off the deck what condition the girders are going to be in and whether or not we can actually salvage those girders and use them again under an existing bridge. To me, I think that's a huge, that's a big, big unknown. I think we forcing the issue back into this chamber.

Mr. Speaker, I, you know even if we had to take a bit more time, I realize we have only so much time to deal with the Disraeli, but if we had a strategy with regards clearly, the department is coming back and saying there is a need now for a pedestrian bridge, a dedicated pedestrian bridge. What other issues are we not aware of, we're not being told? I know the Louise Bridge is an issue. I've been told that. But just because of timing, Disraeli has to be done first because, you know, there is a drop dead date where we might have to shut the bridge down, but we also know, that we're talking about potentially two lanes having to be built if we are going to build a rapid transit line and this Council now moving in that direction, thank goodness, out to the east side of the City.

So Mr. Speaker, is there a way we can bring some of these projects together, to rationalize them together, biggest bang for our buck if we put them all together and looked at all the options, I think there would be. It would mean a longer process up front, but I think it would make sense and it would be some good traffic planning in the long run.

Anyway, the report coming forward right now I can't support and I hope, I hope that if Council pushes this through, that things go well because I'm a little, quite skeptic. Thank you.

Mr. Speaker: Councillor Swandel.

Councillor Swandel: Thank you Mr. Speaker. I want to start by making some comments on this pedestrian bridge. Some of you have asked to second a motion, nobody would second it, but some time ago, I requested fifteen million dollars for a pedestrian bridge connecting the University of Manitoba to South St. Vital. I was laughed at, you know, who would spend that kind of money on a pedestrian bridge. Well I made reference to another pedestrian bridge, but we won't go there. But I was forced to come back with a more economical solution and still haven't been able to succeed on that. You know if the citizens of this area aren't willing to take the fifteen million dollars and the wonderful pedestrian or active transportation connection that they're about to get, the citizens of south Winnipeg are more than happy to take that fifteen million dollars and we'll build a bridge tomorrow. I'd love to do the tramway, it's much cheaper and probably more effective and a little more environmentally friendly but it's not the will of this Council.

I want to just clear a couple of things up. Councillor Thomas refers to some bridges in different areas; unfortunately she is confusing the Assiniboine River and the Red River while she's doing that. The bridges that we're talking about when you get into this, less than one mile stretch connecting this area are the Redwood Bridge, the Disraeli Freeway, the Louise Bridge, those three bridges cross the Red River. If you get down to the area where Councillor Thomas was referring to, it's actually the Provencher Bridge and the Main Norwood Bridge that crosses the Red River. So we got to make sure we're talking apples to apples here.

You know it's great to stand up as politicians and be able to advocate for our constituents and say, you know, we want the billion dollar solution and we should be able to get it. The reality of the day is the province isn't coming to the table, Councillor Browaty. They're not coming to the table with money for another two lanes and I think when this is done it should be actually another free standing structure of four lanes which is what Councillor Thomas was referring to. Initially this bridge was intended to be expanded to eight lanes with a second structure when traffic flows warranted it. Not to be done at that particular time because we're not in the habit of just piddling away dollars when they're not warranted. We have enough asks on our budget, on our capital budget, that we have to allocate monies very carefully.

You know the Main/Norwood Bridge that was spoken to was at time, was also at a different time. It was a time when Councillors of the day and these projects were used to getting a little bit pregnant. You know the idea came forward, it's a wonderful idea, fit with a budget, but somewhere around these chambers, you'll recall that that project actually cost at the end of the day compared to it's original budget. I don't know how many tens of millions of dollars over-budget it was, but it was significant and it was a huge hurt to the City of Winnipeg and very difficult for us to recover from.

Councillor Steeves and I both had the unfortunate experience this year of having to going through the closing of half of the Fort Garry Bridge. At the same time, half of the perimeter highway bridge at the south end of the city which was supposed to be back in commission was not back in commission due to some difficulties with construction and they weren't able to open their new bridge because it wasn't safe.

We received at that time a great deal of concern from our citizens, from our constituents, talking to us about how this was going to be the end of the world and you know, there is no way, what if there's fires, what if there are emergencies. We consulted with the departments. We were told you know using the same modeling that they're using here, here's how traffic will flow, here's how we will mitigate the traffic concerns, here's the estimated time delays, here's where we expect traffic to go. I didn't really, you know, believe it at the time, when you look at, it's just a picture on a screen, but at the end of the day, not only did they meet those targets, they exceeded them. After an initial period of some difficulty getting going, they quickly resolved the issues and traffic for the most part moved very quickly and on that job, that job which I believe was expected to open the first two lanes, was suppose to be open in November. It's now already, we're not even into October.

So, in that case, not only are people but the contractor was working the bridge went out of their way to ensure that that bridge and those two lanes were back for the use of servicing the citizens of, serving the citizens of the south end of the city, and we'll have to go through it again next year because we'll close the other side down. You know, and as politicians and you know I appreciate Councillor Thomas and Councillor Gerbasi, and to a certain extent Councillor Wyatt, will have to deal with this issue, and probably will have to deal with it through an election period.

Nobody wants to have to do that. I think it's important that they speak and say their piece and we listen to it. And certainly when we can, we always like to try and help our colleagues when those types of difficult issues are going to be facing them.

At the end of the day, we have a responsibility to make proper decisions, looking at the dollars that we have in front of us, you know, what can happen with the traffic, can people move efficiently and effectively while this construction is happening. I'm satisfied that they are, I'm also satisfied that this is a good use of dollars, although I think the fifteen million dollars for the active transportation bridge would be better spent at the University of Manitoba connecting to the south side of St. Vital, I'll say that one more time, just in case anybody didn't get that, but, if you want to tag another fifteen million dollar

active transportation bridge on to this P3 project where we can share in some of the engineering, I'm sure the citizens at the south end would embrace that.

You know we talk about a football stadium going out there, and Mr. Mayor you've spoke to your support for it, I can tell you that there's still concerns in the area of the university, the residents who live around there, about traffic and parking and noise, They want to see these things addressed. I know a rapid transit corridor going out there will help to alleviate some of those concerns but it would also be a great relief if we had the type of structure that's being talked about for the citizens of Elmwood and Transcona and those areas that are served by this bridge. And you know if my colleagues are willing to add another active transportation connection, at probably a more reasonable site when you look at demand from an active transportation perspective, University of Manitoba would be an ideal location. It certainly is something I'll be bringing up as we go through this budget process.

Those are my comments and I hope they bring some sense to this and that we make the right decisions for the right reasons.

Mr. Speaker: Councillor. Do you want to speak, Mr. Mayor? Mr. Mayor, you're next.

Mayor Katz: Mr. Speaker, I very much appreciate the comments I've heard today and I certainly do understand the concerns that are out there by many Councillors that have been voiced. I just want to make a couple of points, number one, this whole scenario started out of one issue and that was safety for our citizens. You know before two other bridges, one in the United States, one in Canada collapsed, we identified we had a problem and we have to move as quickly as possible.

That being said, I've said it before and I'll say it again, I am, I think we all have to be concerned about inconveniencing our citizens, as well as businesses in the area, no matter what part of the city it is, that's something we all have to take into consideration, you know whether it's a bridge, whether it's sidewalk work, whether it's road work, just about everybody has experienced that inconvenience and there's no question that the shorter term you can make it, the better off you are.

If somebody knew where there is a pot of 150 million dollars sitting which we don't need and we can use to you know to build six lanes, two spans, that would be a wonderful thing, but I think, and that has been pointed out already, that's not the case.

So the one thing I do want to do is, I know there was a comment made by Councillor Browaty about whether or not there is a sincere desire to address the issues and limit the inconvenience and I just want to assure Councillor Browaty, number one, that the authority is delegated to the CAO, not the Director, the CAO will be making the final decisions, and number two, I can assure him that from my point of view, we will look at every opportunity that comes forward as to one, shortening the time and two, other options that may exist.

But until we go out there into the private sector and find out what creative ideas they have, it would be impossible for the CAO to make a decision but I do want Councillor Browaty to know that is one of our number one priorities, emphatically, and I'm not looking but I'm assuming the CAO is nodding behind me as I speak. But I can assure you that I have spoken to him on that subject and I'm sorry that the way the report was written and it is in the second last paragraph, that it appears that it may not be, but I know in the briefing that I got, I made sure that it is, okay, because I've said publicly sixteen months is a long time. Twelve months is a long time but we all know that there is going to be an inconvenience and the idea is for us to minimize that and that will be the priority. That's all I wanted to say Mr. Speaker.

Mr. Speaker: Thank you. No further speakers, Councillor Clement closing.

Councillor Clement: I just want to touch on a couple of points, Mr. Speaker. It was pointed out about the cost of a bridge that

was built thirteen years ago, and why this one was going to be more costly. I think the simple answer is because it was thirteen years ago and it's got nothing to do with whether it's a P3 or not. We haven't even put that out there yet, but we certainly have analytical costs that has have been done. There was also mentioned something about the Provincial Government putting money into it or they should be putting money into it. I find it hard to believe that an MLA who was running ads and involving himself with the process, who has been elected for about twenty years, never walked down the hall and talked to the Premier about this at least once.

I find that hard to believe and I suspect what he was told was, you know, Jim, that's a lot of money, and when we provide money to the City of Winnipeg we don't necessarily tell them what projects to do. Now, to some degree they do, on occasion because it used to be that they'd give us some capital money and they'd say, and what we would do is we would turn around and we'd hand them a list of fifteen projects or something and they'd pick seven or eight that they wanted their money to go towards and depending on who was in power at the time they'd pick what worked for them politically and that was the reality of it, but it really in all essence all they were really doing was providing a certain amount of money and we were really picking the number of projects that were going to take place and the reality is, is that if the Provincial Government had an extra hundred or hundred and fifty million dollars to provide us out of the blue, it might not be the priority of this Council that it would go to this project anyway.

It's possible, but I suspect that it would be a pretty long and drawn out discussion that day if that kind of money all of a sudden showed up all at one time. And I don't think that the Premier would ever put himself into a position like that and I suspect that's what Mr. Maloway got told when he went down the hall and asked because I'm sure he did, although I never heard about it but I'm sure he did. It doesn't make any sense that he didn't.

The only thing that I've heard, I mean I appreciate that some people think that this style of bridge verses that style of bridge is better and all that kind of rhetoric, but the real issue that I've heard about is the closure time. That's the one that's really been you know the nut of this thing, and we can't control that a hundred percent, but I know that for me, being the Chairman of Public Works, that when the RFP goes out, that the closure time will be significantly and highly rated as a key priority to an RFP, and I said that, in fact it was the Mayor that asked me the question this morning and my answer to that was, for myself anyway, was that if a bidder came along and put forward a proposal that was a little different than everybody else, we're willing to bring in more people, we're willing to work longer shifts if they were able to pull that off, and there was, I don't care whether you call it a bonus for doing that and/or just simply more money because that's what, that's what we're looking at, is the cost, then I don't have a problem, frankly, as a Councillor of the city looking at that because if there is anyway to reduce the sixteen months to twelve or even more than that, then I think that's worth something and I think it's worth a significant amount of money.

But at the same time, we haven't seen what's coming back yet. We don't have the opportunity yet to deal with that but I think that it's a key thing to make that a really high priority within the RFP and those that are close to this project in terms of their geographical situation have my word that that would be the case, from my point of view in any case, thank you Mr. Speaker.

Mr. Speaker: Councillors ready for the vote? Those in favour of the clause, please rise. Is there a recorded vote? Recorded vote, please rise, in favour of the clause.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Katz, Councillors, Clement, Fielding, Gerbasi, Nordman, O'Shaughnessy, Pagtakhan, Smith, Steeves, Swandel and Mr. Speaker Councillor Lazarenko.

Mr. Speaker: Those opposed please rise.

Nays

Councillors Browaty, Thomas, Vandal and Wyatt.

City Clerk: The vote Mr. Speaker, Yeas 11, Nays 4.

Mr. Speaker: It's carried. Motions, none. By-laws none. Question Period, No questions. Standing Policy Committee on Finance dated September 11, no report. Finance Motions if any, none. Consideration of By-laws, none. Question Period of the Finance Committee, Councillor Swandel.

**STANDING POLICY COMMITTEE ON FINANCE
QUESTION PERIOD**

Councillor Swandel: Thank you Mr. Speaker, through you to the Chair of Finance, earlier this year we were able to do a significant amount of additional street works as a result of projects coming in well under budget. I don't recall the exact amount but it was a significant number of dollars and we were able to do work that was planned for '09 and actually get it done in advance in '08.

I'm just wondering if the Chair of Finance can tell us if other capital projects in other areas outside of Public Works if we are finding similar savings. Are projects coming in under budget and if that will free up monies, either additional monies for the '09 budget or for projects that we had planned in '09 that we might be able to kick off in '08?

Mr. Speaker: Councillor O'Shaughnessy.

Councillor O'Shaughnessy: Thank you. A report will be coming in two weeks. The Fall report on capital works. What state the others are at I haven't received any update at this point.

Mr. Speaker: Your second question Councillor.

Councillor Swandel: No sense whether or not there would be enough money there to build an active transportation connection to the University of Manitoba?

Mr. Speaker: Councillor O'Shaughnessy.

Councillor O'Shaughnessy: I doubt it. It's a long, long way from the Maples to the University of Manitoba. That would be quite a bridge.

Mr. Speaker: No further questions? Thank you. Standing Policy Committee on Downtown Development, report of September 9, 2008, Councillor Wyatt.

**REPORT OF THE STANDING POLICY COMMITTEE ON DOWNTOWN DEVELOPMENT
DATED SEPTEMBER 9, 2008**

Councillor Wyatt: Mr. Chairman, I'm going to move, advise that Item 2 has been laid over by Executive Policy Committee for thirty days and I have a colleague on Council who I understand is going to move Item 1 to be considered as I'm not going to be supporting that and in advance I'd like them to, I'd like to thank him in advance and hope we have a respectable and orderly debate.

Mr. Speaker: Councillor Steeves.

Councillor Steeves: Thank you very much Mr. Speaker. You will note the Mayor has recused himself for this issue. Thanks to my colleague for deferring to myself on this. I think that's wise in the circumstance, given his anticipated nonsupport. I think that makes some sense so thank you for that. I'll try to wade through as much of the legally as possible and will, like you probably simply present my take of this situation.

A few years ago the City of Winnipeg entered into an agreement with Riverside. The agreement was a three year lease of a gravel-covered parking lot. The

structure of the contract was thus, in exchange for about 90,000 dollars a year of taxation revenue, we would rent them the gravel parking lot so Riverside could use it to support the baseball operations. That's essentially the deal that was struck, no more or less complicated than that and I'll talk a little bit more about some of the details but when the hands were shook and the papers were signed, our administration as well as Riverside, were very content with the deal. We were happy that we were going to get 90,000 dollars a year for three years for that gravel parking lot. Riverside was happy that they were going to pay 90,000 dollars a year but yet they'd have use of this parking lot to support the ballpark. It was I think, win/win, at least that's my impression.

A little bit later after that had come through, there were some complications in that the Assessment Department began a process of reassessment of the property and as you know, the property after an unsuccessful appeal to the Municipal Board and then an appeal to the Appeal Board, the property was ultimately assessed at about triple the value. What this meant was now Riverside has an obligation to pay triple the amount, roughly, give or take, the amount that they originally anticipated they were going to pay. We were in the position now of receiving about triple the amount that we originally thought we were going to receive and that's the source of the problem here today. We've been paid that ninety grand a year roughly for the three years because that's what we expected.

Now this issue is complicated because of who is involved. Obviously, we know that, and to a greater or lesser extent, folks on this Council are sympathetic or maybe less sympathetic to the Mayor and you know what; let's just leave it at that. I think everybody understands that's the reality and I don't think we need go into any more detail than that. But for me, because of the people, person involved in this circumstance, it puts a premium on objective information that this Council receives. Because of the fact that Mayor has some involvement and has recused himself, I think it's incumbent upon us to put a premium on the information that we are receiving from our administration.

They are the people who struck the deal, quote unquote and they are the people who are giving us the administrative advice on this point. I have met now and heard representations twice from a property development representation. They have told me, and other members of the Committee and people in the gallery, that in their opinion, the right and proper thing to do here is to go along with the report and make the adjustment such that Riverside's original obligation to pay the 90,000 dollars a year is upheld. That is the professional opinion of Property and Development administration.

The Assessment Department says the same thing. They were present at the meeting and they said the same thing. Our CAO, Glen Laubenstein, also appeared and said the same thing. I want to assure my fellow members of Council that I specifically asked that question of administration, PP&D, Assessment and the CAO, in your professional estimation, given all that is involved, all of the factors, what is your professional opinion as to the right and proper thing to do and that direction is represented in the report.

And the report, as you know, recommends that we make an adjustment to the parcel of land such that the obligation of Riverside Management for that three year period is in fact leveled at that 90,000 dollars a year. I think as a Council we have to be a bit careful here, because there's going to be a couple of things happening. There is going to be reference to the report. There is going to be reference to administrative information given to Committee or given to Council, there's going to be references to certain pieces, there's going to be references to certain language in the report and people will pick and choose different things as they feel it supports their argument and I suppose that's fair game, but at the end of the day, let's remember a few things.

First, although some of the paper came through Council, none of us were involved directly in the face-to-face negotiations surrounding this lease agreement.

Secondly, the recommendations of the report are what they are. I would submit Mr. Speaker, it is dangerous to pick out pieces of the report and say that's what the report says and that's what we should do. If you're going to reference the report, please keep in mind the end recommendations of the report because as I stated earlier, they represent the professional and I think, objective findings of our professional administration in this very, very sensitive matter.

There was some discussion Mr. Speaker, about the fact that there was no money paid for a certain period outside the span of this particular lease and this is the first I've heard of this issue today. I'm going to suggest respectively that is not dreadfully relevant to the proceedings as they pertain to today. We're dealing with a specific lease and I make the assumption that whatever decision was made prior to that with respect of that property was made by this Council or by the administration that represented it. For all I know I might have been involved in that decision as were other members of Council. Let's leave that aside please.

There's going to be contrary arguments that are raised, Mr. Speaker, things like, well the lease said we were entitled to taxes. So we should get every cent that we can out of this lease. Again, that is not the opinion of the people that negotiated this lease and that is not the opinion of our administration, and we've asked for their opinion. What they're saying is that the contribution of Riverside should be leveled at the original agreed upon amount of 90,000 dollars a year roughly, based on the assessment, because that's what they think they agreed to, Property and Development, Assessment, CAO and Riverside. Some discussion about the Court of Appeal and how they might be involved, my belief is that they do not get into issues of valuation. They probably won't hear this and they're loath to get into those types of issues. They look only for errors of process. Unfortunately, we have to deal with this issue. For my part, I am going to support this recommendation because I think it's the right thing to do. We got into a deal that we knew would pay us 90,000 dollars a year for three years and we got it. To try to rely on something outside of that lease agreement and what our administration is telling us and to count on some windfall that now we feel we can enforce, in my opinion is not legally sustainable, but more important Mr. Speaker, it's not right. If we made a deal counting on a certain amount of revenue from a lease, we should stick to that.

I'm hoping Mr. Speaker, that as we wind our way through this debate, we can stay as high brow as possible on this, and not descend into some dangerous depths because that wouldn't be worthy of this Council.

Mr. Speaker: Thank you Councillor. Councillor Wyatt, motion number 4, would you like to introduce it since, there's instructions.

Motion Number 4
Moved by Councillor Wyatt
Seconded by Councillor Gerbasi

THAT Council refer Item 1 of the Report of the Standing Policy Committee on Downtown Development dated September 9, 2008 to the Winnipeg Public Service for the purpose of seeking an outside legal opinion, including the opportunity for legal counsel to review all related documents and interview all stakeholders, for the purpose of providing recommendation(s) for the resolution of this matter.

Councillor Wyatt: Thank you Mr. Speaker. I'd like to introduce motion number 4 and just, as it's a motion to refer with instructions.

I believe Mr. Speaker that we've heard a lot today about perception and perception of with regards to this issue in the public eye. Frankly believe that perception should not be our primary concern, we know as politicians we're always concerned about perception and public perception of ourselves. I believe we have to on this issue seek the facts at hand and attempt to achieve, to ask questions to find, to receive all the information that we need to make an informed and objective decision.

I bring this motion forward to refer because I feel Mr. Speaker, in the short time that I've been dealing with this matter, that there are still some outstanding issues and questions that remain before us, and I feel strongly that that information is not before us, and those questions have not been answered. And based on that, I feel that it's difficult to make an objective decision at this time and that's why I feel strongly that the matter should be referred to an outside legal opinion, for an outside legal opinion.

I realize Mr. Speaker, that we're here to make decisions. Historically, in the past and it's usually administrations and bureaucracies and governments around the world that are more concerned about process and elected officials more concerned about action. My suggestion is that we concentrate maybe just a bit on process Mr. Speaker and that we send the matter for an outside opinion, an opinion which may confirm the recommendations before us today or may provide us other information which we should be prepared to deal with, one way or the other.

I can tell this Chamber that I did have the opportunity last week to speak with the former Mayor of the City of Winnipeg, Bill Norrie, who for the last seven or eight years been acting in the capacity of the conflict of interest commissioner for the Province of Manitoba on a part-time basis.

If Council chose to send something like this to him, he has indicated to me that he'd be prepared to look at this. This was an informal conversation I had with him, but you know there's other, many other qualified folks out there, who have a lot of experience and could probably add some wisdom for this discussion to us. I realize it may hold up the decision for another couple of months, maybe a month or two but this has been going on now for two years and I don't see a two or three month delay being the end of the world.

So, I think it's worthy and it makes sense for us to get an opinion outside of this chamber because Mr. Speaker, the matter before us, I think is very important and the decision we make I think is going to be very important. So I move that the matter be referred and thank Councillor Gerbasi for seconding that.

Mr. Speaker: Thank you Councillor, we will be debating that as we proceed. Motion number 6, pardon me, motion number 4. Where am I here…pardon me…Motion number 5. Councillor Vandal, this motion is out of order, speaking to the City Solicitor is that we do not have…just a minute…we do not have no jurisdictions to allow (inaudible), to ask private companies to open their books, this is the recommendation of the City Solicitor.

Motion Number 5
Moved by Councillor Vandal
Seconded by Councillor Pagtakhan

WHEREAS the proposed lease amendment for Riverside Park Management will result in the City covering the cost of $233,000 in unpaid taxes;

AND WHEREAS there has not been a business plan provided outlining the annual operating budgets and governance structure of Riverside Park Management;

THEREFORE BE IT RESOLVED THAT the item be referred back to the Standing Policy Committee on Downtown Development and the public service be requested to make the annual operating budgets and governance structure of Riverside Park Management available to the Council and the public.

Councillor Vandal: I'm sorry, can you repeat that?

Mr. Speaker: The City Solicitor has told me that motion number 5 is out of order in that we do not have jurisdiction to ask a private firm to open their books to ourselves and the public.

Councillor Vandal: Mr. Speaker, I find that hard to believe, in that we do that almost on a monthly basis at the Riel Community Committee when we have nonprofit groups come forward for a grant of 500 dollars for a per capita grant. We

are talking about land that is owned by the City of Winnipeg, we're talking about 233,000 dollars of taxpayer money that is ultimately going to be involved if the Executive Committee recommendation goes through and I don't think it's untoward to ask a nonprofit group to table their business plan when we're talking those sums of dollars. So with all due respect to your position as Speaker, I simply don't agree with that ruling.

Mr. Speaker: Councillor Vandal that's too bad but I'm ruling it out of order as the advice of the City Solicitor.

Councillor Vandal: Mr. Speaker, I'd like to challenge your ruling. I challenge the Chair.

Mr. Speaker: Councillors you've heard what I said, the City Solicitor…Councillor O'Shaughnessy.

Councillor O'Shaughnessy: The Chairman was being mixed up here. It's the city's policy if we give a grant to a group a condition of all grants is that they make their audited statements available to the City. This group we're not giving them a grant.

Mr. Speaker: No, that's why the position of the City Solicitor was as such. So the challenge of the ruling of the Chair has taken place but Councillor Vandal. Shall the chair be sustained? All in favour, recorded vote, to sustain the chair. Yes, and the vote.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillors Browaty, Clement, Fielding, Nordman, O'Shaughnessy, Steeves, Swandel and Mr. Speaker Councillor Lazarenko.

Nays

Councillors Gerbasi, Pagtakhan, Smith, Thomas, Vandal and Wyatt.

City Clerk: The vote Mr. Speaker, Yeas 8, Nays 6.

Mr. Speaker: It's carried. The next motion that we have here is motion number 6, Councillor Pagtakhan.

Motion Number 6
Moved by Councillor Pagtakhan
Seconded by Councillor Vandal

THAT Recommendation 2 of Item 1 of the Report of the Standing Policy Committee on Downtown Development be renumbered as Recommendation 3 and that new Recommendation 2 be added as follows:

"2. That as part of the amendment to the Lease of Parcel 4, Council not offset approximately $233,000.00 in tax payments recognized as revenue in 2006, 2007 and 2008 currently included in Planning & Property Development's Accounts Receivable."

Councillor Pagtakhan: Mr. Speaker, I would like to, I'd like to table motion number 7, I'd like to withdraw number 6 because 7 is an improvement of number 6.

Mr. Speaker: All in favour, contrary? Carried.

Motion Number 7
Moved by Councillor Pagtakhan
Seconded by Councillor Vandal

THAT Recommendation 2 of Item 1 of the Report of the Standing Policy Committee on Downtown Development be renumbered as Recommendation 4 and that new Recommendations 2 and 3 be added as follows:

"2. That the details of any Access Agreement for use of the surrendered lands to interested parities be referred back to the Standing Policy Committee on Downtown Development for consideration.

3. That as part of the amendment to the Lease of Parcel 4, Council not offset approximately $233,000.00 in tax

payments recognized as revenue in 2006, 2007 and 2008 currently included in Planning & Property Development's Accounts Receivable."

Mr. Speaker: Motion number 7 by Councillor Pagtakhan. I'm ruling it out of order Councillor Pagtakhan as the, your request here is contrary to the Procedural By-law, prohibited amendments, Procedural By-law No. 30. While a motion is under discussion by Council a member may not move an amendment directly contrary to the principal motion and that's exactly what you're saying, I'm ruling it out of order.

Councillor Pagtakhan: Mr. Speaker, may I speak to that or can I challenge the…

Mr. Speaker: No. I'm ruling it out of order.

Councillor Pagtakhan: Challenge it.

Mr. Speaker: You want to challenge the chair? (inaudible)

Councillor Pagtakhan: Yes, I just want to explain that the wording in this motion. The first part of it is consistent with the report. The two and three are basically items that are from the report and what I've tried to do here is to try and break out the issue as stated in recommendation number 1.

Mr. Speaker: Your number 3 makes it very clear that as part amendment to the lease of Parcel, Council not, not upset approximately 233,000, contrary to No. 30. I'm ruling that out of order. Now we deal with the motion, oh, I thought he withdrew the challenge. I thought you withdrew the challenge. You're challenging the chair? Challenging the chair again? Hey, come on we're in business here. Those, I'm asking Council again, those who are in favour of sustaining the chair please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillors Browaty, Clement, Fielding, Nordman, O'Shaughnessy, Gerbasi, Steeves, Swandel and Mr. Speaker Councillor Lazarenko.

Nays

Councillors Pagtakhan, Smith, Thomas, Vandal and Wyatt.

City Clerk: The vote Mr. Speaker, Yeas 9, Nays 5.

Mr. Speaker: The Chair is sustained. Now on motion number 4, Councillor Wyatt and the clause, debate will commence now to speak to both, we'll debate the clause and the motion. Councillor Gerbasi. Do you want to challenge the chair?

Councillor Gerbasi: No, are we starting debate.

Mr. Speaker: Yes, Councillor Gerbasi.

Councillor Gerbasi: I hope there wasn't any confusion about that. My understanding, I'm just trying to follow procedure, obviously I'm speaking against the clause. I supported Councillor Vandal's motion which we're not discussing. I don't believe that one was out of order. I understand that Councillor Pagtakhan's motion was so contrary, it was basically, you could just vote against the clause and have a similar effect for part of it and maybe I'm wrong, Councillor Thomas, it's not really going to make any difference.

But anyway, I think the issue here today, I would like to say that I don't think anyone can deny that there is a serious issue here that stems from the Mayor's close involvement with Riverside Park Management, the Goldeyes and City owned assets. The reputation and honour of the Office of Mayor and our Council is being questioned and demeaned by the fact that we are in the dilemma of dealing with a business matter that involves the Mayor of the City. I realize that the Mayor

has recused himself from the actual vote and debate here today.

Councillor Thomas: Point of order, Mr. Speaker. I believe that.

Mr. Speaker: What's, do you have a point of order?

Councillor Thomas: Yes, I believe that we're debating the clause at this point and I believe precedence under our procedure By-law is that under 22.1 and 2 and 3 that a motion to refer takes precedence, so I'm not understanding why we're not dealing with the motion to refer and then if the motion to refer is lost, then we debate the clause. That's my understanding.

Mr. Speaker: Councillor Thomas, I made it very clear we're debating motion number 4 in the clause and when it comes to vote we'll be dealing with number 4 first and then with the clause. That's our practice, Councillor Thomas. Councillor Gerbasi, continue, Councillors, it's getting to five after four and we'll be here until seven.

Councillor Gerbasi: I'm losing my momentum here. Please, I realize that the Mayor has recused himself from the actual vote and debate here today. The Mayor's decision to recuse himself for consideration of this issue is wise. However, it only confirms the obvious, that our Mayor is closely involved with this issue which he's admitted and we all know that he is.

And we also know how things work at City Hall. The final vote on the Council floor is the last step in a long series of discussions and meetings. There are closed door and private meetings with both politicians and the public service. All of these discussions are part of the decision-making process and there is no way for the public to know if there was any involvement of the Mayor in those meetings.

This is why the Mayor, continuing to be President and CEO of the Winnipeg Goldeyes and connected to the board of Riverside Park Management up until April, while in the Mayor's position, creates an untenable situation.

As you are aware, I have been proposing that the City of Winnipeg ask the province to create a process to deal with issues of conflict of interest. This has been presented as a Notice of Motion today to be debated at the next meeting. Currently, the Province of Manitoba has a conflict of interest commissioner who reports on issues that relate to MLA's. There would need to be legislative changes at the provincial level in order to expand that office to address City of Winnipeg issues such as the one today, and as Councillor Wyatt alluded to earlier, the current conflict of interest commissioner is someone we know well, former Mayor, Bill Norrie.

Mr. Speaker: Councillor Gerbasi please, we are not dealing with the Conflict of Interest.

Councillor Gerbasi: I know we're not dealing with.

Mr. Speaker: Stick to the subject matter that's is before us here.

Councillor Gerbasi: Well I think I am, Mr. Speaker.

Mr. Speaker: Councillors, I also talked to the City Solicitor about this and he had indicated to me the debate is not a conflict of interest here today. The debate is the merits of the lease to make it fair for both parties. So, let's, what's on the table here is not conflict. (inaudible) we are dealing with the report.

Councillor Gerbasi: Okay. I will wait until we debate the Notice of Motion to go into that further.

Mr. Speaker: Right.

Councillor Gerbasi: However, at the current time I believe it is utterly reasonable to request an outside legal opinion on this matter. It's obvious that that's a prudent decision and I don't understand why any Councillor would not want to have an outside legal opinion simply because of the awkwardness of the situation.

The other motion, the idea of having the nonprofit organization, and we are talking about Riverside Park Management because that's the name of the clause. The name of the clause is Riverside Park Management so I believe we are talking about Riverside Park Management so I'm allowed to talk about that, am I? Thank you Mr. Speaker.

Mr. Speaker: Absolutely, Councillor.

Councillor Gerbasi: Riverside Park Management is a nonprofit group that is coming to the City essentially…it is not exactly a grant but it's an arrangement that means they will not have to pay 233,000 dollars and other nonprofit groups who are given those things, given grants and other situations where they are given funds or relief of payment of funds, we look at their books and we have due diligence and we have scrutiny and I don't understand why this organization is being treated differently. If they have said they are a nonprofit group, we're not talking about a private business, so I'm baffled why that information can not be made transparently to Members of Council.

You know, this is not the first time we've been in this type of situation. In September of 2005 Councillors moved a motion to show us the books of the nonprofit Burton Cummings Theatre and some of us attempted to refer it back with instructions to get a proper and transparent business plan and financial analysis. That wasn't actually ruled out of order and there was a very similar motion, so that's why I voted in agreement with a challenge of the Chair because we look in September of 2005, an exact same motion essentially or very similar to the one that's out of order today was voted on and it lost and in that case we were giving a grant to a nonprofit organization without even a administrative report at all. It was a motion; it was a political motion to give 200,000 dollars.

So we've been to this movie before and at the time, I'm sorry to have to remind you of this, but the Mayor was on the board of that organization as past president at the time. So I think Councillors and City staff have been put in a terrible position because the Mayor is head of a major business entity and therefore must do business with the City of Winnipeg and I'm really concerned about the due diligence here. We are not assessors, we have a municipal board and a court of appeal and legitimate processes and I don't really think we're in a position to say we know better than them or to question. Go through the proper processes. This looks terrible in terms of dealing with this politically the way we're doing. There are far too many unanswered questions.

We know that this land was used for free for four years. In the Municipal Board decision on this matter; I believe it says that 187,000 dollars a year in profit was made in those years. So you know that's not irrelevant when we're making a decision to give 233,000 dollars that we would be getting back from this organization. So I don't, I think it's obvious that we have not done enough due diligence. Why won't you ask, why wouldn't you ask for an outside legal opinion with something as convoluted and as complicated as this and if you don't think there is an issue of conflict of interest here, I don't know if there is, let's ask someone who knows. Why are you afraid to ask. Thank you Mr. Speaker.

Mr. Speaker: Once again we are not talking about conflict of interest, please. Next to speak is Councillor Thomas.

Councillor Thomas: Well I didn't sleep well last night. I had a headache and a queasy stomach. Why am I so upset. I know how I'm voting and the decision is clear to me as it should be to you but that's why I'm so upset. Because this clause shouldn't be here. Everyone should pay their taxes and I've had quite a few talks lately with members of the business community and let me tell you, they are angry.

They have told me that they feel that it's difficult to leave their businesses and come down here, many of them are owner operators and they will lose significant income to come down here to tell us what they think we should already know, that this clause shouldn't be here and we shouldn't be doing this. They pay

their taxes and when they sign an agreement they live up to that agreement. They expect no less from us. They expect no less from the Mayor of this City.

They can't believe that anyone would even ask for this special deal, let alone that it would even make its way to the Council floor. How did it do that? Well, it shouldn't have been here when it didn't pass the Standing Committee of Downtown Development because if the clause is defeated at the Standing Committee, it doesn't move forward. It's only if it receives a positive recommendation that it moves forward to Executive Policy Committee. Why did it move forward to Executive Policy Committee when a tied vote is a lost vote, issue number one.

Issue number two, I can't believe I asked the person from, oh, what company are they with, the law department that's representing this Riverside Park, they said, we never had a lease. We never paid our taxes but we collected the money in 2001, 2002, 2003, 2004, 2005. Perhaps if they had been doing that, perhaps they should have set some aside for when their taxes came due.

I want to know how they continue to be operating on city property if they didn't have a proper lease to sign. I want to know how they got out of paying their taxes for five years. And then I drove by the parking lot yesterday, it was two-thirds full and today it was half full. There's no baseball game. It's being leased out. Now, and I kind of did a quick job, what if they are only charging six dollars after all it a gravel parking lot. I know some places just stay downtown all day, you get charged eight, twelve dollars, but let's do it at six and for two hundred stalls, at, that's 1,200 dollars for one day. Five days that's 6,000 dollars. Let's do it for forty weeks, let's say a lot of people don't want to park out there in the middle of winter so let's do it, that's 240,000 dollars. Guess what, folks, they only owe 233,000, that leaves them some money in their pocket, but oh, I didn't figure out what happens during the baseball games because the parking lot is totally full then. That's the other half of the parking lot. That's another 240,000 dollars and that's only, that's, that's only if they're charging six dollars, maybe they're charging more. I don't know what they're charging, but they're charging a lot. So they have a signed agreement and they lost their appeal and then they say well let's have a special deal.

Well I was talking to one person who said this clause passes; they're going to ask for a special deal for their business. They're not open on Sundays, they're going to say oh, I want the days that I'm not open in my business, I don't want taxes on those days or you can take the front of my lot, all it has is green grass on it, I only want to pay on the back half. It doesn't make any sense.

Well, we have a City Parking Authority here. The City has parking lots in which they make a lot of money. Why aren't we, why aren't we renting this lot out for ourselves. It would be one additional parking lot. We already got the staff there that's in other parking lots. If they can't pay their taxes, then maybe we should take the money, pay the taxes on it and then that additional money that we're making can go to help make our SOA free and clear.

There's so many reasons to say no to this clause, but I'll support the motion for, to go back for a legal opinion. I know what it's going to be. But I'll support the clause to refer back to legal opinion. But if that doesn't carry, you think I'm voting for this? No way! Because everybody should pay their taxes and we should be setting an example of that, that's it, that's all I have to say.

Mr. Speaker: Councillor Smith.

Councillor Smith: Yes, Mr. Speaker. I'm going to be supportive of this clause because you know the Mayor is in a difficult position. I know he's not in our meeting right now, but we all know and the public of Winnipeg knows that the Mayor is connected with this. So I think it's useful, you know, like look at the bitterness that's developed between us, this Council. It's in the interest of the Mayor that this clause be supported, because we'll have an impartial look,

objective look at the whole thing and that makes sense to me. It makes a lot of sense to me. We don't need this bitterness and we don't need the cloud over the Mayor's head. We need him, we need to go ahead with this very cautiously and I think this is a motion that will be fair to all sides and I think it's about time we did this so we could all be together, this whole Council can be together with the, in making its decision regarding this block of land.

I know, but what I'm saying is, like let me, I made myself very clear. I don't like the bitterness that has happened at this meeting. I don't like the, you know sure, one side will win and say to hell with the people who are on the other side. But the fact is, the public of Winnipeg, the residents of Winnipeg are watching us and I think that if we support this clause it would be worthwhile because they understand that we're not taking a side with the Mayor.

Mr. Speaker: Councillor are you talking about the motion number 4, Councillor Wyatt's motion?

Councillor Smith: Yeah, yeah. I'm saying let's get a legal opinion, let's have an unbiased look at this from someone who is not working for the City of Winnipeg.

So, that's why I'm supporting this clause, it's a worthwhile clause.

Mr. Speaker: Councillor Vandal.

Councillor Vandal: I'm assuming we're just coddling everything together and we're going to get to talk once.

Mr. Speaker: OK. Motion number 4.

Councillor Vandal: On Councillor Wyatt's motion, I believe this is the right thing to do. Obviously, this has turned into a dog's breakfast. I believe we're, anybody is well within their rights to question the legitimacy of the process and I can only imagine when our administration, whether real estate or assessment, who work for Council, begin negotiating with Riverside Park, who at the time, we've since found out, had Sam Katz as president of Riverside Park and that was a fact. There is just no way around that. Try to imagine the implicit and explicit symbolism in that negotiation when nobody likes to defend the assessment system or the taxation system but that's the reality that occurred.

This afternoon I asked Mayor Katz if he ever had any direct contact with his chief financial officer who is now the president of Riverside Park and he did not deny it. In fact the words he said is that whether you're a Mayor or a president of a company, it is impossible not to talk to other people about issues.

Mr. Speaker, I think that casts a very significant cloud on the legitimacy of this process. Councillor's Wyatt motion to refer makes the most sense. Let's send it away to an independent lawyer to review the process and let that lawyer come back with a recommendation that makes, that we can all buy into and as Councillor Steeves has said on more than one occasion, we can all move forward as a team. Why anyone would not support this motion to refer I don't know but we know what's going to happen.

Mr. Speaker if there ever was any doubt that there are two sets of rules in this city, they were laid to rest last week at Executive Committee. I did it then and I did it this morning. I listened to their legal counsel who brought forward arguments that were very, very detailed and very intriguing. Those are arguments that were brought forward to the Board of Revision and they made their decision. Those same arguments were brought forward to the Municipal Board who are people who are experts in this whole assessment system. They made their decision and then, because the decision wasn't one that people liked, the political route is chosen and here we are beating each other up.

Mr. Speaker, let me read from the report which was penned by our administrators. Page seven, as part of the lease renewal process, the tenant, Riverside Park requested an estimate of annual reality taxes from the Planning, Property and Development Department. The Assessment Department provided a

preliminary estimate of twelve dollars a square foot by email dated August 17, 2005. This information was verbally provided to the tenant's tax consultant, Riverside Park tax consultant and subsequently acknowledged in his letter dated September 9, '05, and it was understood that under the terms of the lease, the tenant could appeal any change in value.

Now I know that we've heard the argument that the assessment said they made a mistake. The Property Department said they made a mistake. We heard the argument that the administration of the City of Winnipeg bungled this lease and that we should follow the spirit of the agreement. The spirit of the agreement was 90,000 dollars a year, I guess forever and ever and ever and I was around in '02, I wasn't around in '05, and the deal at the time and the deal if you read black ink on white paper is a dollar a year plus taxes. By the way, assessments change, taxations change, everyone went in there with their eyes wide open and here we are today.

Mr. Speaker, if we approve this today, the recommendation from Executive Committee, we are going to have to find a 233,000 dollar sum of money, which will essentially be tax forgiveness to Riverside Park. It's not a grant. It's already budgeted within our department. We're going to find it through general revenue. We can make a semantic argument of what it is and what it isn't, end of the day it's going to be taxpayer-supported, 233,000 dollars.

Mr. Speaker, I in all good conscience cannot support this, going back. Going forward, if they want to use half the lot in the short-term while we actually renegotiate a better use of that six acres of dusty parking lot, I could live with that. Why can't I support 233,000 dollars? I could hear the other side now, we've got reserves to cover that, no problem. Well you know what, we have probably 280 million dollars of reserves. If we really wanted to, we could cover a lot of things.

We're going forward in 2008 with a 1.7 million dollar deficit as per Finance Committee last week. We've recently approved a five percent increase in Learn to Swim, Learn to Skate over and above the cost of inflation. We have incredibly huge increases in our new business licenses and restaurants and we're all getting those phone calls. Mr. Speaker, for the first time in my memory we're actually making seniors and disabilities plug the meter, because times are tough.

Mr. Speaker, in our own public parks, our own public buildings, we charge nonprofit groups now to take care of our own parks, five hundred dollars a year administration fee because times are tough. And in light of all of this context Mr. Speaker, we're going to go ahead and find 233,000 dollars that we're going to charge back to the taxpayer, to take care of an outstanding arrears where all parties went into the agreement with their eyes wide open.

Mr. Speaker, if there was any doubt that there are two sets of rules in City Hall, that doubt was erased today. I'm not going to support this agreement, I know where the votes going. I know how things are looking but Mr. Speaker; I don't know how anybody in good conscience can support this. Thank you.

Mr. Speaker: Councillor Pagtakhan.

Councillor Pagtakhan: Thank you Mr. Speaker. I'll be really brief. I just want to say that I want to thank Councillor Wyatt and Councillor Gerbasi for putting forth a motion for an expert legal opinion, a professional legal opinion, and I think that is so wise, a wise move to have, to proceed with caution here and to ask professional legal advice that's outside of the City, to make an opinion on the situation.

It's a shame I wasn't able to debate the merits of the motion that was ruled out of order by, I really wanted to say that in reading the recommendation here on the clause, that I have no problem with a go forward position here, where we're now providing basically Riverside Park Management with half of the, half of Parcel A and for them to pay half the taxes of the whole parcel. I have no problem with that.

Mr. Speaker, it is really difficult for me to get some information in terms of reconciling in my own mind, how do we reconcile the fact that back in July of 2001 when the original agreement was made, and today hearing from legal counsel from Riverside Park Management that there were no monies remitted to the City of Winnipeg for the use of City property under that original agreement. And that's difficult to sort of reconcile. I guess I think to have an expert legal opinion would really help us make an informed decision. It would help me make an informed decision on this.

So, with that I just really wanted to say that at this time I'm going to support the motion for getting outside legal opinion and I won't be supporting the clause.

Mr. Speaker: Councillor Swandel.

Councillor Swandel: Thank you Mr. Speaker. Seeking an outside legal opinion, I guess is the first thing I want to speak to. I would hope that after looking at all the facts here and, that we are able it make an informed decision because whether you go and you have a legal outside, legal opinion or not it's just going to come back here and tell us that it's up to us to make the decision. The request is before us, that's where it's going to end, is right here. The request is before us. There is no argument of whether or not somebody, that this request should be here. The request is here.

The whole idea of going out, you know, using these shenanigans of let's go and seek a legal opinion is just to carry on this mud slinging. Let's call it what it is and I think as I go through the facts here, you'll see by the time I'm done, that it is nothing more than mud slinging because what the facts support here Mr. Speaker, is a decision that's based on fairness and equity that should make us all question ourselves, you know as individuals. Would you want to be treated this way, would you want somebody to paint you in this light?

You know, an old farmer once told me sometimes if you want to get a pig out of the mud you got to get down and wallow in the mud. I did a little bit of that at Executive Policy Committee the other day and I regret it and I apologize now to Councillor Vandal for doing that. It was inappropriate and that's not the way I want to conduct myself when dealing with these matters because these are serious matters and we need to make an informed decision.

Listen to the facts. You know if you heard things like a "special deal", you know a "special deal", this characterization as a special deal and the histrionics that came with it. You know, I've heard reference, you know this is the second time today that I'm going to correct Councillor Thomas on the facts. She made reference to a parking lot over there and cars parked. Well in fact the Winnipeg Parking Authority does operate a parking lot over there. Not the parking lot that's in question, the parking lot where the cars that Councillor Thomas refers to are actually parked and as a matter of fact Mr. Speaker, they have an obligation to pay fair taxes to the city under the alternate service delivery legislation that we have, fair and proper taxes. That land is assessed at six dollars a square foot Mr. Speaker.

So you know the Parking Authority is over there, on the piece of land adjacent that is probably why at the end of the day, this group and our administration believe that going to the Board of Revisions would see this resolved at an assessment of six dollars a square foot. So let's make sure we know what we're talking about here and we're talking about the correct pieces of land. And as I said, the SOA is obligated to provide to us proper compensation for real taxes even though it is the special operating agency of the City of Winnipeg, paying the City of Winnipeg itself, it is supposed to be based on a real number because we're out there competing with the private sector.

Well let's look at how this happened. I've got to disagree with a little bit of what Councillor Steeves said. I honestly believed that there was a rumbling at one point in time from our administration either PPD or Assessment that this land

was looking at being reassessed and it was triggered because there were, it was triggered because of a, the combination of five different parcels of land. This was originally five different parcels of land before and today it is now one big parcel of seven point whatever acres. You'll see, if you look at the zoning all around this, is basically all the same, all the way down through the Forks, the ballpark, it is all the same zoning.

The very next item on our agenda the other day when we were at Downtown Development was a lease approval for the Forks, for a piece of city owned land that runs, you know the little piece of roadway that runs from the extension of York Avenue all the way into the Forks, going westerly into the Forks or southerly, I guess. That piece of land is also the same zoning, the lease agreement that came to us Mr. Speaker is, basically the identical lease except it's got a one year cancellation clause instead of a six month clause, but it's one dollar plus the taxes. The taxes on that identically zoned piece of land are a dollar, one dollar, no actually, eight cents Mr. Speaker. Eight cents. Well, no, no, no, this is where the confusion happens Mr. Speaker. People will argue that that's the road. The decision made by the Board of Adjustments that has put us in this position today or the Municipal Board I mean, that has put us in the position today is that these lands should be assessed based on their highest and best use and for everybody to sit around here and pretend they don't know that, is ridiculous.

Mr. Speaker, the decision by the Municipal Board when they overturned the decision by the Board of Revision was that this had to be assessed for highest and best use. The assessments of the City of Winnipeg have a responsibility to keep a true and proper assessment roll, to this very day, the special operating agency lands are still under assessed. This piece of land is still assessed at a dollar a foot or a dollar period, never mind the dollar a foot. It's approximately three or four acres of land even though it's used as a road, it's not the use, it's the highest and best use where the assessment comes from.

So, why do I believe that there was some knowledge, because I think there was at some point the City representative will just appeal it to the Board of Revisions and you will get what you want which will give you your proper assessment based on your use because when it came to the road, Mr. Speaker when it came to the road going into the Forks, here it is, in 2001 the reason for the change in the assessment from five hundred and something thousand dollars I believe, to one dollar, was Board of Revision reduction.

And I believe that the loose cannons of the day thought this was the way we should be doing business on assessments. I believe that's what happened and I think that at this time, whatever these people on either side of this equation were doing they thought they would just do the same thing, which brings me back to the beginning. What did the party set out to do when they entered into this contract, into this lease agreement? Was it to charge a level of taxation that was you know basically ridiculous based on use of the value of the land? I don't think so, Mr. Speaker.

Nor do we want to charge the Forks, which is why we laid this item over as Councillor Wyatt carefully noted, item number 2 on our agenda today here, laid over because we do not want to charge the Forks 250,000 dollars in taxes either. We do not want to do that Mr. Speaker. We want to be fair. We want to honour the intent of the agreements that we entered into. Those are my comments.

Councillor Thomas: Point of privilege Mr. Speaker.

Mr. Speaker: What's your point of privilege?

Councillor Thomas: My point of privilege is with regard to the comments that Councillor Swandel made about my not understanding where it was. We all have the same map. I know where I was looking.

Councillor Swandel: That's not a point of privilege Mr. Speaker.

Mr. Speaker: Councillor, Councillor.

Councillor Thomas: Mr. Speaker…
I would appreciate if you would rule on it. But, he was saying that I was mistaken about the parking lot. He wasn't in the vehicle with me. He didn't know what I was talking about but I know what I was talking about, because I've got the map in front of me and I know how to read a map.

Mr. Speaker: Councillor Thomas, you've got your point well taken.

Councillor Swandel: Point of order, Mr. Speaker.

Mr. Speaker: What's your point of order?

Councillor Swandel: I was there yesterday; I'm pretty comfortable in the statement that I made.

Mr. Speaker: Thank you. No further speakers. Councillor Wyatt? Councillor Fielding go ahead.

Councillor Fielding: Mr. Speaker. I rise today to support the agreement before us today and in my opinion, really what this whole debate really boils down to, once you put the political agendas, the rhetoric, the mud slinging that's gone on aside, is fairness, honouring a deal negotiated in good faith by our City representatives and preserving the good representation of those who do business with our City of Winnipeg.

With respect to the background of this agreement I'm sure that everyone in this Chamber knows a lot of the details now, but let's review. The City of course signed an agreement with Riverside Management for the use of the parking lot. It was a typical lease agreement that was signed a dollar a year, a shorter lease that was there and they're responsible for paying the property taxes that would be associated with it. Included in this original agreement, of course, was the clause that no development could take place and that the parking lot would have to remain a gravel parking lot. The land was assessed at five dollars per square foot and there are no changes within two assessment periods with it.

Now, the agreement seemed to be working, seemed to be working fair for all the parties included as well as the City but in the most recent negotiation period our real estate representative suggested the property would be assessed around the five to six dollar mark.

Working this information, Riverside Management went into the agreement and was surprised when the reassessment came back at triple the original value at fifteen dollars per square foot. What this essentially did, and has been covered off, is that it went from the property taxes being assessed to property taxes being owed from 90,000 dollars to close to 180,000 dollars, causing Riverside to run a deficit and this is where the question of fairness in my opinion really comes into the debate.

The parking lot right across the street, as Councillor Swandel and we heard from presentations this morning from the lawyer for Riverside, had mentioned, that had around the same amount of space in terms of the zoning, was reassessed at five dollars per square foot while the lease, the parking lot lease by Riverside tripled in its value. Riverside parking lot, we further learned, was assessed based on Kenaston Avenue…Kenaston Avenue the big box stores that are there.

But the problem with this of course is the fact that there could be no development that could happen on the parking lot that was there, so in my opinion it was very unfair. So it's the opinion of most people that we need to take a look at this. Now I do appreciate the fact that assessment is based as we talked about on best use as well as highest value but since the lease was tied to the assessment we need to review the assessment problems with the agreement. I'm not an expert in assessment but I can tell anyone in this position that had the assessment tripled in value, would do the exact same thing. They would either try to assess or change the deal in some capacity. I think this goes for the residents probably watching today. If you had a house value that was

assessed, tripling the assessment value and yet your neighbours got a similar house and has the exact same assessment that was before, there would be some problems as well.

So this, I think, a right course of action that we took. The real problem with this lease is the fact that it wasn't tied to the assessment and our departments should have foreseen the fact that once you combine the tax rules that the reassessment was out of whack and the lease signed, really, within the spirit, was broken.

Now a lot of people have talked in this debate in terms of why we're renegotiating this deal and I'll tell you, there's a number of reasons why it's obvious we should support this deal. Number one, it's been talked about that there is a lot of miscommunication amongst our departments with Riverside. You had Property and Development suggesting one thing to them and you got Assessment that came in after the fact, and reassessed it at triple the value.

Number two, the assessment was completely unfair which affects the lease and the spirit of the agreement that has been signed and acted upon for the past number of years.

Three, there's many examples where the City has renegotiated a lease in the past or looked at back taxes and I will get into some of these in just a little while and number four, there's a civic need for the portion of the lands in terms of parking for the Human Rights Museum that will be going up. I think Councillor Pagtakhan spoke to this. And when you look at what our administrative staff, whether it be the (inaudible) or the City Assessor as well as the director of PP&D have talked about, you know their comments and I'm paraphrasing of course, but they make presentation that process was obviously not clean. Better communications was needed and that there were some issues with the whole process in and of itself, I think the Assessor also talked about. Sometimes our Assessment Department puts on the legislative blinders without looking at the global issues that should have taken place and step back.

Now I know the Provincial, the City Assessor, I don't think this is necessarily his issue because I think he moved into the role in around that time, but obviously there has been some problems that are there and I think our City staff also indicated that we should add everyone in the room to make it crystal clear what the implications would be in terms of the reassessment and the intent of the assessment (inaudible) was never to provide the rent that would be inappropriate for the use of the property.

Now, ladies and gentlemen, some people suggested that politics have crept its way into the equation, and I, you know, I'm not going to peruse one way or another for it, but some members of Council suggested that the City does not look at renegotiating leases or cancelling back taxes. I heard that on the radio but this is actually not true, in fact I've gone through City records and went through DMIS, our computer reporting system, and I found numerous examples of where the City has either renegotiated a lease. Here's one in particular for Assiniboine Park on June 25 that Council approved, basically to renege on 224,000 dollars in taxes. This was passed unanimously in 2003 which I think a lot of Members of Council were a part of.

I found Good Neighbours Seniors Centre which was debated on May 18, 2005, that basically cancelled, cancelled 92, over 92,000 dollars in back tax that were associated because the deal was unfair. This was passed unanimously by Council. Here's another example, The Winnipeg Lawn Tennis Club on September 18 of Council passed taxes, this is a small one, of 3,500 dollars in realty property taxes that were cancelled. Passed unanimously by Council and a fourth one because I don't want you to think that I'm getting away Scott free even though I wasn't the Councillor at the time. The Brooklands Senior Centre, The Pioneer Centre, same thing, 2,400 dollars in property taxes were cancelled from the year before.

So I guess what I have to say Mr. Speaker, I'm not sure if politics is at play here at all and I respect what other Councillors have to say in terms of their opinions. I differ with it, but I ask the question, what's the difference between all these reports and things that are passed unanimously by Council and the report before us today? I'll leave that question out to you.

Another issue that was brought up by Councillors, you know, some of us have questioned the integrity of Councillors in terms of the matter, you know, whether you're on EPC, that maybe you're going to vote in favour of the Mayor just to support him in some way, and although I don't see it as glutly as my good friend, Councillor Justin Swandel in EPC the other day, but to put on, I'm a little insulted by this, you know I take my role as City Councillor very seriously, and I can tell you one thing. I'm going to let a deal that smells funny, go by and vote on this, just because I tend to vote in favour of what the Mayor has to do in terms of his agenda. There's lots of examples on the floor of Council where I haven't supported the Mayor. In July Councillor Vandal put a Community Incentive grant forward. I thought it was the right thing to do, I support him on that point, I notice the Mayor didn't support him at this point. So there are some great examples here where I'm going to do the right thing that's there, and I think this deal is very much a good deal for taxpayers.

So, in conclusion, when it comes down to me, what this debate really comes down to, once again, is fairness, honouring a deal, negotiating in good faith and preserving our reputation. I'm not going to suggest that this was a clean deal from all aspects. I think there was some mistakes made by Riverside, the City in terms of…

Mr. Speaker: Councillor Wyatt moves extension of two minutes, all in favour, contrary? Carried.

Councillor Fielding: But the deal is in keeping with the spirit of the original deal that was in place, what this motion does is corrects an error that was, that we, that was done through administration and now at the political level, we need to make a decision and I'll be supporting this deal. Thank you Mr. Speaker.

Mr. Speaker: Thank you. Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Speaker.

Mr. Speaker: You're speaking to the clause?

Councillor Wyatt: Yes.

Mr. Speaker: And your motion and you'll be closing on your motion. Okay, go ahead.

Councillor Wyatt: I understand. I can honestly say I've never dealt with an issue quite like this in the six years as a Councillor. Since this appeared on my Committee's agenda July 8th, I've tried to find answers and answers in an attempt to seek the truth. I want to be fair. Like all Councillors I want to be judicial. I want to know that we are treating this matter no different than we would treat anyone else. I have for the last two-and-a-half months strived to be critically objective and not objectively critical. It has not been easy and it has involved many hours of thought and phone calls and research and emails and insomnia.

But for me, this is not only a matter that involves a reputation of an individual who I consider a friend, but it is the reputation of the office, all our offices in a sense. If we hold our institutions that we believe dear we should be concerned about this. I have no proof that a conflict of interest has existed or to that matter Mr. Speaker, has been committed. And at this time I agree that the, that there is a perception of a conflict.

However, as I said earlier, I believe we as a Council should not allow that to affect our decision today. I believe the perception, perception to affect our decision would be the, on the issue of perception would be not basing our decisions on facts, and would not be basing it on fairness, we would be basing it more on politics. At the same time, we must also recognize Mr. Speaker, that

when you have one office and our strong Mayor model, one office that has the power to appoint six members of EPC in fullness or indirectly, influence the election of Speaker, Deputy Speaker, directly appoint the Acting Deputy Mayor, appoint members or indirectly appoint members of Council Boards and Commissions, such as the Board of Revision, and has the power to suspend the CAO directly, and directly influence the hiring, the public, we should not be surprised that the public is, has some perceived perception on this matter.

In attempting to find answers, I've come up with more questions and some observations, and they're simple questions that I haven't really been able to get answers to these. Why it took the Assessment Department five years to put this property on the tax roll. I, why we have a report before us Mr. Speaker, that refers over and over and over again to an original lease and then refers to renewal of lease but does not state clearly, that the original lease where taxes or rent there, for taxes were not paid to the City as we've discovered. Why the report was signed off by the Acting Director when the new Director had been on the job already for three months by the time we had received the report of our Standing Committee. Why a letter from our p.m.'s tax consultant admitting the knowledge of the higher assessment. We have that before us today. It was not supplied as an attachment or an addendum Mr. Speaker. It was referred as in the report as a letter dated September 9, 2005 and why, based on the letter we have and I can read it, and I'm sure other Councillors have copies of it, it clearly appears that the agreed to, the fact that there would be a higher assessment, and knowing full well and they also agreed to an appeal process.

Three months prior, Mr. Speaker, to Council deciding on the renewed lease. How can RPM, demand 223,000 dollars we waived and when it appears clearly that they not only did not pay anything from the years 2001 to 2005 for their initial lease and this is the end, from what we've been able to find out by phone calls to administration but they clearly earn revenue in that period of time and I'm quoting from the Municipal Board Decision Mr. Speaker, where information was provided. This is a public document, the decision made by the Municipal Board, issued on December of 2003 and it's quoting and referring to the debate with regards to what the evaluation of the property should be worth and it says "Mr. Story relies on an income approach to value of the property. He submits an outline of parking income and expense at 106 Waterfront Drive for the year ending December 31, 2003. In this account, the (inaudible) had a gross income of 218,178 dollars, expenses of 50,511 and a net income of 167,667 dollars." That was just for the year 2003. Why did RPM not immediately write to the city once they've learnt, they say they learnt in June, 2006. Our Real Estate, our Assessment Department says they were, they informed them in March, but there's a disagreement, but in June of '06, why did they not immediately write to the City to ask for a revised agreement, rather than automatically going to a third party and asking them for a ruling.

How is it possible for such a radical fluctuation in assessment amounts Mr. Speaker. 3.9 million from our Assessment Department, 1.636 million from the Board of Revision and back up to 3.6 million from the Municipal Board. Why was it, that this Councillor when looking into information was blatantly refused twice from the Winnipeg Public Service, that information cannot be provided that all the information that you need is in the report, when clearly after having to pretend to be Sherlock Holmes or Perry Mason, one must find out that everything was actually not in the report.

I read, quote, and this is the only way Mr. Speaker you can find out. If you read the report, you assume based on the report that the terms and conditions, rent or taxes from the year '01 to '05 were part of the agreement and they were paid. The only way one could find out or start the paper trail was again the letter from Mr. Story to Mr. Armstrong referring to the fact that the property was not on the assessment roll, so they strongly feel that

they should not have to pay reality taxes for 2004 or 2005.

And that was the only way to discover or find out that taxes, indeed, or rent, because technically the department of Property and Development pays the taxes and Riverside pays them back, rent equal the value of the taxes were not paid in those years. Why does the Assessment say, why does the Assessment Department say that they could have taken their legal blinders off on this matter, yet at the same time they tell the Standing Committee that based on everything they know today, they still would make the same decision to appeal to the Municipal Board? And why does the City so readily accept RPM's contention that the back taxes/rent could not be collected from '01 to '05. Who was defending the public interest?

I was very clear at the EPC meeting to ask Mr. Newman whether or not he felt that the revised lease was modeled on the first lease. I quoted the report before us and he agreed that it was based on a dollar a year plus the realty taxes. Just some observations, Mr. Speaker.

I think, I don't blame RPM for trying to attempt to reduce their liability. They're a business, and I'm sure they negotiate that all the time with their contracts with other businesses. Businesses do that. I guess I have a difficulty where they come into a public chamber.

Mr. Speaker: Councillor Nordman moves extension of two minutes, all in favour, contrary? Carried.

Councillor Wyatt: Where they come into a public chamber and they ask for a reduction or an elimination, when they know and we've, and it's become clear that nothing was paid from the years '05 to…very little or nothing was paid from '01 to '05 other than the dollar I suppose.

And I guess the other comment Mr. Speaker or observation is that a Councillor should not have to look at a report and have to start digging to find answers when they were told that the information is in the report. There's ten references that I can find in this report Mr. Speaker, referring to the lease, the original lease and/or the renewal of the original lease giving terms and information. And yet nowhere, if you read it, it gives you the clear impression that the obligations on the original lease were fully met. I believe Mr. Speaker, I've heard it said before in this chamber, that we have to be reasonable and fair, and I agree with that a hundred percent. I know in past debates on various issues it's been said a deal is a deal and that's it. You sign a deal and an agreement, and in this case, we could say the same thing to RPM, but I don't think that would be very fair.

I do believe Mr. Speaker that charging them when they know they can't use the property for more than just a gravel parking lot is wrong. No matter what's happened, the problem we have Mr. Speaker is the 223,000 dollars that's now accumulated. In '06, it would have made a heck of a lot of sense to amend the agreement at that time, but since then, 223,000 dollars has accumulated, which is really the fly in the ointment.

I believe Mr. Speaker that a balanced approach, a fair approach, one that would ensure that RPM is treated fairly is one that basically says at this time, it would be financially responsible for Council to use this opportunity to insist on collecting the 223,000 dollars and by doing so help to balance the books between RPM and the City of Winnipeg, not over the period of 2006 to 2008 but over the period going back to 2001.

Does it make sense to penalize RPM today, absolutely not. But should RPM be rewarded due to incompetence, absolutely not Mr. Speaker. Those are my comments.

Mr. Speaker: No further speakers. Oh Councillor O'Shaughnessy.

Councillor O'Shaughnessy: One thing we should learn out of this, and will learn out of this I hope, is the fallacy of linking our leases to the tax bill on the property and hence the assessment. The assessment is based on the highest and therefore the taxes are based on the

highest and best use of the land. We signed a lease that says you can't pave it, you can't build on it, you can't even put electricity into it to allow people to plug in their car in winter. Your lease rate is going to be a dollar plus the taxes, which are say based on the highest and best use, not based on the use we're allowing you. There's the fallacy of the whole situation. We have an opportunity to correct that and I'm reasonably sure we will today.

This land is assessed just about exactly twice what the immediate neighbouring lands are. For some reason, our Assessment Department or someone in it decided a few years ago this land should be reassessed. Now, we lease to Riverside Management, Riverside Park, whatever, this piece of land right along Waterfront Drive. On the other side, we lease to the Winnipeg Parking Authority. They're to pay 170,000, they're to pay nothing. There's an assessed value but there's no taxes put to the assessed value. Why, because it's owned by the City, but this is owned by the City. So, why is this reassessed to twice as much when it stayed gravel and its leased out for parking and this never got reassessed, when it's staying gravel and leased out for parking.

Across water, we've got the big Riverfront portion that we were going to go for a marina hotel and may still some day. How come it's at that half, same amount as the parking lot across the street, half what the parking lot used by the Goldeyes is? I don't know.

So I look at the big piece of land, the Forks. Not gravel, not parking, buildings, includes a new hotel. It's all there public record what somebody's taxes are. So I look at it, complete with the new hotel. It's in it, in the picture, and its taxes are 593,000 dollars a year for thirty five acres, assessment is fourteen million, so I take it back to the per acre, same as Riverside, whatever, they are per acre assessed at 648,000 for vacant land. The Forks is assessed at 395,000 an acre. What's going on?

Why is the Forks with buildings assessed only two thirds of what gravel is assessed at and the taxes must be based on something fictitious, because the taxes per acre on the gravel parking lot are 30,000 bucks an acre. The taxes on the whole Forks are 16,600 an acre, about half. Why is the assessment two-thirds and the taxes half, something's going on somewhere folks.

I looked at little extra things. You know, the taxes on the TV station at the Forks, 30,000 bucks, 170,000 for the gravel parking lot but the whole building with the TV station on a paved road and all that, 30,000 bucks. I look across to the Manitoba Theatre for Young People, brand new building, 30,000 bucks. We pay it for them.

Take a poll in this City. You can only have one. We're going to lose the Goldeyes or we're going to loose the Manitoba Theatre for Young People. I want to keep them both at any cost, right, most of us would, but if you had to, what's the attendance at the MTYP and what's the attendance at the Goldeyes for the year.

I was told, switching gears a little bit, that we signed this lease for the, forget Riverside, we signed it for the Winnipeg Goldeyes Baseball Club as a way at the start of helping out. We didn't have to build a baseball stadium. We signed them a lease for a dollar, which we do for a lot of groups, a dollar, but they were to pay the taxes. That was the deal. Then we doubled the assessment but only on their lot, never touched anybody else's. I put all this stuff together and my answer is there's only one reason to vote against the clause. Sorry, I shouldn't be saying it. I got to say it, and that's to get that guy, and that makes me sick.

(Councillor Pagtakhan in the chair)

Mr. Deputy Speaker: Thank you Councillor. Councillor Clement.

Councillor Clement: Thank you Mr. Speaker. Certainly a delicate issue and it's not helpful that some of the information is at least (inaudible). When you take a document, like this, I know it to

be true, because we had this information last week from Mr. Carp, when we were at EPC, and you've got six parcels of land all in the same area, all of it north of the York extension, all of it owned by us, every square inch is owned by us, and we have parcels assessed to the equivalent of five dollars a square foot, six dollars a square foot, 5.77, 6.01, 5.90, and the piece in question, 14.89 a square foot. How can that be?

I know how it happened because Mr. Carp actually explained it to anybody that was trying to understand it, because when we built, or the Forks built the road, I think we did it together to be honest, but this road that comes out called Waterfront Drive, we spliced all these lands and so at some point you've got to consolidate them and this piece here, I think Councillor Swandel said it was five pieces. I thought it was three. I stand to be corrected. I know it was multiplicities of pieces. Anyway, what Mr. Carp had told us is that at some point, he didn't actually state when, but at some point during the process, the parcel F was consolidated and when it was consolidated, and I don't know why that defends these other assessments to be honest with you because these lands in certain cases can't be consolidated anyway, but parcel F was consolidated and its highest and best use put the value at over three million dollars.

Well then I go, I've asked some questions, asked them this morning, asked the other day, the lease was signed based on the proposed property assessment in June 2005. It actually also says that in the letter of September 9th from Sid Story. He refers to both numbers in here, actually. And this letter is not easy to follow either on the other side of the coin. The assessment was altered in January '06. Now, when did they find out? I asked the question here this morning. When did they find out that it was altered when we received our tax invoice in June '06? I asked when they appealed it and he said December '06, so '06 was lost no matter what. There was nothing they could do about that.

I guess my question, it was going to be my next question if I would have got the chance, but we ran out of time this morning, was what happened during the five months in between, because we've heard a whole bunch about a lot of different issues here today, but the bottom line is that both sides of this agreement could cancel it within six months and I've wrestled with it from this aspect.

If Riverside Management is managed appropriately, and I have a pretty strong feeling that it is, why didn't they just walk away at that point? Why wouldn't they just cancel it if they knew that they were going to go backwards and that it was actually going to cost them money to operate the parking lot because at twelve dollars a square foot, it would cost them money. Why wouldn't they undo that?

Well, I don't know whether there were discussions or not. I've got no way to know. The Director of Planning at the time isn't here anymore. There doesn't appear to be any data anywhere in any of the report that gives us that information, and we asked for that kind of information the other day. Nobody could really come up with anything concrete for us that gave us direction one way or the other. Even the way some of this stuff is written, it says because, and this is in the report, because the final valuation occurs at the time of placing, I assume that means when the lease was done, but I don't really know if that's what it means or not, placing an executed lease agreement on the assessment roll, well according to this letter on September the 9th that came from Mr. Story, even on that date, there was no assessment on this property.

They were just picking a number of five bucks, and nowhere, it wasn't assessed even at 1.63 at that point. That was the proposed number that was going to happen in '06. Okay. It wasn't on the roll at that moment in time. So I don't know how this went off the rails, but it seems to me that this isn't about the portion…by the way, Riverside Park Management… we were told this the other day…have paid every nickel of the taxes owed based on the five or six dollar amount for six, seven, and eight. What's in dispute is the difference between six and twelve, and I

think we all know that, but I thought I would point that out in case somebody had forgot that. It doesn't say that anywhere. But it's fact, nonetheless.

This isn't about somebody that didn't pay their taxes. It's about a different amount that seemed to be outside of the agreement, and I don't understand. First of all, I don't understand why they would have even gone to the appeal process in December when they did get that chance. To me, that was dumb. If I was running Riverside Management, I sure as hell wouldn't have gone there. I'd have tried to get back into the lease because what was wrong and what's been acknowledged here today by more than one person including Councillor Wyatt is that the lease is structured incorrectly. I think we've all figured that out. That's what's wrong here, okay?

It shouldn't have been structured the way it was by our folks, and it sure as hell shouldn't have been signed by the ones on the other side based on the same reasons as I see it. But anyway, I don't know what happened in that five-month time frame. I don't know whether there were discussions. I honestly don't. It says here in the meeting on September the 8th, you indicated you do not recall discussions regarding a five dollar per square foot assessment, but you do agree we can appeal the assessment in due course. So sure they knew, but they didn't have numbers. They had nothing in writing.

In fact, it says that it was provided to them verbally in here. We don't do business verbally, ever. So there's been mistakes made on both sides of this issue as I see it, and so it comes back to the fairness issue once again. Councillor Fielding threw four or five things out, some of them were smaller amounts, but I believe, and I was here when most of those were done, that they were done because it was the right thing to do given the situation and the information that we had.

And the problem here is that based on what we now know today to be the assessment Mr. Speaker, nobody in their right mind would have signed an agreement to lose money and on the other side of the coin our people didn't make any move once they knew there was a problem.

Mr. Speaker: Councillor Fielding moves extension of two minutes, all in favour, contrary? Carried.

Councillor Clement: To sort this out, I don't know why and there isn't anybody to ask because the people that we asked, with all due respect to both of them, they weren't there. They weren't actually directly involved when this all started, so how could they answer other than they could surmise what might have been, and they tried.

So now all of a sudden or I shouldn't say all of a sudden, now finally they're talking because they've got to come to a resolve because they wound up getting involved in this deal. I don't know how that dialogue started or exactly what date that dialogue started. I would like to think it started somewhere in that five months way back there. That wouldn't make any sense to me because if it started back in '06, then why wouldn't the department say, well, you know what, we've got a problem here and we're doing the budget for '07 and we might have a 90 million dollar liability, we should do something to cover that off and why didn't they do it in '08? They didn't tell us that.

I sat on both those budget teams. We never heard anything about this. In fact, I never heard anything about any of this until two weeks ago when I read in the paper what the Committee did and they had a tie vote and it was coming our way. I was pleased as hell it was coming our way. Unfortunately, there aren't any trees to hide behind in here. We have to vote, and because it would be nice to have a couple right now. This is a shitty issue, sorry for the language. It is, because it doesn't matter where you land, you're wrong or right and nobody can tell you that you're right or wrong because there's not enough solid data in any of these documents to prove it one way or the other. I don't know how you sort it out other than what they did in the end. And they sorted it out by splitting the land to

create a change in the value and then going forward, they would have to have a completely different lease.

So, I'm sorry Mr. Speaker, I'm out of time. There's other things I'd love to say and I'm sure others would love to say further comments as well on this, but very, very difficult issue. In fact, I can't remember ever having anything like this here before ever.

Mr. Speaker: Well, Councillor, you said it was a kind of a deal, the "s" word you used, maybe that should be dealt with in the bathroom.

Councillor Clement: I apologize, just you know what, I felt.

Mr. Speaker: Okay, Councillors, we have no further speakers. So I'm going to ask Councillor Wyatt to close on his motion number four. And then Councillor Steeves will be closing on item number one.

Councillor Wyatt: Mr. Speaker, you know I don't think any of us here claim to have a monopoly on wisdom or what we deem justice. We all try to seek the truth in our own ways and our abilities. In my view Mr. Speaker, this clause, the motion refer fails if it does not receive the support of Council. I've said in my words that I can't support. I feel that the report before us is very, very misleading, completely misleading, not by what it says, but by what it doesn't say, and I don't understand how Council knowing, and I've heard the discussion now on this matter, we've all heard it about the lack of information, the lack of clarity, concerns with regards to mistakes made, concerns with regards to approaches taken by both sides it's been said now by others. I don't understand how sending it off Mr. Speaker, sending this matter, referring to the Winnipeg Public Service for the purpose of seeking an outside legal opinion is so bad and would be somehow us failing to make a decision.

It would have to come back here anyway. We'll still have to make a decision, Mr. Speaker. I don't see how getting outside legal opinion, somebody to look at this and weigh the issues and come back and give us that outside opinion. It may come back and confirm exactly what we have here today, and it may completely come back and recommend something different Mr. Speaker. I don't see how that would harm the process here before us today and would be unfair to anybody involved.

If the report, motion does not carry, then I'm assuming there will be a vote then on the other matter. I've spoken to that, and I've said my bit on that. So I can't really speak to the clause. I'm just speaking, as you mentioned, Mr. Speaker, to the matter before us. Thanks.

Mr. Speaker: Councillor Steeves, you're closing on item one.

Councillor Steeves: Thank you Mr. Speaker. I won't be supporting the motion to move this to a legal opinion. As Councillor Clement said, we have a duty to make a decision. Not a pleasant duty, granted, but a duty to make a decision. That's not always easy for people to do. Lord knows I think we all have our points where we don't want to make decisions, but there's no hiding sometimes from the obligation that we have as City Councillors.

I will make this observation. I recall Downtown Development Committee some months ago, Upper Fort Garry, an issue of whether an item should go into camera or not. Councillor Wyatt and Councillor Gerbasi demanded that an item not be heard in camera despite the fact that our legal opinion was that it should. We called the lawyer to the table to give a legal opinion at their request. The lawyer sat at the table and her legal opinion was you must go into camera. What did they do? They ignored it.

Councillor Swandel and I defeated the motion, so we still went into camera, but for someone to suggest that a legal opinion is going to somehow coalesce this Council by previous precedent in the only last few months has been proven to be untrue, and she is a good lawyer, she is a good lawyer, right? Okay, thank you very much Councillor Wyatt. You had your chance.

There has been some things raised with respect to process from Councillor Thomas. From the Clerk, from the CAO, from anybody up until this point, no one has given me any indication that there is any problem with this process in terms of this coming to this Council today. I am acting under the assumption as should all of you that the process is correct. During the comments, I really heard nothing with respect to the opinions offered by our professionals. I heard people looking for details, trying to divide, conquer, look for pieces of information that might somehow splinter the recommendation from the professionals we've hired to do this job.

Your opinion of the professionals in Property and Development and what they're telling us, you don't believe them, you think they're involved in some grand conspiracy. Your opinion of the professionals at the Assessment Department, you don't believe them, you think they're involved in some grand conspiracy? Your opinion of the CAO, you don't believe him, you think he's involved in some grand conspiracy? I doubt that. And I refuse to believe that.

We are not out any money. We originally asked for 90,000 dollars and we got it. The additional monies are notional monies that we never counted on getting in the first place. If Councillor Vandal had a cabin at Winnipeg Beach and he wants to rent it for a year to Councillor Gerbasi, he says, "I'm actually the municipality of Winnipeg Beach, rent my cabin from me, just pay me the taxes, five hundred dollars per year" and they shake hands and they agree. Councillor Gerbasi will pay him five hundred dollars per month to rent that cabin. First month comes and goes; Councillor Vandal says "you owe me fifteen hundred dollars for the first month". Councillor Gerbasi says, "well, wait a second, we had a deal, it was five hundred bucks a month". "Um, no, I reassessed your property. The taxes are triple." That seems fair?

Councillor Swandel: Dan wouldn't do that to Jenny.

Councillor Steeves: That seems equitable? No. I sincerely doubt that any of us would see that as a fair and equitable arrangement. They made a deal to rent the cabin for five hundred dollars per month. Just because Councillor Vandal happened to be the municipality does not give him the colour of right to triple that assessment and force Councillor Gerbasi to pay triple the amount on a month to month basis.

Councillor Vandal: You haven't seen my cabin.

Councillor Steeves: That's not right and it's not fair and nobody here would support that, even though we know Councillor Gerbasi is independently wealthy.

Do you remember the MTS issue? Do you remember when they came back to us and they asked for an additional million dollars, remember that? After we had them in a contract, and we had them dead to rights contractually, but they came back and said one of the investors pulled out, we need an extra million dollars. Huge controversy. Councillor Lubosch, "The funding agreement also bears a number of mechanisms, legal mechanisms which a breach of that contract can be addressed.

How is it Mr. Speaker, that we can find the rationale to turn down those people who depend on public transit when we need a million dollars for public transit, we raise the fares, a nickel knowing full well the demand is inelastic and that these people have no other place to turn." He voted against True North. Councillor Steek. "The Mayor and I don't agree on everything. I come back to one final question. Should we be supporting one million dollars, my answer is this, I'm unequivocal in my support of this project. Should we be giving it another million dollars when I believe that the private sector should be coming to the table for that million? No, I cannot support another million dollars, thank you."

Councillor Smith, "I look at the investors, I'm sure they can tap into other investors or else they come up with different ways of raising money. In other words, I don't think this deal will collapse. I don't think

when we agree to something, we should change our minds and give an additional million because it's asked. It's an easy way for them to come to government and ask for money."

Councillor Pagtakhan who voted in favour, Councillor Steeves who voted in favour, Councillor Vandal, you know what, had this come forward two years ago, as Councillor DeSmedt pointed out and had the proponents asked the province and the City for that extra money, we would have supported this hands down. I'm going to follow the leadership of our Premier and follow the leadership of our Mayor.

Councillor Thomas, "I applaud them for when they discovered a 13.5 million dollar gap and what they submitted as a plan, scrambled to find alternative fundings and many community leaders came forward with 11.5 million out of that 13.5 million to fill, which left the City and the province both with one million to come up with each. I want to thank them for that and for their personal vision". Councillor Gerbasi, "Having said that, I will be supporting this, I wish we didn't have to come to this. I don't think anybody wants to have to spend more money, It's not an ongoing cost after this and I think it's an important point that some people are forgetting that we're not spending a million dollars each and every year. This million dollars is to build the building. That's what makes it a public-private partnership. We're relying on the private sector to carry on with this."

We see this pattern repeated. We make concessions all the time based on what we believe is fair, Mr. Speaker. That's what we did with the MTS Centre. We had no contractual obligation to do that. Probably nobody would have faulted us for not doing that because we'd done our part already, but still, we did it because we thought it was the fair and the equitable thing to do. We wanted the facility and we wanted to support it in the same way we want the baseball stadium and we want to support it.

We made a deal here, Mr. Speaker. We got the money we asked for and we got it for all three years. Our administration supports this, so should we.

Mr. Speaker: Thank you Councillor Steeves. Okay, we'll be voting on motion number four. That's Councillor Wyatt's motion to refer. A recorded vote has been called for. This motion is for referral. Councillor Wyatt's motion, number four. All in favour, please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillors Gerbasi, Pagtakhan, Smith, Thomas, Vandal and Wyatt.

Nays

Councillors Browaty, Clement, Fielding, Nordman, O'Shaughnessy, Steeves, Swandel and Mr. Speaker Councillor Lazarenko.

City Clerk: The vote Mr. Speaker, Yeas 6, Nays 8.

Mr. Speaker: The motion is lost. On item one, recorded vote, Councillor Gerbasi calls a recorded vote on item one.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillors Browaty, Clement, Fielding, Nordman, O'Shaughnessy, Steeves, Swandel and Mr. Speaker Councillor Lazarenko.

Nays

Councillors Gerbasi, Pagtakhan, Smith, Thomas, Vandal and Wyatt.

City Clerk: The vote Mr. Speaker, Yeas 8, Nays 6.

Mr. Speaker: Item one is carried. No motions, By-laws none. Question Period of Downtown Development, any

questions Councillors? If not, let's proceed with Standing Policy Committee on Property and Development dated September the 2, 2008. Councillor Swandel.

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT DATED SEPTEMBER 2, 2008

Councillor Swandel: Mr. Speaker, I'm pleased to introduce the report and move adoption of Consent Agenda Items 1 – 21.

Mr. Speaker: All in favour. Which item? All in favour, contrary? Carried. Report of September 15, 2008. Councillor Swandel.

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT DATED SEPTEMBER 15, 2008

Councillor Swandel: Mr. Speaker, I'm pleased to introduce the report and move adoption of Consent Agenda Item 1.

Mr. Speaker: Stand down number one. Councillor Swandel.

Councillor Swandel: Just flip this open here.

Mr. Speaker: Madam Clerk, read the item one.

**Item 1 - Riverbank Stabilization Grant and Local Improvement Tax Financing Program
E-File PR-4.5**

Councillor Swandel: Just by way of introduction, this was a bit of a cleanup on this riverbank stabilization grant program and local improvement tax financing. Originally when the report came forward, we saw the number three million dollars in there and we kicked the whole local improvement piece out because we felt we were adding an additional three million dollars. In reality it was a mistake and the three million dollars is actually a borrowing authority that is passed through the City onto the property owners and this is actually a net zero for the City. There's a bit of an addition, each year we set the rate for local improvements slightly above what we borrow the money at to cover the cost of administration. So this really has no financial bearing on the City whatsoever and just allows this program to proceed. The program itself is already approved.

Mr. Speaker: Councillor Wyatt.

Councillor Wyatt: I guess I have a question and maybe I'll ask the question and the Chair can address it. But the report refers to a twenty five percent city grant as part of the project up to that amount, and I'm wondering if it can be addressed. I know previously when we were discussing this in the Committee at the beginning of this year, we had indicated at that time the need for the provincial government to be involved and the federal governments and historically they have been involved with regards to riverbank stabilization.

The report goes to some detail suggesting that, and trying to limit our liability on this. Of course, especially when it comes to private properties, but I guess the concern I have is that I understand the need for private property owners to have their riverbanks maintained. I'm a little concerned that we are pushing hard in that direction by increasing borrowing authority and again I ask the question about the grant. Without really getting the Province and the Feds to the table with regards to riverbank maintenance as has been the precedent in the past.

I think it's important that they are, you know, the stewards of the riverbanks as much as we are and actually if you look at jurisdictions even more so, and there's no doubt in my mind that they have a huge role to play here and I can't see that in the report, though it was previously in previous contents and previous versions of this report back at the beginning of this year. So maybe the Chair can shed some light on that.

Mr. Speaker: Thank you. Councillor Swandel.

Councillor Swandel: It is in the report, but it's not really the crux of the matter before us today. That piece of the program we've already dealt with. We have put forward one million dollars that can be accessed by property owners for up to twenty-five percent of projects. We see that as sort of the breaking point of where the loss of assessment based on the loss of riverbank, you know, if that's the breaking point where the City's comfortable at.

With regards to the Province and the Federal Government, the Federal government is not participating in any way in this program. The Provincial government as part of it's, I don't know the infrastructure, but it's a Provincial/City infrastructure program I think totaling about seventy million dollars. They have agreed that we can use part of that funding to fund the one million dollar grant portion that we have in front of us. So basically it becomes a sort of shared program between the City and the Province of Manitoba. You know, we had hoped that the Province would bring new dollars outside of that program, but this is the path they chose and we can still work within that, within those parameters and hopefully get some people to buy into this and see us stabilize our assessment roll.

But the real crux of this matter is just allowing the local improvement process, local improvement process to be utilized and to get these programs rolling. As you're aware Mr. Speaker, as Chair of the Riverbanks Committee, this work has to be done in the coldest months of the winter when the river is way down and the ground is quite frozen and we're hoping to see a couple of groups of property owners take advantage of this and restore some of the damaged riverbank in the city and with that some of the assessment value for the City of Winnipeg.

Mr. Speaker: Thank you Councillor. Ready for the question, all in favour of Item 1, Opposed? None. Motions, none, Consideration of By-laws, Councillor Swandel.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT CONSIDERATION OF BY-LAWS

Councillor Swandel: Let me get back to my script here. I will move that the following By-laws be read a first time, By-laws No. 129/2008, 130/2008, 131/2008, 132/2008, 137/2008, 138/2008, 139/2008, 140/2008, and 141/2008.

Mr. Speaker: All in favour, contrary? Carried.

Clerk: By-laws No. 129/2008, 130/2008, 131/2008, 132/2008, 137/2008, 138/2008, 139/2008, 140/2008 and 141/2008.

Councillor Swandel: Mr. Speaker, I'll move that By-laws No. 129/2008 to 132/2008 both inclusive and 137/2008 to 141/2008 both inclusive be read a second time.

Mr. Speaker: All in favour, contrary? Carried.

Clerk: By-laws No. 129/2008 to 132/2008 both inclusive and 137/2008 to 141/2008 both inclusive.

Councillor Swandel: Mr. Speaker, I will move that the rule be suspended and By-laws No. 129/2008 to 132/2008 both inclusive and 137/2008 to 141/2008 both inclusive be read a third time and that same be passed in order to be signed and sealed.

Mr. Speaker: All in favour, contrary? Carried. Question Period, I think we've had enough. I think you've had enough here since morning. Councillor O'Shaughnessy moves adjournment. Roll call. All in favour, contrary? Carried.

ROLL CALL

Clerk: Mr. Speaker Councillor Lazarenko, His Worship Mayor Katz, Councillors Browaty, Clement, Fielding, Gerbasi, Nordman, O'Shaughnessy, Pagtakhan, Smith, Steeves, Swandel, Thomas and Wyatt.

Council adjourned at 5:30 p.m.