REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JANUARY 12, 1994

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee, dated January 12, 1994, was considered clause by clause.

Moved by Her Worship Mayor Thompson,
That the Consent Agenda Items, Clauses 1,2,3,4,5,6,7,8,9,10,11,12 and 13 be adopted.

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

Councillor Reese requested that Clause 5 be pulled from the Consent Agenda.

Councillor Lazarenko requested that Clause 7 be pulled from the Consent Agenda.

Councillor Thomas requested that Clauses 9 and 13 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 2,3,4,6,8,10,11 and 12 was put and declared carried.

Her Worship The Mayor and Councillors:

Rental of Garden Plots
File PR-2 (Vol. 77)

283 - 1. Your Executive Policy Committee has been advised that the only three Departments which currently lease garden plots within the City of Winnipeg are Winnipeg Hydro, Parks and Recreation and the City Clerks Department.

The Winnipeg Hydro Department has a total of 65 garden plots which are rented out. Council, on April 17, 1991, adopted Clause 4 of the Report of the Executive Policy Committee, dated April 10, 1991, which increased the rental rates for the garden plots to cover administrative costs, as follows:

EFFECTIVE	FROM	TO
January 1, 1991	$ 5.00	$15.00
January 1, 1992	15.00	25.00
January 1, 1993	25.00	40.00

Effective January 1, 1994, and thereafter, the rates are to be increased by an amount equal to C.P.I. Winnipeg average.

The City Clerks Department rents a total of 295 garden plots, serviced by the Parks and Recreation Department on request, at the following locations:

BRANCH	NO. OF PLOTS	
City Centre	5	(2 rented)
Assiniboia	144	(all rented)
Lord Selkirk/West Kildonan	14	(all rented)
East Kildonan/Transcona	109	(24 rented)
Riel	23	plus an additional 10, available in the future (all rented)

On February 6, 1974, Council adopted Clause 3 of the Report of the Committee on Finance dated January 22, 1974, which approved the leasing of garden plots by the City Clerks Department for a "nominal fee of $5.00". This fee has not been increased since that time.

All garden plots rented by both the Winnipeg Hydro Department and the City Clerks Department are unserviced and are approximately 25 feet by 100 feet in size. In order that all rates are equitable, it is suggested that the rates charged by the City Clerks Department be increased to equal those charged by Hydro. The rate for Winnipeg Hydro lands in

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1993 is $40.00 per plot; however, to increase the City Clerks rates from $5.00 to $40.00 all at once, would not be prudent. It is, therefore, recommended that the increase in rates be phased in over a number of years. With a multi-year phased-in increase, the renters will be aware of approved fees which will apply in the following year.

Inasmuch as the City Clerks Department ceased to have a cash operation effective April 12, 1991, and the Parks and Recreation Department already rents some garden plots and operates a cash function, the Parks and Recreation Department has agreed to take over jurisdiction of those plots rented by the City Clerks Department, subject to the condition that all lessees be required to sign an "Agreement to Use Facility" form and agree to specific terms and conditions pertaining to the rentals as outlined in Exhibits "A" and "B"'.

Your Executive Policy Committee therefore recommends:

I. That jurisdiction with respect to renting garden plots be transferred from the City Clerks Department to the Parks and Recreation Department.

II. That the rental fee for garden plots be approved as follows:

1. Rental fee for unserviced garden plots is as follows:

Effective	
January 1, 1994	$15.00
January 1, 1995	25.00
January 1, 1996	40.00
January 1, 1997	a rate equal to that charged by Winnipeg Hydro

NOTE: The above rates are subject to G.S.T.

2. Additional services (e.g. rototilling) will be provided on a cost recovery basis.

3. Effective January 1, 1998, and thereafter, the rates for unserviced garden plots will be increased by an amount equal to C.P.I., Winnipeg average.

III. That Lessees be required to sign an "Agreement to Use Facility" form and agree to specific terms and conditions relating to the rental of garden plots, as outlined in Exhibits "A" and "B".

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

Copies of Exhibits "A" and "B" regarding this proposal are on file in the office of the City Clerk.

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

Moved by Councillor Clement,
That the clause be tabled.

Carried.

(For disposition of Clause 1, see Minute No. 298)

Rebate of City Gas Tax
File FT-2 (Vol. 3)

284 - 2. On March 12, 1992, your Executive Policy Committee approved a recommendation that the Province of Manitoba be requested to change the definition of the purchase price of natural gas contained in The City of Winnipeg Act to conform with the definition change being suggested for The Revenue Act.

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On June 24, 1992, the Province of Manitoba changed Section 668(6)(1) of The City of Winnipeg Act which requires a By-Law be passed enabling the City to refund excess gas tax paid by the consumer:

Section 668(6)(1) of The City of Winnipeg Act, states

> "A by-law passed under this section may, where a consumer has entered into an agreement with a broker for the purchase of gas at a price (referred to in this subsection as the "broker's price") that is less than the purchase price of the seller who supplies the gas,
>
> (a) provide for a refund to the consumer of the differences between the amount of tax that
> (i) the consumer paid to the seller on the purchase price of the gas, and
> (ii) the consumer would have paid if the tax had been paid only on the broker's price of the gas;
>
> (b) prescribe the amount below which no refund is required to be made; and
> (c) require any application for refund to be made before the expiration of such period as is prescribed".

Under Section 668(3) of The City of Winnipeg Act;

> "every person who in the city consumes any electricity or gas for domestic purposes shall pay to the city a tax in respect of such electricity or gas, as the case maybe, at the rate of 2.5% of the purchase price of such electricity or gas. Every person who in the city consumes any electricity or gas for other than domestic purposes shall pay to the city a tax in respect of such electricity or gas, at the rate of 5% of the purchase price of such electricity or gas".

Purchase price is defined under Section 668(1) as

> "the price at which electricity or gas is sold to a consumer before the allowance or deduction of any discount for prompt payment ...."

Currently, Centra Gas assesses the tax on its charge for gas, even though the consumers' cost may be lower due to a gas rebate received from a broker. Both senior levels of government are providing rebates on their respective taxes. Recently, the Province of Manitoba revised The Revenue Act whereby the Minister shall refund to a purchaser the excess amount of tax payable arising from the gas rebate received from a broker. The Federal Government provides consumers with a Goods and Service Tax refund directly through the broker.

Your Executive Policy Committee therefore recommends:

I. That Council pass a By-Law under Section 668 of The City of Winnipeg Act, to provide a refund on the excess gas tax paid by a consumer who has entered into an agreement with a broker for the purchase of gas.

II. That the By-Law follow the same criteria as adopted by the Province of Manitoba in that no refund is paid unless:

 (a) an application for refund is made within two years after the date on which the gas tax amount was received by The City; and

 (b) the amount of the refund exceeds $25.00 or such other amount as maybe prescribed by regulation.

III. That the City Solicitor be requested to prepare the necessary by-law.

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

Adopted by consent.

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Reactivation of Levies for Local Improvements in Victoria Grove (formerly Centre Avenue) which were Deferred under By-law 5003/88

File SL-1 (Vol. 18)

285 - 3. Council on October 5, 1988, granted a deferment of local improvement under By-law No. 5003/88 for the following property:

Realty Roll Number - 08-28270

Legal Description - Lot 30, Plan 888, 38 St. Vital

Owner - Estate of Isabella M. Eckstein
Gordon A.B. Eckstein, Executor
Donald A. Eckstein, Executor
Craig J. Eckstein, Executor

Address - 123 Victoria Crescent

The condition set out in the Deferment By-law No. 5003/88 stated:

"The deferment permitted under this By-Law shall cease upon the occurrence of any of the following:

i) upon the fifth anniversary of the passing of the by-law;"

"When the lands herein become subject to special assessments as a result of cessation of deferment, such special assessment shall be levied against the said lands at the then prevailing rates and paid at the prevailing cash cost or amortized at the then current capital borrowing rates."

The maximum 5 year deferment period granted by Deferment By-law No. 5003/88 expired on October 5, 1993.

Your Executive Policy Committee therefore recommends:

I. That the deferments authorized under By-Law 5003/88 cease, and that the appropriate original assessments be reactivated with a requirement for payment to be made in either of the two ways defined hereunder:

	Cash Payment	Term	Annual Levy
Watermain	$ 3,600.00	1993-2002	$ 554.79
Land Drainage Sewer	4,800.00	1993-2012	535.22
Street Pavement	10,393.73	1993-2002	1,601.77
	$18,793.73 (a)		$2,691.78 (b)

(a) Any one or all three of the local improvements may be paid for at the original cash cost up to and including the last day of the month subsequent to that during which the cash cost statement (immediately pursuant to the passing of the reactivating By-Law) is mailed.

(b) (i) First levy(s) payable at par up to and including the last day of the month subsequent to that during which the tax statement (immediately pursuant to the passing of the reactivating By-Law) is mailed.

(ii) The second and all following levies will be scheduled to appear on the City's normal annual tax bills for the prescribed terms with the usual provisions for prepayment by commutation to apply.

II. That the foregoing reactivation be assessed against:

Lot 30, Plan 888, 38 St. Vital C.T. 1055174

III. That the reactivation By-Law No. 6297/94, prepared by the City Solicitor, be adopted by Council.

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

Adopted by consent.

Reactivation of Levies for Local Improvements in Victoria Grove (formerly Centre Avenue) which were Deferred under By-law No. 5004/88
File SL-1 (Vol. 18)

286 - 4. Council on October 5, 1988, granted a deferment of local improvement under By-law No. 5004/88 for the following property:

Realty Roll Number - 08-28260

Legal Description - Lot 28, Plan 888, 38 St. Vital

Owner - Helen Alfonso

Address - 95 Victoria Grove

The conditions set out in the Deferment By-law No. 5004/88 stated that

"The deferment permitted under this By-Law shall cease upon the occurrence of any of the following:

i) upon the fifth anniversary of the passing of the by-law;"

"When the lands herein become subject to special assessments as a result of cessation of deferment, such special assessment shall be levied against the said lands at the then prevailing rates and paid at the prevailing cash cost or amortized at the then current capital borrowing rates."

The maximum 5 year deferment period granted by Deferment By-law No. 5004/88 expired on October 5, 1993.

Your Executive Policy Committee therefore recommends:

I. That the deferments authorized under By-Law 5004/88 cease, and that the appropriate original assessments be reactivated with a requirement for payment to be made in either of the two ways defined hereunder:

	Cash Payment	Term	Annual Levy
Watermain	$ 3,600.00	1993-2002	$ 554.79
Land Drainage Sewer	4,800.00	1993-2012	535.22
Street Pavement	10,393.73	1993-2002	1,601.77
	$18,793.73 (a)		$2,691.78 (b)

(a) Any one or all three of the local improvements may be paid for at the original cash cost up to and including the last day of the month subsequent to that during which the cash cost statement (immediately pursuant to the passing of the reactivating By-Law) is mailed.

(b) (i) First levy(s) payable at par up to and including the last day of the month subsequent to that during which the tax statement (immediately pursuant to the passing of the reactivating By-Law) is mailed.

(ii) The second and all following levies will be scheduled to appear on the City's normal annual tax bills for the prescribed terms with the usual provisions for prepayment by commutation to apply.

II. That the foregoing reactivation be assessed against:

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Lot 28, Plan 888, 38 St. Vital C.T. 870120

III. That the reactivation By-Law No. 6298/94, prepared by the City Solicitor, be adopted by Council.

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

Adopted by consent.

Funding to Winnipeg Airports Authority Inc File GG-2 (Vol. 21)

287 - 5. Your Executive Policy Committee has been advised that the Commissioner of Finance has received a request from the Executive Director of the Winnipeg Airports Authority Inc. to amend the financing agreement between the City of Winnipeg and the Winnipeg Airports Authority Inc. to mirror the Provincial Agreement so the City's financial support continues uninterrupted as intended.

On February 15, 1993, a financing agreement was signed between the City of Winnipeg and Winnipeg Airports Authority Inc. which provides funding to Winnipeg Airports Authority Inc. The loan terms provide for the City to extend funding to December 31, 1993, or as otherwise agreed.

The corresponding financing agreement with the Province was amended at the time of its signing to read "or as otherwise agreed after December 31, 1994". The Law Department advises that it is not necessary to amend the existing City agreement wording to extend the funding period to be consistent with the Provincial agreement. However, Council approval is needed to grant the extension to December 31, 1994.

Your Executive Policy Committee therefore recommends:

I. That an extension of the funding period to December 31, 1994, be approved.

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

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

Carried.

Electronic Access to Information Pilot File GK-3.2 (Vol. 6)

288 - 6. Your Executive Policy Committee has been advised that in 1991, The Board of Commissioners struck an Access to Information Committee to develop and recommend guidelines pertaining to electronic access to information and to respond to requests for access to City databases. One component of the Committee's program involved a pilot project to test out the concept of electronic access in a controlled environment.

On August 6, 1992, The Board of Commissioners approved a pilot project to allow Legal Data Resources Corporation to access public tax data electronically on a clear understanding that this was to be a pilot project and that the Director of Computer Services would report to the Board, within six months, on the usage, the expenditures and the revenues of the project.

On October 29, 1992, the Board authorized that the City contract with Legal Data Resources Corporation, on a sole source basis. The contracts entered into with Legal Data Resources Corporation were to be on a prototype basis for Legal Data Resources Corporation users only for a period of six months with provision for extension and or expansion of the service to other users at the end of the trial period. This was done in order to allow Legal Data Resources Corporation to recoup their investment of acquisition of the necessary computer software for this project. The intent

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was, and same was written into the contracts with Legal Data Resources Corporation, that the City would have the option of expanding the use of the software to other parties if it so desired at some future time.

On April 1, 1993, the Board considered a progress report from the Director of Computer Services on the pilot project with Legal Data Resources Corporation. The Board approved the continuation of the pilot project with Legal Data Resources Corporation and the expansion of the pilot service on a similar basis to other clients such as the Winnipeg Real Estate Board.

Negotiations have taken place between the Winnipeg Real Estate Board and the City to develop a contract that sets out the details of the service and provides protection to both parties. This contract is entitled the Electronic Access to Information Agreement, and has been approved by the administration of the Winnipeg Real Estate Board.

The rates proposed to be charged to the Winnipeg Real Estate Board are the same as those being charged to Legal Data Resources Corporation which recently increased to take into account the costs of providing the service as well as what the market will bear.

The term of the agreement is open-ended with provision for an annual review of the rates charged for the service. In addition, if the technology surrounding the provision of the service changes substantially, the contract will be reviewed and modified accordingly. With the rapid pace of technological change today, it is not possible or practical to negotiate a contract that covers all eventualities.

As a result of the initial project with Legal Data Resources Corporation, experience has shown that providing this service brings in revenue and provides better customer service through extended hours of availability. The actual cost to the City to provide and administer the services is minimal. The Winnipeg Real Estate Board project will use the same administrative procedures that are in place for Legal Data Resources Corporation, so little additional effort on the part of City staff will be required.

Legal Data Resources Corporation's use of the electronic tax roll is expected to climb to approximately 10,000 transactions per month for an estimated revenue of $2,400 per month in 1994. Projected revenue to the City from the proposed Winnipeg Real Estate Board contract in 1994 will be $16,800.00.

All the technical issues associated with providing the service to the Winnipeg Real Estate Board have been resolved. The contract has been approved by the Winnipeg Real Estate Board as well as by the Computer Services Department and the Board of Commissioners. However, because this contract no longer falls within the confines of the sole source provision of the City's Purchasing Policy, execution is being held pending Council approval.

Your Executive Policy Committee therefore recommends:

I. That a contract, in substantially the same form as is outlined in Exhibit "A", be entered into to provide the Winnipeg Real Estate Board with electronic access to public tax records.

II. That the rates charged for this service, outlined in a Schedule to the Electronic Access to Information Agreement, be held at the current level until the end of 1994.

III. That the Administration be authorized to enter into similar contracts with other users.

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

A copy of Exhibit "A", the Electronic Access to Information Agreement, is on file in the office of the City Clerk.

Adopted by consent.

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Additional Appropriation (Winnipeg Jets)
File FE-1 (Vol. 27)

289 - 7. Council, on December 16, 1993, referred back Clause 4 of the Report of your Executive Policy Committee dated December 8, 1993, relative to an additional appropriation of funds for the Winnipeg Jets for the year 1993.

Your Executive Policy Committee is advised that on December 30, 1993, the Winnipeg Enterprises Corporation paid $787,137.00 to the Winnipeg Jets Hockey Club, which amount represented one-half of the net operating loss for the initial quarter ending September 30, 1993, of the Winnipeg Jets' current fiscal year ending June 30, 1994.

For the information of Council, your Executive Policy Committee referred the balance of the additional appropriation in the amount of $787,137.00 representing the second-half of the net operating loss for the second quarter, ending December 31, 1993, of the Jets' current fiscal year ending June 30, 1994, to your Committee on Finance and Administration for attention.

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

The Speaker called Councillor Eadie to the Chair and left the Chamber.

The Speaker returned to the Chamber and resumed the Chair.

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

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

290 - The Speaker acknowledged Mr. R. Brunka, a former Councillor of the City of Winnipeg, in attendance in the gallery.

Council here proceeded to continue to consider the order of business - "Clause 7 of the Report of the Executive Policy Committee dated January 12, 1994".

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

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

Conclusions and Recommendations contained within the Mauro Report entitled "Report on the Preservation of NHL Hockey in Winnipeg"
File F-5 (Vol. 18)

291 - 8. On September 22, 1993, Council ruled automatic referral of a motion outlining the referral of the conclusions and recommendations contained within the Mauro Report entitled "Report on the Preservation of N.H.L. Hockey in Winnipeg" to your Executive Policy Committee.

Council, on November 17, 1993, amended and adopted Clause 12 of the Report of the Executive Policy Committee dated November 10, 1993, granting an extension of 30 days to allow further consideration of this matter.

On December 8, 1993, your Executive Policy Committee resolved the following:

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1. To acknowledge receipt of the Report on the Preservation of N.H.L. Hockey in Winnipeg and the options contained therein;

2. To request the Interim Steering Committee to formally test the viability of Option "C" as expeditiously as possible and prepare a report to Council which includes updated information;

3. That the above information be gathered by the Interim Steering Committee and shared with Executive Policy Committee before December 31, 1993; and

4. That Council be requested to grant a further extension of time of 30 days in order to allow further consideration.

Council, on December 16, 1993, amended and adopted Clause 10 of the Report of the Executive Policy Committee dated December 8, 1993, by deleting the recommendations 3 and 4 set out above, and further adopted the following resolution:

"WHEREAS Her Worship Mayor Thompson recently announced the establishment of an "Implementation Team/Working Committee" in connection with the Mauro Report entitled "Report on the Preservation of N.H.L. Hockey in Winnipeg";

BE IT RESOLVED that the following words be added to the clause:

I. A Liaison Committee be established consisting of two Members of Council (at-large), and one Council Member currently appointed to the Winnipeg Enterprises Corporation.

II. The role of the Liaison Committee shall be to meet appropriately with the Jets' Interim Steering Committee or its "Working Group" in order to advise the Executive Policy Committee and City Council on the process for decision making on the matter of preservation of N.H.L. Hockey in Winnipeg;

III. The at-large Council appointees be Councillor Angus and Councillor Murray.

AND BE IT FURTHER RESOLVED that the information outlined herein gathered by the Interim Steering Committee and the Liaison Committee be shared with the Executive Policy Committee and Council on an on-going basis as the information becomes available."

For the information of Council, your Executive Policy Committee received as information the foregoing resolution.

Adopted by consent.

Revenues Collected for Water and Sewer Reserve Funds

File FE(1994) (Vol. 1)

292 - 9. On December 15, 1993, your Executive Policy Committee considered the 1994 Current Estimates for the Ambulance Services, Equipment and Material Services, Transit, Hydro, Waterworks, Sewage Disposal and Solid Waste Disposal System, from the Chief Commissioner dated December 2, 1993.

Council, on December 23, 1987, in approving the water and sewer rates for 1988, established the principle of both utilities transferring 10% of sales and/or rentals to the tax-supported budget.

Council, on December 18, 1991, in approving the water and sewer rates for 1992, established the principle of setting aside funds for capital expenditures expected to be required in the near future for major rehabilitation works on the aqueduct in the amount of 2 cents per 100 cubic feet per block. In the year 1993, the amount was increased by 3.5 cents.

Council at its reconvened meeting on December 17, 1993, adopted the 1994 Utility Current Budget, with respect to fees, rates and charges for the Ambulance Services, Equipment and Material Services, Transit, Hydro, Waterworks, Sewage Disposal and Solid Waste Disposal Systems.

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Contained in the 1994 Utility Current Budget, under the Sewage Disposal System, is the establishment of a reserve fund for environmental studies of river quality, beginning at 2 cents per 100 cubic feet in 1994.

It is expected that some sort of water treatment program will be required in the future. The program is estimated to cost between $180 million to $280 million. The water rates contained in the 1994 Utility Current Budget include the establishment of a reserve in 1994 for this purpose starting at 6.5 cents per 100 cubic feet and increase annually.

In establishing the above reserves, the assumption was made that the monies collected for these purposes would not form part of the 10% from the utilities to the tax-supported budget.

Your Executive Policy Committee is advised that Council is being requested to determine its Policy regarding the transfer of 10% from the Water Treatment Reserve, Aqueduct Rehabilitation Reserve and River Quality Environmental Studies Reserve.

The following two options are available in this connection:-

Option A

Continue with the assumption that all revenues collected for the reserves will remain in the reserves and not be subjected to the 10% transfer from the utilities to the tax-supported budget.

The following would be the financial implications of allowing a 10% transfer from the reserves:

Water Treatment Reserve	$39,541.805.00
Aqueduct Reserve	$42,930,063.00

This change in policy would cause the utility to debt fund in the amount of the ongoing operation costs including the mill rate budget. The Water Utility is facing substantial increases in rates, i.e. 1994 rates are projected to increase 9.7% to 13%, at the same time as the mill rate has experienced substantially lower increases.

Option B

This option would subject these reserves to a 10% transfer to the tax-supported budget.

For the past few years, Council has been attempting to diversify its sources of revenue to relieve the burden on property taxes. If these reserves were subject to the 10% transfer to the tax-supported budget, it would assist in this respect and provide consistency of approach. In effect, the future savings of the utilities would accrue to the property tax payer today in terms of reduced taxes. This trade-off is most appropriately determined by Council.

Your Executive Policy Committee therefore recommends:

I. That all revenues collected for the reserves will remain in the reserves and not be subjected to the 10% transfer to the tax-supported (current) budget. (Option A)

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

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

Moved by Councillor Thomas,
That the clause be referred to the Committee on Works and Operations.

Carried.

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1994 Transit Fare Increases - Charter Rates
File FE(1994) & TT-2 (Vol. 9)

293 - 10. On December 9, 1993, your Executive Policy Committee received the 1994 Utilities Current Estimates for Transit, and referred the matter of the rate increases only to the Committee on Works and Operations.

On December 10, 1993, the Committee on Works and Operations considered the above item and recommended that the Committee concur with the proposed transit rate increases effective February 1, 1994, subject to there being no significant cuts in transit services in 1994.

On December 17, 1993, Council adopted the recommendation of your Executive Policy Committee relative to proposed Transit Rate increases. The recommendation inadvertently omitted the proposed charter rate increases effective July 2, 1994, and July 2, 1995.

Your Executive Policy Committee therefore recommends that the following Charter Rate increases be adopted, effective July 2, 1994, and July 2, 1995:

Normal charter involving service within the City of Winnipeg		Proposed 1994 Rates	Proposed 1995 Rates
a)	Bus driver's wage rate at 1 1/3 times basic hourly rate including benefits.	$24.87	$25.96
b)	Hourly cost of bus operation including all costs associated with support staff.	$ 9.44	$ 9.73
c)	Cost per mile (km) of bus operation including maintenance, fuel, parts, etc.	$ 1.38 ($ 0.86)	$ 1.43 ($ 0.89)
d)	Overhead	10% of above operating expenses	10% of above operating expenses
e)	Basic hourly rate	$54.00	$56.00
f)	School and senior citizen group rate (Monday to Friday between 9:00 a.m. and 3:15 p.m., except holidays).	20% discount on above rate(s)	20% discount on above rate(s)

Normal charter involving service outside the City of Winnipeg		Proposed 1994 Rates	Proposed 1995 Rates
a)	Bus driver's wage rate at 1 1/2 times basic hourly rate including benefits.	$27.68	$28.90
b)	Hourly cost of bus operation including all costs associated with support staff.	$ 9.44	$ 9.73
c)	Cost per mile (km) of bus operation including maintenance, fuel, parts, etc.	$ 1.38 ($ 0.86)	$ 1.43 ($ 0.89)

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d)	Overhead	10% of above operating expenses	10% of above operating expenses
e)	Minimum charge	$176.00	$183.00

Adopted by consent.

Winnipeg Safe City Committee - Councillor, Civic Administration and Community Membership - Co-Chairperson Requirement
File GF-2.7 (Vol. 6)

294 - 11. Your Executive Policy Committee has been advised by its Winnipeg Safe City Committee that vacancies exist on the Committee in the capacity of Councillor, Civic Administration and Community Members; as well as the Committee requests an amendment to the definition of Co-Chairpersons for the Committee.

On December 6, 1993, the Winnipeg Safe City Committee concurred in the recommendations of its Steering Committee with respect to filling two of the three vacant Community Member positions, with Valerie Regehr and Ron Thorne-Finch, for the balance of the two-year terms expiring July 29, 1995. A recommendation for the filling of the third vacancy will be forthcoming early in 1994.

The resignation of Civic Administration Member Joan Anderton was also accepted, and the Winnipeg Safe City Committee recommended that Ursula Stelman, Director of Public Health Nursing, be appointed for the balance of the one-year term expiring July 29, 1994.

The Winnipeg Safe City Committee also accepted the resignation of Councillor Reese and recommends Councillor Thomas be appointed to fill the Councillor Member vacancy. In order to facilitate its membership goal of being at least 50% women, Committee further recommended the established criteria for composition of the Councillor membership to be one representative from each Standing Committees and Executive Policy Committee be waived in this instance.

The Winnipeg Safe City Committee further requested that the requirement for the Committee to be co-chaired by a politician and a community member be redefined to read, to be co-chaired by any two members of the Committee, as selected by its membership.

Your Executive Policy Committee therefore recommends:

I. That the resignation by Councillor Reese be accepted, and Councillor Thomas be appointed as a Councillor representative to the Winnipeg Safe City Committee; and in doing so, the established requirement for the composition of the Councillor membership from the respective Standing Committee and Executive Policy Committee be waived in this instance.

II. That the resignation of Civic Administration Member Joan Anderton be accepted, and Ursula Stelman, Director of Public Health Nursing be appointed as a Civic Administration Member to the Winnipeg Safe City Committee for the balance of the one-year term expiring July 29, 1994.

III. That Valerie Regehr and Ron Thorne-Finch be appointed as Community Members to the Winnipeg Safe City Committee for the balance of the two-year terms expiring July 29, 1995.

IV. That an amendment to the established composition of the Winnipeg Safe City Committee, whereby the requirement for the Committee to be co-chaired by a politician and a member of the community be redefined to read, to be co-chaired by any two members of the Committee, with at least one being a Member of Council (politician).

Adopted by consent.

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Expenditure of Funds from Land Dedication Reserve - Aberdeen Park and Freight House File EP-2 (Vol. 22)

295 - 12. On December 7, 1993, the Lord Selkirk-West Kildonan Community Committee recommended that funds in the amount of $10,000.00 be expended from its Land Dedication Fund for the following projects:

Aberdeen Park - Fencing of Aberdeen, street end at Red River	$5,400.00
Freight House, 200 Isabel Street - Upgrading/Flooring/Entry/Signage	$4,600.00

Your Executive Policy Committee concurs in the above and recommends that funds be allocated from the Lord Selkirk-West Kildonan Community Land Dedication Funds for projects outlined herein.

Adopted by consent.

Plan Winnipeg Review Committee File EP-1.1 (PW 1/92) (Vol. 8)

296 - 13. Your Executive Policy Committee has been advised that the document, Plan Winnipeg . . . Towards 2010, Section 7G-01 provides for the establishment of a Plan Winnipeg Review Committee.

Section 7G-01 states as follows:

> The City shall establish and maintain a committee of council to implement, monitor, evaluate, and amend its development plan, by establishing such a Review Committee within 90 days of provincial government approval of By-law No. 5915/92.

The Province of Manitoba has approved City of Winnipeg By-law No. 5915/92, enacting the plan entitled "Plan Winnipeg....Toward 2010"

Her Worship Mayor Thompson has appointed the Deputy Mayor to assume responsibility for long term planning and Plan Winnipeg and your Executive Policy Committee is of the view that appointed Chairs of standing committees will assume important roles of leadership within the strategic planning process.

Further, the general duties of the Executive Policy Committee, as described within The City of Winnipeg Act include the following:

Section 30(1)

(a) formulate and present recommendations to council on policies, plans, budgets, by-laws and any other matter that affects the city as a whole;

(b) ensure the implementation of policies adopted by council;

Section 30(2)

(a) coordinate the work of the standing committees.

Your Executive Policy Committee therefore recommends that it be established as the Plan Winnipeg Review Committee as required under By-law No. 5915/92.

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

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

Report of the Executive Policy Committee dated January 12, 1994

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

297 - The Speaker acknowledged in attendance in the gallery, the students of the Grade 4 and 5 French immersion class of Riverview School, accompanied by their teacher, Lynn Lacroix-Pouliot.

Council here proceeded to continue to consider the order of business - "Clause 13 of the Report of the Executive Policy Committee dated January 12, 1994".

Moved by Councillor Murray,
Seconded by Councillor Hyman,

WHEREAS Plan Winnipeg is a commitment to action by not only government but by the larger community;

THEREFORE BE IT RESOLVED that the clause be referred back to Executive Policy Committee to develop a membership and process that is more consistent with the broader intent of Plan Winnipeg.

Councillor O'Shaughnessy raised a point of order concerning the motion, in that the mover had previously spoken prior to moving the referral.

The Speaker ruled the motion to be in order.

Councillor O'Shaughnessy challenged the ruling of the Chair.

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

The motion to refer was put.

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

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

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

and the motion to refer was declared lost.

The motion for the adoption of the clause was put.

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

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

Nay: Councillors Boychuk, Hyman, Murray and Thomas. 4

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

Council here reverted to the order of business - "Clause 1 of the Report of the Executive Policy Committee dated January 12, 1994".

Report of the Executive Policy Committee dated January 12, 1994

Rental of Garden Plots
File PR-2 (Vol. 77)

298 - In amendment,

Moved by Councillor Reese,
Seconded by Councillor Clement,

THAT the clause be amended so that effective January 1, 1994, the garden plots be rented for $15.00 per year;

AND THAT increases in 1995 and beyond be tied to inflation.

The amendment was put.

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

Yea: Councillors Reese, Boychuk, Clement, Duguid, Golden, Hyman, Lazarenko, Murray, Prystanski, Thomas, Her Worship Mayor Thompson and Councillor Angus. 12

Nay: Councillors Eadie, O'Shaughnessy and Fraser. 3

and the amendment was declared carried.

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

Council recessed at 12:02 p.m. and reconvened at 1:34 p.m., same members present.

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

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JANUARY 19, 1994

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee, dated January 19, 1994, was considered clause by clause.

Moved by Her Worship Mayor Thompson,
That the Consent Agenda Items, Clauses 1,2,3,4,5,6,7,8,9,10,11,12 and 13 be adopted.

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

Councillor Hyman requested that Clauses 4 and 7 be pulled from the Consent Agenda.

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

The motion to adopt the Consent Agenda, Clauses 2,3,5,8,9,10,11,12 and 13 was put and declared carried.

Her Worship The Mayor and Councillors:

Residents' Advisory Groups
File GN (Vol. 4)

299 - 1. On March 24, 1993, Council adopted Clause 1 of Report "A" of the Executive Policy Committee, dated March 17, 1993, requesting the Province of Manitoba to proclaim Section 41 of The City of Winnipeg Act.

Bill 61, passed by the Province of Manitoba, amended Section 41 of The City of Winnipeg Act to allow Council to pass a by-law to establish a Residents' Advisory Group for each Community Committee. Revised Section 41 of The City of Winnipeg Act is outlined on Appendix "A", copy of which is on file in the office of the City Clerk.

On August 19, 1993, the Acting Minister of Urban Affairs advised that further to Council's request, dated March 26, 1993, Section 41 of The City of Winnipeg Act would be coming into force on October 1, 1993.

It is, therefore, up to Council to determine whether or not it wishes to have resident's groups and if so should request the Acting City Solicitor to prepare the necessary by-law to implement its decision.

Your Executive Policy Committee recommends that a by-law to establish a Residents' Advisory Group for each Community Committee not be established.

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

In amendment,

Moved by Councillor Reese,
Seconded by Councillor Boychuk,
THAT the recommendation be amended to read that a by-law be prepared to establish a Residents' Advisory Group for each Community Committee.

With the concurrence of the seconder, Councillor Boychuk, and with the permission of Council, Councillor Reese withdrew her motion.

In amendment,

Moved by Councillor Reese,
Seconded by Councillor Boychuk,
THAT the Acting City Solicitor be requested to prepare a by-law establishing a Residents' Advisory Group for each Community Committee.

Report of the Executive Policy Committee dated January 19, 1994

Moved by Councillor Reese,

THAT the clause be referred back to Executive Policy Committee with instructions that a legal interpretation of Section 41 of the City of Winnipeg Act be provided.

Carried.

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

Remand Centre Agreement
File GF-2 (Vol. 41)

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300 - 2. On October 14, 1992, Council adopted Clause 2 of the Report of the Committee on Protection, Parks and Culture dated September 28, 1992. That Clause authorized the City to enter into an agreement with the Province of Manitoba whereby the Provincial Remand Centre would accept prisoner admissions from the City on a 24 hour basis at an annual flat rate of between $300,000.00 and $475,000.00. The actual figure was to be negotiated and submitted for approval annually.

The Remand Centre Agreement, as outlined in Exhibit "A", provides that the Remand Centre will accept prisoners from the City on a 24 hour basis. The term of the agreement is for 10 years (April 1, 1993 to March 31, 2003). The City is to pay a base annual sum of $475,000.00 which is to increase in each fiscal year by the increase in the annual rate of inflation for Winnipeg plus the portion of any increase attributable to the City's 24 hour use of the facility due to statutory requirements (eg. Workplace, Safety and Health orders) and any judicial orders or recommendations implemented by the Province of Manitoba. Either party may terminate the agreement on one fiscal year's notice (ie. April 1 in one year to March 31 in the next year.)

The Police Department has reviewed the agreement and concurs with the recommendation in this Report.

Your Executive Policy Committee recommends:

I. That Council approve the Remand Centre Agreement, as outlined in Exhibit "A", a copy of which is on file in the office of the City Clerk.

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

Adopted by consent.

Award of Contract for Consulting Services
to Develop a Street Network Application
File GL-9 (Vol. 6)

301 - 3. Approval to award a contract to develop a street network application as part of the Land Based Information Systems Phase III is required. The scope of this work is to develop an application to support dynamic segmentation and incident mapping using the City's street network file (Area Master File) running on GDS. This application will initially support the requirements of Street and Transportation Department and the Operations Department. However, the design should allow for other street network data (such as Transit) to be used and added to the application.

A Street Network application involves the representation of information using a single line. Information which pertains, or can be related to street segments can use this simple and effective method to represent spatial information. One of the most obvious applications would be to map information such as street routes (bus, truck, garbage, snow clearing, etc.). Other applications include pavement quality analysis, tree maintenance, traffic volume analysis, pot hole repair and sidewalk maintenance to name a few. These applications in conjunction with other LBIS applications will provide for a simple and effective analysis, maintenance and planning tool.

Report of the Executive Policy Committee dated January 19, 1994

The development of this system was to be awarded to EDS to take advantage of planned EDS development and large customer base who would potentially benefit from the development of the system. However, EDS' bid was $387,250.00.

The proposal was then sent to TecKnowledge to obtain an informal quote on the cost to develop the system. TecKnowledge responded with a quotation of $135,000.00 U.S., which translates into $190,000 Canadian (at the current exchange rate of $1.35). TecKnowledge then changed its name to Geodesy.

Geodesy (formerly TecKnowledge) is a company established by former EDS employees. They have years of experience in designing, developing and supporting GDS software applications. The principle of the firm is familiar with Winnipeg and, while working for EDS, supported some early design and development of the LBIS project. Geodesy has also developed applications for other municipal organizations using GDS such as Wake County, City of Raleigh and the City of Palo Alto. The City requires that the developers of the street network application have extensive experience with the GDS software in order to take advantage of its features. Geodesy has this experience.

Your Executive Policy Committee recommends:

I. That a contract, in an amount not to exceed $185,000.00 (Canadian), for professional consulting services to develop a street network application as part of the Land Based Information Systems Phase III, be awarded to Geodesy.

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

Adopted by consent.

Licensing of Non-Resident Contractors
Files EL-1 (Vol. 27) & FL-1 (Vol. 9)

302 - 4. On April 28, 1993, Council adopted Clause 12 of the Report of the Executive Policy Committee dated April 7, 1993, with respect to the licensing of non-resident contractors.

Recommendation No. 2 of the Clause requested the Committee on Finance and Administration to review the licensing of contractors and provide a process for implementing a license in lieu of business tax for non-resident contractors, for report back to Executive Policy Committee within 90 days.

On July 21, 1993, Council granted your Executive Policy Committee a 90 day extension and on October 20, 1993 a 60 day extension and again on December 15, 1993 a 45 day extension of time in which to report on the matter, as was requested by the Committee on Finance and Administration.

Inasmuch as your Executive Policy Committee has again received a request from the Committee on Finance and Administration for a further extension of time of 90 days within which to report back, it recommends that Council grant a further extension of time of 90 days for consideration of this matter.

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

In amendment,
Moved by Councillor Eadie,
That the extension be 45 days rather than 90 days.

Carried.

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

Report of the Executive Policy Committee dated January 19, 1994

Proposed Plan of Subdivision on land located on the west side of Laxdal Road and the east side of Overwater Cove, south of Eldridge Avenue, Assiniboia Community
File DASSF 567/93 (DAV 867/93C)

303 - 5. The Assiniboia Community Committee on December 13, 1993 recommended that pursuant to Section 619(1) of the City of Winnipeg Act that the short-form plan of a subdivision on land located on the west side of Laxdal Road and the east side of Overwater Cove, south of Eldridge Avenue be approved in accordance with Schedule "A" dated December 2, 1993 and subject to the conditions outlined in the Assistant Subdivision Administrative report dated December 2, 1993, after amending condition III to read as follows:

III. That the Owners shall pay cash in lieu of 10% dedication for the establishment of proposed Lots 2 and 3 as shown on Schedule "A" to DASSF 567/93, and that the cash in lieu of dedication be dedicated to the Marge Edey Recreation Site.

On January 5, 1994, the Committee on Planning and Community Services concurred in the recommendations and recommended approval of an amount equal to the dedication of this application to be committed to the Marge Edey Recreation Site as part of the Community Committee's 75% allocation.

Your Executive Policy Committee, therefore recommends:

I. That approval of an amount equal to the dedication of this application to be committed to the Marge Edey Recreation Site as part of the Community Committee's 75% allocation.

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

Copy of Schedule "A" is on file in the office of the City Clerk.

Adopted by consent.

Full Disclosure of Board of Commissioners' Meetings to Councillors
File GE (Vol. 6)

304 - 6. On June 23, 1993, Council ruled automatic referral of the following motion to your Committee, under Rule 16.1 of the Procedure By-law No. 5400/90:

Moved by Councillor Prystanski,
Seconded by Councillor Silva,

WHEREAS City Councillors are elected to represent the citizens of Winnipeg in the most knowledgeable and effective manner possible;

AND WHEREAS City Council is committed to the concept of open and accessible government;

AND WHEREAS access to meetings and information concerning the affairs of the City of Winnipeg is integral to a Councillor's capability to efficiently perform their responsibilities;

AND WHEREAS only Executive Policy Committee members are presently allowed access to The Board of Commissioners meetings;

BE IT RESOLVED THAT every City Councillor receive the following:

1. Copies of The Board of Commissioners agendas together with attachments.

2. Permission to attend regular Board of Commissioners meetings.

Report of the Executive Policy Committee dated January 19, 1994

3. Copies of minutes of all regular Board of Commissioners meetings.

4. Issues relating to personnel and disciplinary matters be excluded.

THEREFORE BE IT FURTHER RESOLVED that this inequality be rectified at City Council's meeting of June 23, 1993, and that the aforementioned permission and documents be granted and made available for every Board of Commissioners meeting thereafter.

On July 14, 1993 your Committee referred the matter to the Ad Hoc Committee on Review of the Administration and Management Structure of the City of Winnipeg.

On November 10, 1993, during deliberation of the above matter, your Committee submitted the following recommendations for consideration:

I. That the Council motion of June 23, 1993 as referenced above be filed.

II. That the practice of the Mayor and Councillors being in attendance at regular meetings of the Board of Commissioners be discontinued.

III. That effective immediately, each Standing Committee Chairperson, in conjunction with the relevant Commissioner set aside the first hour or portion thereof of each regular standing committee meeting to enable the Administration to brief the Committee on emerging issues, and to enable the Committee to have direct input into the formation of policy guidelines and initiatives.

IV. That Her Worship the Mayor continue to be responsible for organizing Council seminars on a regular basis.

V. That the Board of Commissioners host "round table" up-date meetings for all Members of Council, at least once a month.

VI. That the above recommendations be conducted on a trial basis until June 30, 1994, following which the Executive Policy Committee evaluate this process and provide direction to Council, at its first regular meeting in September, 1994 as to whether the process should be continued and in what manner.

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

On November 17, 1993, Council referred Clause 11 of the Report of the Executive Policy Committee dated November 10, 1993 back with instructions as follows:

"Council on November 17, 1993 adopted the following resolution:

THAT Clause 11 of the Report of the Executive Policy Committee be referred back for further consideration with a view to authorizing that all Members of Council be provided with copies of the Board of Commissioners agendas (and attachments on specific topics provided upon request only), and copies of minutes of all regular Board of Commissioners meetings; and be permitted to attend in delegation at said meetings."

Council also referred the following amendment to the Executive Policy Committee:

Moved by Councillor Clement,
Seconded by Councillor Boychuk,

THAT Clause 11, Section III be amended to read as follows:

THAT each Standing Committee Chairperson, in conjunction with the relevant Commissioner consider setting aside a specified portion of the regular standing committee meeting to enable the Administration to brief the Committee on emerging issues, and to enable the Committee to have direct input into the formation of policy guidelines and initiatives."

Your Executive Policy Committee requests that Council grant a further extension of time of 30 days to allow for further consideration of this matter.

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

Report of the Executive Policy Committee dated January 19, 1994

In amendment,

Moved by Councillor Prystanski,
Seconded by Councillor Reese,

WHEREAS on June 23, 1993, a motion proposing access to the Board of Commissioners for Councillors was referred to the July 14 meeting of the Executive Policy Committee;

AND WHEREAS on July 14, 1993, the Executive Policy Committee referred the matter to the Ad Hoc Committee on Review of the Administration and Management Structure;

AND WHEREAS on November 10, 1993, Executive Policy Committee made a recommendation to Council;

AND WHEREAS on November 17, 1993, Council referred back to the Executive Policy Committee the clause with instructions for minor adjustments;

AND WHEREAS there is no recommendation at the December 17 meeting of City Council, and the Executive Policy Committee has asked for a further extension at the meeting of January 26, 1994;

THEREFORE BE IT RESOLVED that Council NOT grant a further extension on this issue as requested by the Executive Policy Committee and approve the following motion:-

(1st Resolve)
"THAT the Council motion of June 23, 1993 be filed;

(2nd Resolve)
AND THAT the practice of the Mayor and Councillors being in attendance at regular meetings of the Board of Commissioners be adjusted as follows:

1) all Members of Council be provided with copies of the Board of Commissioners agendas (and attachments on specific topics provided upon request only), and;
2) copies of minutes of all regular Board of Commissioners meetings;
3) Councillors be permitted to attend, and if necessary, appear in delegation at meetings of the Board of Commissioners;

(3rd Resolve)
AND FURTHER THAT effective immediately, each Standing Committee Chairperson, in conjunction with the relevant Commissioner set aside the first hour or portion thereof of each regular Standing Committee meeting to enable the Administration to brief the Committee on emerging issues and to enable the Committee to have direct input into the formation of policy guidelines and initiatives;

(4th Resolve)
AND FURTHER THAT Her Worship the Mayor continue to be responsible for organizing Council seminars on a regular basis;

(5th Resolve)
AND FURTHER THAT the Board of Commissioners host "round table" up-date meetings for all Members of Council, at least once a month, with agendas being available a week in advance;

(6th Resolve)
AND FURTHER THAT the above recommendations be conducted on a trial basis until September, 1994, during which the Executive Policy Committee evaluate this process and provide direction to Council, at its first regular meeting in September, 1994, as to whether the process should be continued and in what manner.

(7th Resolve)
AND FURTHER THAT the Proper Officers of the City do all things necessary to implement the foregoing."

With the concurrence of the seconder, Councillor Reese, and with the permission of Council, Councillor Prystanski amended his motion by deleting the third resolve and substituting the following:

Report of the Executive Policy Committee dated January 19, 1994

AND THAT each Standing Committee Chairperson, in conjunction with the relevant Commissioner, consider setting aside a specified portion of the regular Standing Committee meeting to enable the Administration to brief the Committee on emerging issues, and to enable the Committee to have direct input into the formation of policy guidelines and initiatives.

The Speaker advised that the resolves would be voted upon separately.

The first resolve was put and declared carried.

Councillor Golden asked to be recorded as having voted against Resolve No. 1, in accordance with Rule 50.7 of the Procedure By-law.

Item 1 of the second resolve was put and declared carried.

Councillors Golden, Lazarenko and O'Shaughnessy asked to be recorded as having voted against Item 1 of the second resolve, in accordance with Rule 50.7 of the Procedure By-law.

Item 2 of the second resolve was put and declared carried.

Councillors Lazarenko and O'Shaughnessy asked to be recorded as having voted against Item 2 of the second resolve, in accordance with Rule 50.7 of the Procedure By-law.

Item 3 of the second resolve was put.

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

Yea: Councillors Reese, Boychuk, Golden, Prystanski and Angus. 5

Nay: Councillors Clement, Duguid, Eadie, Hyman, Lazarenko, Murray, O'Shaughnessy, Silva, Thomas, Fraser and Her Worship Mayor Thompson. 11

and Item 3 of the second resolve was declared lost.

The third resolve, as amended, was put and declared carried.

The fourth, fifth, sixth and seventh resolves were put and declared carried.

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

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

305 - 7. Section 35(1) of the Municipal Assessment Act provides that Council shall in each year by resolution, appoint a Board of Revision to revise the assessment rolls and the Board shall consist of such number of members, not fewer than three, as the Council shall decide. Council on December 17, 1993 resolved that the number of members to the Board of Revision be reduced from 27 to 21 members.

Your Selection Committee has considered a number of applications for the appointment to the Board of Revision and recommends that the following persons be appointed as citizen members to the Board of Revision for the year 1994, namely:

Bradet-Tapper, Michelle	Lamoureaux, Omer	Parkhill, Nancy
Butterworth, Tom	Lowry, Douglas	Poapst, Allan
Cardoso, John	Lyons, Kevin	Robb, James
Daudet, Henry	McGarva, Gordon	Scott-Herridge, Dennis
Frain, Jane	Muirhead, Donald	Strong, Gordon
Gibbons, Randy	Newton, Bud	Walter, Michael
Greenaway, Bill	Oliver, George	Wolfe, Bernie

Report of the Executive Policy Committee dated January 19, 1994

Your Selection Committee also recommends that Dennis Scott-Herridge be appointed as Presiding Officer of the said Board for the year 1994, as set out in section 35(2) of the Municipal Assessment Act.

Your Executive Policy Committee has ratified the recommendations of the Selection Committee and submits these appointments to Council for adoption.

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

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

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

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

Appointment of Citizen Members to the Board of Adjustment - 1994
Files GK-12 (Vol. 4) & GC-7 (Vol. 23)

306 - 8. Section 650(1) of The City of Winnipeg Act provides that Council shall in each year, appoint a Board of Adjustment to consider applications for variances and conditional uses and the Board shall consist of such number of members, as the Council shall decide. By-law No. 5894/92 and amendments thereto limits the number of members to no more than 6 members.

The Selection Committee of your Executive Policy Committee reviewed applications for citizen members to the Board of Adjustment.

Your Executive Policy Committee had recommended that Roland Boisvert be appointed to the Board of Adjustment for the balance of the two-year term, expiring December 31, 1994, to fill the vacancy which was left by the resignation of Sharon Markesteyn.

On December 31, 1993, Roland Boisvert notified the Clerk of the Executive Policy Committee by way of letter that he was withdrawing his application, thus resulting in a vacancy for the balance of the two-year term, expiring December 31, 1994. For the information of Council, a further recommendation on this appointment will be forthcoming early in 1994.

Your Executive Policy Committee recommends that William David Evans and Fred Zeggil be re-appointed to the Board of Adjustment for another three-year term, expiring December 31, 1996.

Adopted by consent.

Appointment of Citizen Members to the Boulevard Provencher Advisory Committee
File DAZ (GEN) & GC-7 (Vol. 23)

307 - 9. The Selection Committee of your Executive Policy Committee reviewed applications for the appointment of citizen members to the Boulevard Provencher Advisory Committee for the two-year term expiring January 1996.

By-law No. 3993/85, establishes the composition of the Boulevard Provencher Advisory Committee as seven citizen members chosen from the following professions or geographical area: 1 architect, 1 planner, 1 historian, 1 landscape architect and three members within the area.

Your Executive Policy Committee therefore recommends that Guy Prefontaine be re-appointed to the Boulevard Provencher Advisory Committee as the designated Architect for another two-year term expiring January 1996.

Report of the Executive Policy Committee dated January 19, 1994

For the information of Council, further recommendations on the appointment of the remaining six citizen members will be forthcoming early in 1994.

Adopted by consent.

Appointment of a Citizen Member to the Concordia Hospital Board
Files FH (Vol. 1) & GC-7 (Vol. 23)

308 - 10. The Selection Committee of your Executive Policy Committee referred applications received by the City Clerk for the appointment of a Citizen Member on the Concordia Hospital Board to the East Kildonan-Transcona Community Committee for their nomination.

On November 9, 1993, the East Kildonan-Transcona Community Committee nominated Anne Jorowski, as its Community Representative on the Concordia Hospital Board of Directors for a one year term to expire January 1995.

Your Executive Policy Committee concurs with the nomination of the East Kildonan-Transcona Community Committee and therefore recommends that Anne Jorowski be re-appointed as the Citizen Member to the Concordia Hospital Board, for a one year term to expire January 1995.

Adopted by consent.

Appointment of Citizen Members to the Winnipeg Arts Advisory Council
File FG-3 (Vol. 29) & GC-7 (Vol. 23)

309 - 11. The Selection Committee of your Executive Policy Committee reviewed applications received by the City Clerk for the appointment of citizen members to the Winnipeg Arts Advisory Council for the two year term expiring October 31, 1995.

Council on November 7, 1984, established the WAAC, including the composition of its citizen membership to be four citizen members appointed by Council for a two year term.

Your Executive Policy Committee therefore recommends that K. Gail Isaak and Darlene Mulligan be appointed to the Winnipeg Arts Advisory Council for a two-year term expiring October 31, 1995.

Adopted by consent.

Report of the Executive Policy Committee dated January 19, 1994

Appointment of Citizen Members to the Winnipeg Public Library Board
File L-11 (Vol. 10) & GC-7 (Vol. 23)

310 - 12. By-law No. 4334/86, and amendments thereto, establishes the composition of the citizen membership of the Winnipeg Public Library Board to represent each Community for two year terms, with no citizen member of the Board serving more than three consecutive terms.

On October 20, 1993, the Assiniboia Community Committee accepted the resignation of Todd Pennell, whose term expired January 1, 1994, and recommended the appointment of David Bowles to the Winnipeg Public Library Board for the two-year term expiring January 1996.

On November 10, 1993, the Riel Community Committee recommended the appointment of Barbara Tascona for appointment to the Winnipeg Public Library Board for the two-year term expiring January 1996.

The Selection Committee of your Executive Policy Committee referred applications received by the City Clerk for the appointment of citizen members to the Winnipeg Public Library Board, to the City Centre, East Kildonan - Transcona and Lord Selkirk -West Kildonan Community Committees for their respective nominations and report back to the Executive Policy Committee for ratification.

Your Executive Policy Committee concurs with the nominations of the Assiniboia and Riel Community Committees and therefore recommends that David Bowles and Barbara Tascona, respectively, be appointed to the Winnipeg Public Library Board for the two-year term expiring January 1996.

For the information of Council, further recommendations on the appointment of the remaining three citizen members for the City Centre, East Kildonan - Transcona and Lord Selkirk - West Kildonan Community Committees will be forthcoming early in 1994.

Adopted by consent.

Appointment of Citizen Members to the Winnipeg Convention Centre
File G-1 (Vol. 7) & GC-7 (Vol. 23)

311 - 13. The Selection Committee of your Executive Policy Committee reviewed applications received by the City Clerk for the appointment of citizen members to the Winnipeg Convention Centre for the three-year term expiring November 1996.

The Convention Centre Corporation Act, Chapter 83/72, Bill 114, establishes the composition of the Convention Centre Corporation.

Your Executive Policy Committee therefore recommends that Roger B. King be re-appointed to the Winnipeg Convention Centre Corporation for the three-year term expiring November 1996.

Adopted by consent.

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

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JANUARY 20, 1994

On motion of Her Worship Mayor Thompson, the rule was suspended and the Report of the Executive Policy Committee, dated January 20, 1994, was considered.

Her Worship The Mayor and Councillors:

Phasing-In Provisions to Assist in Moderating the Impact of the 1994 Reassessment File AA-3 (Vol. 5)

312 - 1. On July 27, 1993 the Province of Manitoba amended Section 68 of The Municipal Assessment Act as follows:

> "Phase-in of tax increase or decrease
> 68 Notwithstanding any provision to the contrary in this or any other Act, where a council determines that a general assessment done under section 9 results in an increase or decrease in taxation, whether in relation to separately assessed property or a class of property, that is unreasonable in the circumstances, the council may, by by-law, on such terms and conditions as the council sets out in the by-law, limit the amount of the increase or decrease for any one or more years beginning with the year of the general assessment and ending with the year preceding the next general assessment".

In 1987 and 1990 the tax impact of the general reassessment was moderated by two basic methods: (i) preventing the tax shift between Classes using differential mill rates or portioning and (ii) phase-in programs to moderate the change to individual owner-occupied single-family dwelling units.

Differential Mill Rates/Portioning:

In 1987 and again in 1990, because the market factors over the period of time affected different classes of property in varying degrees, the shift in relationship of property values from class to class was significant. In order to prevent corresponding shifts in taxes between classes in 1987 the Provincial Government enacted legislation which enabled the City of Winnipeg to establish differential mill rates. In 1990 the Provincial Government enacted legislation which required the calculation of taxes based on portioned assessments which had the same effect as differential mill rates (i.e. preventing a shift of taxes between Classes), but on a Province-wide basis.

In addition to preventing the shift in taxes between classes, the Provincial Government enacted legislation to enable Council to limit the amount of increase on an individual property.

In 1990 the phase-in program was applicable to the municipal tax portion (i.e. excluding school taxes) of owner-occupied single-family dwelling units in Residential 1 (residences with fewer than 5 dwelling units) and Residential 3 (owner-occupied condominiums). The program phased-in 75% of reassessment related tax increases over 10% in the first year, 50% in the second year and 25% in the third year. In 1990, 12,094 properties were phased-in at a cost of $686,000 in the first year.

In 1987 the phase-in program was basically the same, however, all condominiums were excluded from the program.

In 1994, as in 1987 and 1990, due to market factors affecting different Classes of property from 1985 to 1991, there is a shift in taxes by Class. Figure 1 demonstrates this shift for the Residential Classes.

Figure 2 demonstrates the distribution of increase and decreases in 1990 compared to 1994 before application of a phase-in program in either year.

The tax impact of the 1994 reassessment, as demonstrated above, is more severe due in large part to the absence of portion changes to eliminate the shift in taxes by class.

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Differences between the 1994 and 1990 reassessment as related to tax impact:

1. There is no differential mill rates or "change" in the portioning to prevent the shift in taxes between Classes. The impact of the tax shift between Classes may, at times, be more severe at the school division level because the effect is localized. The shift is dependant on market values affecting different classes of property in varying degrees and will be different in each school division, depending on the mix of properties. In general, those school divisions with fewer commercial properties or apartments, in proportion to single family homes, will experience less of a shift.

2. The change in the value of assessments province-wide is shifting more of the education support levy onto the City of Winnipeg ratepayers (in 1990 the reverse occurred). The assessment for the Province (including the City of Winnipeg) has risen from $17.13 billion to $19.87 billion (16%). The assessment for the City of Winnipeg alone has risen from $9.99 billion to $11.89 billion (19%). Based on preliminary information, this could increase the "Residential" education support levy by approximately $.6 million and the "Other" education support levy by approximately $2.0 million.

3. The change in the value of assessments for individual school divisions with boundaries not totally within the City may cause a shift in the special school levy from properties outside the City to properties inside.

4. The change in the value of assessments for individual school divisions may have an effect on the grant they receive from the Provincial Government which in turn will affect the amount that they must raise through the special school levy.

5. Phase-in legislation allows both increases and decreases.

6. The phase-in program in 1990 was judged not to be meaningful nor easily understandable.

7. Being able to phase-in decreases to offset the cost of the phase-in of increases enables consideration of a more meaningful phase-in program without having a significant impact on the general levy.

The design criteria of the phase-in program in 1994 is as follows:

1. Moderate the impact of the shift of taxes between classes.
2. Moderate the impact of the change in taxes on individual properties where they are owner-occupied and single-family dwellings.
3. Make the phase-in program more meaningful.
4. Make the phase-in program understandable and simple as possible.
5. Make the phase-in program fair and equitable.
6. Minimize the impact on the general levies by offsetting the cost of phase-in of increases with the phase-in of the decreases.

The recommended phase-in plan and the alternatives which were considered to moderate the tax impact due to the reassessment are described as follows:

The recommended plan provides buffering in the first year and second year for single-family owner-occupied properties. The major cost of the program is offset by phasing-in the benefit (i.e. phasing-in decreases) of reassessment to the Residential 2 Class which properties are mainly apartment blocks. This program achieves most of the design objectives as stated above. By having a two year phase-in program the impact of the tax change due to reassessment is spread over three years and has the final year (1996) reflect the true taxes assessable before the next reassessment occurs (1997).

Your Executive Policy Committee had before it for consideration two options, namely:

Option 1

1. That City Council, by by-law, limit the amount of increase in taxation due to the general reassessment in 1994 in the residential classes on the condition that the property is an owner-occupied single-family dwelling unit (i.e. eligible for Manitoba Resident Homeowner Tax Assistance) by providing a phase-in credit of 66.6% of the increase in 1994, and 33.3% of the increase in 1995 for both municipal and school levies (education support and special school levies).

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This would result in eligible properties having increased taxes due to reassessment paying 33.3% of the increase in 1994, 66.6% in 1995 and 100% in 1996. The cost of the phase-in credits is estimated to be $6.8 million in 1994 and $3.4 million in 1995. The program will affect 80,000 properties in Residential 1 (less than 5 dwelling units) at an estimated cost of $6.5 million, and 3,500 properties in Residential 3 (owner-occupied condominiums and cooperative housing) at an estimated cost of $.3 million. The Residential 2 Class (5 or more dwelling units) have no phase-in credits as there are no owner-occupied single-family dwelling units.

2. That City Council, by by-law, limit the amount of decrease in taxation due to the general reassessment in 1994 in the Residential 2 Class (5 or more dwelling units) by having a phase-in debit of 66.6% of the decrease in 1994, 33.3% of the decrease in 1995 for both municipal and school levies (education support and special school levies).

   This would result in properties in this Class having decreased taxes due to reassessment experiencing 33.3% of the benefit in 1994, 66.6% in 1995 and 100% in 1996. The revenue from the phase-in debits is estimated to be $6.8 million in 1994 and $3.4 million in 1995, and will affect 3,400 properties.

3. That the individual difference in the cost and the revenue of the phase-in programs for each of the fifteen levies (i.e. municipal levy, two education support levies and the twelve special school division levies) be accounted for by adjusting the respective levy requirements in each year.

4. That phase-in credits be conditional upon the building being assessed for levies as a finished building in 1993.

5. That a phase-in credit be conditional upon the dwelling unit being the present owner's principal residence on or before January 1st, 1994.

6. All other tax increases in all the classes take effect in 1994.

7. All other tax decreases in all the classes take effect in 1994.

8. That phase-in credits or debits not include any 1994 budget or 1994 portioning changes (i.e. the individual amounts of phasing-in tax adjustments be determined by using the mill rate calculated using 1993 tax requirements, 1994 assessments (less net growth), 1994 portioning and the mill rate calculated using 1993 tax requirements, 1993 assessments with 1994 portioning).

Figure 3 demonstrates how the recommended phase-in modifies the tax shift between the Residential Classes in the first year.

Figure 4 demonstrates the tax impact of the recommended phase-in for the Residential 1 Class before and after phase-in.

Alternatives to the phase-in formula are illustrated in Figure 5 using an example of a 15% increase.
The recommended approach has the effect of retaining the historical balance of tax burden between Classes, in the reassessment year, and at the same time phasing-in increases which cost is approximately offset by the phase-in of decreases.

Other alternatives were considered, such as phasing in decreases for Residential 1, Residential 3, and/or the "Other" class but would not achieve the same balance as the recommended approach in either the shift in tax impact between classes nor offsetting the cost of increases with decreases.

Another option that was considered instead of providing a phase-in program was to allow all property owners to pay the increase in taxes attributable to reassessment at par to December 31, 1994. This option was not recommended as the current legislation does not enable the City to implement it.

The recommended phase-in program has been targeted to single-family, owner-occupied properties, even though there will be reassessment related changes in taxes payable on all types of property.

The rationale for adopting this approach is that, in many cases, the owners of non single-family residential properties have flexibility that comes from their ability to pass taxes on to customers and/or tenants and thus distribute the burden. Generally, the owners of these types of property are able to use property tax expenses as a tax deduction

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further reducing the impact. Furthermore, the percentage of operating costs property taxes typically represent, is smaller for these other properties than it is for single-family, owner-occupied ones and should therefore be more easily absorbed.

Option 2

1. That City Council, by by-law, limit the amount of increase in taxation due to the general reassessment in 1994 in all classes (i.e. no conditions such as owner-occupied, single-family) by providing a phase-in credit of 66.6% of the increase in 1994, and 33.3% of the increase in 1995 for both municipal and school levies (education support and special school levies).

   This would result in properties having increased taxes due to reassessment paying 33.3% of the increase in 1994, 66.6% in 1995 and 100% in 1996. The cost of the phase-in credits is estimated to be $23.7 million in 1994 and $11.8 million in 1995. The program will affect 105,000 properties.

2. That City Council, by by-law, limit the amount of decrease in taxation due to the general reassessment in 1994 in all classes having a phase-in debit of 66.6% of the decrease in 1994, and 33.3% of the decrease in 1995 for both municipal and school levies (education support and special school levies).

   This would result in properties having decreased taxes due to reassessment experiencing 33.3% of the benefit in 1994, 66.6% in 1995 and 100% in 1996. The revenue from the phase-in debits is estimated to be $23.7 million in 1994 and $11.8 million in 1995, and will affect 80,000 properties.

3. That the individual difference in the cost and the revenue of the phase-in programs for each of the fifteen levies (i.e. municipal levy, two education support levies and the twelve special school division levies) be accounted for by adjusting the respective levy requirements in each year.

4. That phase-in credits or debits not include any 1994 budget or 1994 portioning changes (i.e. the individual amounts of phasing-in tax adjustments be determined by using the mill rate calculated using 1993 tax requirements, 1994 assessments (less net growth), 1994 portioning and the mill rate calculated using 1993 tax requirements, 1993 assessments with 1994 portioning).

After consideration of these options, your Executive Policy Committee recommends that Option 2 be adopted, as follows:

I. That City Council, by by-law, limit the amount of increase in taxation due to the general reassessment in 1994 in all classes (i.e. no conditions such as owner-occupied, single-family) by providing a phase-in credit of 66.6% of the increase in 1994, and 33.3% of the increase in 1995 for both municipal and school levies (education support and special school levies).

   This would result in properties having increased taxes due to reassessment paying 33.3% of the increase in 1994, 66.6% in 1995 and 100% in 1996. The cost of the phase-in credits is estimated to be $23.7 million in 1994 and $11.8 million in 1995. The program will affect 105,000 properties.

II. That City Council, by by-law, limit the amount of decrease in taxation due to the general reassessment in 1994 in all classes having a phase-in debit of 66.6% of the decrease in 1994, and 33.3% of the decrease in 1995 for both municipal and school levies (education support and special school levies).

   This would result in properties having decreased taxes due to reassessment experiencing 33.3% of the benefit in 1994, 66.6% in 1995 and 100% in 1996. The revenue from the phase-in debits is estimated to be $23.7 million in 1994 and $11.8 million in 1995, and will affect 80,000 properties.

III. That the individual difference in the cost and the revenue of the phase-in programs for each of the fifteen levies (i.e. municipal levy, two education support levies and the twelve special school division levies) be accounted for by adjusting the respective levy requirements in each year.

IV. That phase-in credits or debits not include any 1994 budget or 1994 portioning changes (i.e. the individual amounts of phasing-in tax adjustments be determined by using the mill rate calculated using 1993 tax requirements, 1994 assessments (less net growth), 1994 portioning and the mill rate calculated using 1993 tax requirements, 1993 assessments with 1994 portioning).

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

For Council's information, it should be noted that all the analyses are not final or complete. The Provincial information, with regard to the school mill rates, was based on a preliminary assessment roll. The Assessment Department is still processing changes to the assessment roll and, in addition, some of the comparisons on properties with changes, other than reassessment, have yet to be included.

Copies of Figures 1 to 5 are on file in the office of the City Clerk.

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

The Speaker called Councillor Boychuk to the Chair and left the Chamber.

The Speaker returned to the Chamber and resumed the Chair.

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

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

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

313 - The Acting Speaker, Councillor Eadie, acknowledged Brandon's Mayor, Rick Borotsik, in attendance in the gallery.

Council here proceeded to continue to consider the order of business - "Clause 1 of the Report of the Executive Policy Committee dated January 20, 1994".

The motion for the adoption of the clause was put.

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

Yea: Councillors Duguid, Eadie, Hyman, Lazarenko, Murray, O'Shaughnessy, Prystanski, Silva, Thomas, Fraser and Her Worship Mayor Thompson. 11

Nay: Councillors Reese, Boychuk, Clement, Golden and Angus. 5

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

EXECUTIVE POLICY COMMITTEE

MOTION OF WHICH NOTICE HAS BEEN GIVEN

Moved by Councillor Eadie,
Seconded by Councillor Clement,

314 - WHEREAS the Employment Standards Act and other related statutes allow employees in certain retail businesses the right to refuse work on Sundays without penalty from their employers;

AND WHEREAS it was suggested during public hearings on Sunday Shopping held in Winnipeg that some employers may be forcing their employees to work on Sundays by ways and means that are not openly in defiance of the Law, but which leave the impression that by not working on Sundays, the employees will be out of a job;

AND WHEREAS it was also learned that some retail businesses in large shopping malls are prevented from closing on Sundays because of lease arrangements, even though, in some cases, being open on Sundays is too costly for them, and they are not provided any legislative protection;

AND WHEREAS the Government of Manitoba has a moral and legal obligation to thoroughly examine the legislation and to make certain that retail employees are properly protected against being forced to work on Sunday against their will, and to also protect those retailers in large shopping malls from economic hardship due to their being forced to be open on Sundays;

THEREFORE BE IT RESOLVED THAT the Council of the City of Winnipeg, through the Manitoba Association of Urban Municipalities, request the Government of Manitoba to conduct an immediate and thorough review of the Employment Standards Act and other related statutes to make certain that the legislation is written in such a way that guarantees employees cannot be threatened with job loss due to exercising their right to refuse work on Sundays;

AND BE IT FURTHER RESOLVED THAT the Government of Manitoba enact legislation that will allow retail businesses in shopping malls the right not to be open for business on Sundays if they so choose, without being penalized because of standard lease agreements.

Carried.

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by Councillor Prystanski,
Seconded by Councillor Lazarenko,

315 - WHEREAS Council on November 17, 1993, adopted By-law No. 6220/93, a By-law of The City of Winnipeg to designate a Business Improvement Zone to be known as the "North-Main Business Improvement Zone" and establish a Management Board for the Zone;

AND WHEREAS Section 6(1)(b) of the By-law provides that the membership shall consist of seven (7) members who each shall be from a business which is located in the Zone, and who shall be appointed in accordance with the process provided in Sections 8 to 11 inclusive of By-law No. 6220/93;

AND WHEREAS nominations for Zone Board members were received in the Office of the City Clerk from nine (9) persons from amongst the businesses in the Zone;

AND WHEREAS Section 10 of the By-law provides for a selection process if the number of persons nominated is greater than seven (7);

AND WHEREAS the initial term of office of the seven Zone Board members shall be as follows:-

1. Four (4) Zone Board members shall hold office from the date of appointment to the first meeting of Council in January, 1996;

Executive Policy Committee - Motions (continued)

2. Three (3) Zone Board members shall hold office from the date of appointment to the first meeting of Council in January, 1995;

AND WHEREAS the said by-law provides that the City Clerk's certification as to the tabulation of ballots and the placement of the nominees in their respective category shall be final and not subject to appeal;

AND WHEREAS the results of the election are not conclusive in that a tie vote exists for the fourth zone board member to hold office for a term to expire January, 1996;

NOW THEREFORE BE IT RESOLVED that the matter of the election of zone board members be referred to the Executive Policy Committee to recommend the fourth zone board member who shall hold office for a term to expire January, 1996;

NOW THEREFORE BE IT FURTHER RESOLVED that the matter of appointment of a Member of Council to the Management Board of the North-Main Business Improvement Zone be referred to the Executive Policy Committee for recommendation. File FL-7.10.

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

Moved by Councillor Hyman,
Seconded by Councillor Thomas,

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

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

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

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

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

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

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

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

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

Executive Policy Committee - Motions (continued)

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

317 - WHEREAS Canada has been chosen to host the headquarters for the North American Commission on the Environment (NACE) which is being established under the North American Free Trade Agreement;

AND WHEREAS the NACE office will be an extremely important focal point for international cooperation in environmental protection and the advancement of the principles of sustainable development;

AND WHEREAS Winnipeg and Manitoba are international leaders in these fields and have become North America's sustainable development "centre of excellence";

AND WHEREAS Manitoba led Canadian provinces in working for an environmental side agreement under the NAFTA;

AND WHEREAS key existing institutions in Winnipeg, such as the International Institute for Sustainable Development and the Office of the Secretariat of the Canadian Council of Ministers on the Environment, along with several other major, world-class agencies, would complement and facilitate the work of the North American Commission on the Environment;

AND WHEREAS Winnipeg and Manitoba have excellent transportation and communications access to the United States and Mexico;

AND WHEREAS Winnipeg's and Manitoba's amenities are second to none in Canada;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Winnipeg urge the Government of Canada to give favourable consideration to Winnipeg as the best possible location for the headquarters of the North American Commission on the Environment.

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

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

Carried.

The motion was put and declared carried.

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

Moved by Councillor Silva,
Seconded by Councillor Fraser,

318 - BE IT RESOLVED that Winnipeg Harvest be allowed to utilize all available garden plots rented out by the City of Winnipeg and Winnipeg Hydro at no cost.

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

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

Carried.

Executive Policy Committee - Motions (continued)

In amendment,

Moved by Councillor Clement,
Seconded by Councillor Reese,
THAT the motion be amended by inserting the words "that are not" between the words "plots and rented".

The amendment was put and declared carried.

The motion, as amended, was put and declared carried.

Moved by Councillor Hyman,
Seconded by Councillor Thomas,
319 - WHEREAS the week of February 14 is recognized by many jurisdictions as a time of observance and mourning for the nearly half million people who wore pink triangles to their deaths in Nazi concentration camps;

AND WHEREAS this week is observed as a time of sober reflection on the causes of increasing homophobic violence and the many people whose lives are disrupted or ended by it;

BE IT RESOLVED that Council observe a moment of silence at the next Council meeting, to be held on February 23, 1994.

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

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

320 - On motion of Her Worship Mayor Thompson, By-law No. 6286/93, being an initial borrowing by-law of The City of Winnipeg to authorize the borrowing of money by the issue and sale of debentures of the City in the principal amount of Twelve Million, Five Hundred and Twenty Thousand, Six Hundred and Ninety-One Dollars ($12,520,691.00) to fund projects included in the Supplementary 1993 Capital Budget, was read a second time. File FC(1993) (Vol. 3)

Moved by Her Worship Mayor Thompson,
That this constitute the second reading of By-law No. 6286/93.

The motion was put.

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

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

Nay: Councillors Reese, Boychuk, Golden, Hyman, Murray and Thomas. 6

and the motion that this constitute the second reading of By-law 6286/93 was declared carried.

On motion of Her Worship Mayor Thompson, By-law No. 6286/93 was read a third time, and was passed and ordered to be signed and sealed.

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

Councillor Thomas asked to be recorded as having voted against the third reading of By-law 6286/93, in accordance with Rule 50.7 of the Procedure By-law.

On motion of Her Worship Mayor Thompson, By-law No. 6296/93, being an initial borrowing by-law of The City of Winnipeg to authorize the borrowing of money by the issue and sale of debentures of the City in the principal amount of Seventy-Eight Million, Nine Hundred and Fourteen Thousand Dollars ($78,914,000.00), was read a second and third time, and was passed and ordered to be signed and sealed. Files FC(1994) & FC-1(1995-1999)

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

By-law No. 6297/94, a By-law of the City of Winnipeg to reactivate certain local improvements on Victoria Grove (formerly Centre Avenue) deferred by By-law No. 5003/88. File SL-1 (Vol. 18).

By-law No. 6298/94, a By-law of the City of Winnipeg to reactivate certain local improvements on Victoria Grove (formerly Centre Avenue) deferred by By-law No. 5004/88. File SL-1 (Vol. 18).

By-law No. 6299/94, a By-law of the City of Winnipeg to amend admission fees to the Assiniboine Park Zoo File PR-7.1.1 (Vol. 13)

By-law No. 6303/94, a By-law of the City of Winnipeg to amend By-law No. 5893/92, The Development Procedures By-law. File EP-1.1 (Vol. 10)

Councillors Boychuk, Golden and Lazarenko asked to be recorded as having voted against all three readings of By-law 6299/94, in accordance with Rule 50.7 of the Procedure By-law.

On motion of Her Worship Mayor Thompson, the rule was suspended and By-law No. 6285/93, being an initial borrowing by-law of the City of Winnipeg to cancel certain unused borrowing authorities by previous initial borrowing by-laws, was read a second and third time and was passed and ordered to be signed and sealed. Files FC(1994) and FC(1995-99)

EXECUTIVE POLICY COMMITTEE

QUESTION PERIOD

321 - Councillor Lazarenko requested that Her Worship negotiate with the Premier of Manitoba, the Interim Steering Committee, Winnipeg Enterprises and all principles involved in the ownership of the Winnipeg Jets, the possibility of a modified agreement to avoid losing the Jets.

Her Worship Mayor Thompson noted that she would follow up on the request.

Councillor Hyman questioned whether it would be possible to provide fiscal predictions for the Jets extending to 1997.

Her Worship Mayor Thompson noted that a preliminary prediction had been compiled by the Chief Commissioner, and that she would be reviewing such and report back to Council.

Councillor Hyman noted the motion adopted by Council on April 28, 1993 regarding frontage levies, and the hearings conducted on frontage levies and questioned when the accompanying revenue strategy as detailed in the original motion would be presented.

Executive Policy Committee - Question Period (continued)

Her Worship Mayor Thompson noted that such presentation would be made in March, 1994, and in response to Councillor Hyman's question concerning the scheduling of the presentation, Her Worship Mayor Thompson noted that this would be after the 1994 Current Estimates process.

Councillor Golden requested a progress update on the problem of the Main Street deterioration, noting that he had posed this question on past occasions.

Her Worship Mayor Thompson noted that the City had intended to focus on this issue as part of the Core Area III package and that the problem had been identified as a high priority in the current Core Area discussions, which was re-named the "Winnipeg Development Initiative".

Councillor Golden referred to the recent public meeting on frontage levies, noting that the public had demonstrated their opposition to such levies and questioned whether the City of Winnipeg was still going forward on this matter.

Her Worship Mayor Thompson noted that numerous messages had been received from the frontage levy public hearing and that the matter was now with the Province of Manitoba.

Councillor Golden referred to the 1994 Current Estimates and questioned when Council would get together to discuss the budget at a high level noting the major issues and set direction.

Her Worship Mayor Thompson noted that the 1994 Current Estimate process was currently underway, commencing in June of 1993, much earlier than in any past year. Her Worship further noted that the process had been initiated by the document entitled "1994 Tax-Supported Current Budget Outlook", followed by a Council review of the document in July, followed by further Council seminars on deficit avoidance, and assessment, and that an official delegation had gone to the Province regarding the Capital Estimates, followed by another Council seminar on the phasing-in of assessment. Finally, Her Worship noted that the 1994 Estimates were currently with the Standing Committees, with a Council seminar scheduled for February 9, 1994 and further review by Executive Policy Committee on February 16, 1994. Her Worship noted that she had met with Edmonton City Officials in concert with the Chief Commissioner to compare Civic budget processes, noting the efficiency of the Edmonton process.

Councillor Prystanski questioned when Council would identify priorities for the Winnipeg Development Initiative.

Her Worship Mayor Thompson noted that the current negotiations were a follow-up to past Council deliberation on priority items for the Winnipeg Current Development Initiative.

Councillor Prystanski requested clarification, questioning whether the City of Winnipeg's position would be identical to that in Core Area I and II.

Her Worship Mayor Thompson noted that the framework for the Winnipeg Development Initiative received input from all levels of government, and stated that the position would not be similar to Core Area I and II.

Councillor Prystanski questioned that if the City of Winnipeg's position has changed as the Mayor indicates, when Council would be apprised of the new direction to allow input reflecting constituent's preferences.

Her Worship Mayor Thompson noted that she would welcome input into the matter and suggested that all concerns be brought forward.

Councillor Reese questioned when Council had met to discuss project priorities relating to the Winnipeg Development Initiative, noting that she had not participated in such meetings.

Her Worship Mayor Thompson noted that the previous Council has deliberated the foundations for the third Core Area Agreement.

Executive Policy Committee - Question Period (continued)

Councillor Reese stated that the current Members of Council did not participate in such process and noting the Edmonton budget process, requested clarification on the future budget process.

Her Worship Mayor Thompson, noted that the Edmonton process was being explored but that the decision on the final budget process adopted would be made by Council.

Councillor Reese questioned whether the Edmonton budget document was really the working document and suggested that it was really the final public document.

Her Worship Mayor Thompson stated that this was indeed the working document and that the document was issue-based.

Councillor Murray questioned why Her Worship supports the frontage levy.

Her Worship Mayor Thompson noted that the frontage levy process was brought to Council as a way to generate revenue to support street renewal and infrastructure concerns. She noted the ongoing debate on funding for street renewal and put forth that the frontage levies represented a reasonable position for the City of Winnipeg.

Councillor Murray noted that the City of Winnipeg was attempting to diversify the tax base to become less dependent on property tax, and questioned why the City of Winnipeg would support a property tax fixed to the width of a property and which would download a tax burden onto households already paying the greatest share of their household income to local government.

Her Worship Mayor Thompson took the question as notice.

Councillor Murray questioned whether Her Worship perceived that the frontage levy was a tax which taxed middle and lower income households because of the value of their property more than higher income households, and if this was not in fact a more regressive increase in property taxes.

Her Worship Mayor Thompson took the question as notice.

Councillor Clement noted that the North Portage Development Corporation had been created approximately 10 years ago and requested information on all outstanding expropriation matters.

Her Worship Mayor Thompson took the question as notice.

Councillor Clement noted that the 1994 Current Estimates and the 2.5 percent budget reduction may not at present have majority support of the Members of Council and questioned whether there would be an opportunity for Members of Council to collectively meet to discuss the 1994 Current Estimates.

Her Worship Mayor Thompson stated that Members of Council would be collectively meeting to discuss the 1994 Current Estimates on February 9, 1994.

Councillor Clement noted that he was not aware of any Council agreement on the third Core Area project and requested through the Mayor that the Chief Commissioner be requested to identify the document and the date whereby such agreement took place.

The Speaker directed the question to the Chairperson of the Committee on Planning and Community Services, Councillor O'Shaughnessy.

Councillor O'Shaughnessy noted that the Committee on Planning and Community Services, under Mayor Norrie, had passed that the number one priority be North Main Street, and stated that proof of such could be found in the Capital Budget, including the first Capital Budget passed by the current Council, and further stated that he would bring forward the specific dates to Council.

Councillor Boychuk noted that Her Worship had pledged to work hard to open the intersection of Portage Avenue and Main Street, during her election campaign and questioned what further action had occurred to this regard.

Her Worship Mayor Thompson noted that at the last Council meeting she had stated that she was continuing discussions with Trizec, and that the discussions would be ongoing.

Executive Policy Committee - Question Period (continued)

Councillor Boychuk noted that he had raised the matter of requesting consideration of the possibility of relocating the casino from the Hotel Fort Garry to the Convention Centre to help the Convention Centre revenue situation, and questioned whether the matter had been pursued with the Premier of Manitoba.

Her Worship Mayor Thompson noted that she had had a discussion with the Minister responsible for Lotteries, Jim Ernst, who had indicated that this was not being considered.

Councillor Hyman noted the expedition of the 1994 Current Estimates process and questioned whether more confusion has arisen as a result, noting the she was unaware of Her Worship's goals and objectives of expediting this process.

Her Worship Mayor Thompson noted that there have been improvements in the budget process but that aside from expediting, the fundamental process remained the same.

Councillor Hyman noted that the February 9, 1994 Council seminar on the 1994 Current Estimates had previously been scheduled for December 16, 1993, and questioned the value of waiting until February 9, 1994 to conduct the seminar.

Her Worship Mayor Thompson noted that the review schedule had been laid out months in advance and that she was following the traditional review process.

Councillor Golden questioned whether the original meeting of December 16, 1993 had been cancelled because of the four-day Council meeting and the fact that Members of Council had other obligations.

Her Worship Mayor Thompson confirmed that this had transpired.

Moved by Councillor Golden,

That Rule 14.12 of the Procedure By-law be suspended to allow Question Period to extend beyond thirty minutes.

Lost.