No. 12

West Committee Room
Council Building, Winnipeg
February 20, 2002

A meeting of the Executive Policy Committee was held this day at 1:04 p.m.

Members of the Committee:

His Worship Mayor G. Murray, Chairperson
Deputy Mayor Thomas
Councillor Angus
Councillor Clement
Councillor Eadie
Councillor Gerbasi
Councillor Vandal

Administrative Personnel:

Mr. R. S. MacCallum, Clerk of the Executive Policy Committee
Ms C. Freeman, Clerk
Ms G. Stephens, Chief Administrative Officer
Mr. R. P. Gannon, Chief Financial Officer
Mrs. U. Goeres, City Solicitor/Manager of Legal Services, Corporate Services Department
Mr. E. Gilroy, Manager of Executive Policy Committee Support

ADOPTION OF MINUTES

Councillor Angus moved that the minutes of the meeting held on February 13, 2002, be taken as read and confirmed, which motion was carried.

DELEGATIONS

129. Paul Moist, President, and Greg Mandzuk , Canadian Union of Public Employees, Local 500, were heard with respect to an offer from Manitoba Hydro to purchase Winnipeg Hydro and submitted supporting documentation, a copy of which has been placed on file in the office of the City Clerk. File H (Vol. 10) [c/r HG (Vol. 4)]

Moved by Councillor Vandal,

That Rule 54.1 of the Procedure By-law be suspended to allow John Kubi, Vice-Chair, East Kildonan - Transcona Residents Advisory Group, to address the Committee with respect to an offer from Manitoba Hydro to purchase Winnipeg Hydro.

Carried

John Kubi, Vice-Chair, East Kildonan - Transcona Residents Advisory Group, was heard relative to the Manitoba Hydro proposal to purchase Winnipeg Hydro. File H (Vol. 10), [c/r HG (Vol. 4)

(See Minute No. 134)

REPORTS

130. From the Clerk, Airport Vicinity Development Advisory Committee
Extract of Minutes AVDAC 2002/02/11

Dissolution of Airport Vicinity Development Advisory Committee

File EP-3.1 (Vol. 1)

Advising that on February 11, 2002, the Airport Vicinity Development Advisory Committee considered the above-noted matter and passed the following motion with respect thereto, namely:-

"WHEREAS the Airport Vicinity Development Advisory Committee has fulfilled all of its mandate, as outlined in Clauses 5 and 6 of the Report of the Executive Policy Committee dated February 8, 1995, and adopted by Council on February 22, 1995;

AND WHEREAS the Airport Area Development Committee will be established within a short period of time;

THEREFORE BE IT RESOLVED that the Airport Vicinity Development Advisory Committee be dissolved;

and forwarded to Executive Policy Committee."

Moved by Councillor Gerbasi,
I. That the Airport Vicinity Development Advisory Committee be dissolved.

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

and forwarded to Council.

Carried

131. From the Community Clerk, City Centre Community Committee
Extract of Minutes CCCC 2002/02/05

Corydon Avenue Business Improvement Zone – Proposed Program, Zone Levy and Budget Estimates - 2002
File FL-7.9 (Vol. 5)

On February 5, 2002, the City Centre Community Committee considered the proposed program, zone levy and budget estimates for the Corydon Avenue Business Improvement Zone.

The City Centre Community Committee passed the following motion, namely:-

"WHEREAS a public meeting to review the proposed program, zone levies and budget estimates for the Corydon Avenue Business Improvement Zone for the year 2002 was duly advertised in The Winnipeg Free Press and The Winnipeg Sun on January 21, 2002, in accordance with Section 17 of By-law No. 6201/93;

AND WHEREAS no objections were received in respect to the Board's proposals;

NOW THEREFORE BE IT RESOLVED that the City Centre Community Committee unanimously recommend to Executive Policy Committee that the proposed program, zone levy, and the budget estimates for the Corydon Avenue Business Improvement Zone for the year 2002, as adopted, be ratified by the Executive Policy Committee and City Council."

Moved by Councillor Eadie,
That the recommendation be concurred in and forwarded to Council.

Carried

132. From the Community Clerk, City Centre Community Committee
Extract of Minutes CCCC 2002/02/05

Osborne Village Business Improvement Zone – Proposed Program, Zone Levy and Budget Estimates - 2002
File FL-7.3 (Vol. 5)

On February 5, 2002, the City Centre Community Committee considered the proposed program, zone levy and budget estimates for the Osborne Village Business Improvement Zone.

The City Centre Community Committee passed the following motion, namely:-

"WHEREAS a public meeting to review the proposed program, zone levies and budget estimates for the Osborne Village Business Improvement Zone for the year 2002 was duly advertised in The Winnipeg Free Press and The Winnipeg Sun on January 21, 2002, in accordance with Section 17 of By-law No. 6201/93;

AND WHEREAS no objections were received in respect to the Board's proposals;

NOW THEREFORE BE IT RESOLVED that the City Centre Community Committee unanimously recommend to Executive Policy Committee that the proposed program, zone levy, and the budget estimates for the Osborne Village Business Improvement Zone for the year 2002, as adopted, be ratified by the Executive Policy Committee and City Council."

Moved by Councillor Eadie,
That the recommendation be concurred in and forwarded to Council.

Carried

133. From the Community Clerk, City Centre Community Committee
Extract of Minutes CCCC 2002/02/05

West End Winnipeg Business Improvement Zone – Proposed Program, Zone Levy and Budget Estimates - 2002
File FL-7.7 (Vol. 4)

On February 5, 2002, the City Centre Community Committee considered the proposed program, zone levy and budget estimates for the West End Winnipeg Business Improvement Zone.

The City Centre Community Committee passed the following motion, namely:-

"WHEREAS a public meeting to review the proposed program, zone levies and budget estimates for the West End Winnipeg Business Improvement Zone for the year 2002 was duly advertised in The Winnipeg Free Press and The Winnipeg Sun on January 21, 2002, in accordance with Section 17 of By-law No. 6201/93;

AND WHEREAS no objections were received in respect to the Board's proposals;

NOW THEREFORE BE IT RESOLVED that the City Centre Community Committee unanimously recommend to Executive Policy Committee that the proposed program, zone levy, and the budget estimates for the West End Winnipeg Business Improvement Zone for the year 2002, as adopted, be ratified by the Executive Policy Committee and City Council."

Moved by Councillor Eadie,
That the recommendation be concurred in and forwarded to Council.

Carried

134. From the Chief Administrative Officer
Report 2002/02/12

Manitoba Hydro Proposal to Purchase Winnipeg Hydro
File H (Vol. 10) [c/r HG (Vol. 4)]

Recommending:

1. That Council direct and delegate authority to the Chief Administrative Officer to finalize terms and conditions of an agreement, together with any and all collateral or ancillary agreements, for the sale of the whole of the assets, business and undertakings of the City of Winnipeg with respect to its Winnipeg Hydro operations pursuant to the proposal made by Manitoba Hydro dated February 7, 2002 and hereto attached, which agreement, in the opinion of the Chief Administrative Officer, together with any and all collateral or ancillary agreements, will satisfy the intent of Council.

2. That Council declare surplus those lands and buildings incorporated within the financial statements for Winnipeg Hydro.

3. That the proper officers of the City be authorized to do all things necessary to implement the foregoing and execute such documents as required.

Note: On February 13, 2002, the Executive Policy Committee referred the matter to the Chief Administrative Officer for preparation of a report and recommendation to a Special Meeting of the Executive Policy Committee to be convened at the call of the Chair, said report to include consideration of the following:

- the issues raised by the Canadian Union of Public Employees and the Winnipeg Association of Public Service Officers,
- issues that may be raised at the Public Meeting to be held the evening of February 13, 2002,
- issues that may be raised at the Council Seminar,
- sick pay cash outs, and
- how our assets are being dealt with in the sale.

Moved by Councillor Angus,

That Rule 9.3 of the Procedure By-law be suspended in order that the following items with respect to the Manitoba Hydro Proposal to Purchase Winnipeg Hydro, which were received too late to be placed on the regular agenda, be considered by Committee.

Carried

From the Chief Administrative Officer
Report 2002/02/19

Manitoba Hydro Proposal to Purchase Winnipeg Hydro
File H (Vol. 10) [c/r HG (Vol. 4)]

Recommending that the report be received as information.

From the Community Clerk, East Kildonan-Transcona Community Committee
Extract of Minutes EK-T CC 2002/02/19

Advising that the East Kildonan-Transcona Community Committee considered the above-noted matter on February 19, 2002, and passed the following motion with respect thereto, namely:-

"That the report prepared by the East Kildonan-Transcona Residents' Advisory Group be referred to the Executive Policy Committee for consideration during its deliberation of the Manitoba Hydro proposal to purchase Winnipeg Hydro."

From the Chief Administrative Officer
Report 2002/02/20

Recommending that the report be received as information.

Moved by Councillor Angus,

That the reports from the Chief Administrative Officer with respect to the communication from Mr. R. Brennan, President and Chief Executive Officer, Manitoba Hydro, as well as the reports dated February 19 and 20, 2002, with respect to issues arising out of public consultations regarding the proposed sale of Winnipeg Hydro to Manitoba Hydro, and staff pensions, be received as information and forwarded to all members of Council.

Carried

Moved by Councillor Angus,

I. That Council direct the Chief Administrative Officer to finalize terms and conditions of an agreement, together with any and all collateral or ancillary agreements, for the sale of the whole of the assets, business and undertakings of the City of Winnipeg with respect to its Winnipeg Hydro operations pursuant to the proposals made by Manitoba Hydro dated February 7, 19 and 20, 2002, and outlined on Appendices "A" and "B" which, in the opinion of the Chief Administrative Officer, together with any and all collateral or ancillary agreements, will satisfy the intent of Council.

II. That Council declare surplus those lands and buildings incorporated within the financial statements for Winnipeg Hydro.

III. That the Proper Officers of the City be authorized do all things necessary to implement the foregoing and execute such documents as required,

and forwarded to Council.

Carried

Moved by Councillor Eadie,

That the Extract of Minutes from the East Kildonan - Transcona Community Committee, and the presentation by Mr. John Kubi, Vice-Chair, East Kildonan-Transcona Residents Advisory Group, be received as information.

Carried

135. From Councillor Angus
Motion 2002/02/20

Manitoba Hydro Proposal to Purchase Winnipeg Hydro (Committee of Senior Administrators)
File H (Vol. 10) [c/r HG (Vol. 4)]

Moved by Councillor Angus,
WHEREAS Manitoba Hydro has proposed to acquire Winnipeg Hydro in a letter dated February 7, 2002;

AND WHEREAS City Council has directed the Chief Administrative Officer to negotiate and execute such agreement or agreements with Manitoba Hydro as might be required to effect a sale;

AND WHEREAS City Council requires that the Definitive Agreement arrangements must reflect the February 7, 2002 proposal;

AND WHEREAS due diligence must be performed so as to ensure that the intent of Council is satisfied;

THEREFORE BE IT RESOLVED that Council direct that the Chief Administrative Officer establish a Committee of senior administrators to oversee finalization of the necessary agreements with Manitoba Hydro, and that said Committee will avail itself of the advice of such outside financial, legal, actuarial and or other expertise as the Chief Administrative Officer may deem necessary to ensure due diligence;

AND BE IT FURTHER RESOLVED that the penalty for not starting the downtown building be at a minimum, a significant multiple of the estimated annual municipal taxes;

AND BE IT ALSO RESOLVED that if in the opinion of the Chief Administrative Officer the Definitive Agreement fails to satisfy the intent of Council, the Chief Administrative Officer will seek further guidance from Executive Policy Committee.

Carried

136. From Councillor Angus
Motion 2002/02/20

Manitoba Hydro Proposal to Purchase Winnipeg Hydro (Employees)
File H (Vol. 10) [c/r HG (Vol. 4)]

Moved by Councillor Angus,
WHEREAS Manitoba Hydro has proposed to acquire Winnipeg Hydro in a letter dated February 7, 2002;

AND WHEREAS City Council wishes to ensure the affected employees pensions, employment and other benefits are protected;

AND WHEREAS Manitoba Hydro and the City of Winnipeg Administration believe this to be the sale of a business and that Manitoba Hydro is a successor employer;

AND WHEREAS the Premier of the Province of Manitoba, the Mayor of the City of Winnipeg and the President and CEO of Manitoba Hydro have said that all Winnipeg Hydro employees will be protected;

THEREFORE BE IT RESOLVED that the Definitive Agreement Will Satisfy the Following Objectives:

i. Manitoba Hydro will be a successor employer and will assume all rights, responsibilities and obligations for Winnipeg Hydro employees effective the closing date of the sale.

ii. Manitoba Hydro will not lay-off any Winnipeg Hydro employee.

iii. Manitoba Hydro will accomplish any required workforce reductions through attrition or targeted voluntary severance packages.

iv. Manitoba Hydro will maintain the same or comparable employee benefits for Winnipeg Hydro employees as they had with the City of Winnipeg, including salaries, pensions, long-term disability benefits, sick leave, vacation and other such benefits.

v. Manitoba Hydro shall consider special situations involving Winnipeg Hydro employees, such as the special circumstances of the residents of the Pointe du Bois townsite, when developing and implementing the transition plan for the merger of the two utilities;

AND BE IT FURTHER RESOLVED that if in the opinion of the Chief Administrative Officer the Definitive Agreement fails to satisfy the intent of Council, the Chief Administrative Officer will seek further guidance from Executive Policy Committee.

Carried

137. From Councillor Angus
Motion 2002/02/20

Manitoba Hydro Proposal to Purchase Winnipeg Hydro (Legislation)
File H (Vol. 10) [c/r HG (Vol. 4)]

Moved by Councillor Angus,
WHEREAS Manitoba Hydro has proposed to acquire Winnipeg Hydro in a letter dated February 7, 2002;

AND WHEREAS the Premier of Manitoba has indicated the Government of Manitoba's intent to enact legislation that will cover the purchase of Winnipeg Hydro by Manitoba Hydro and protect the interests of workers in the new merged Utility;

THEREFORE BE IT RESOLVED that Council request that the Province of Manitoba enact legislation such that the intent of Council with respect to the sale of Winnipeg Hydro to Manitoba Hydro can be effected and ensure the smooth transition of Winnipeg Hydro employees to Manitoba Hydro;

AND BE IT FURTHER RESOLVED that the sale of Winnipeg Hydro to Manitoba Hydro will not close unless and until appropriate and necessary legislation has been passed by the Legislative Assembly and received Royal Assent and proclaimed by the Lieutenant Governor-in-Council.

Carried

Moved by Councillor Eadie,
That Rule 9.3 of the Procedure By-law be suspended in order that the following items, which were received too late to be placed on the regular agenda, be considered by Committee.

Carried

138. From the Director, Planning, Property and Development Department
Report 2002/02/15

Award of Contract for Lease of Self Propelled Concession/Beverage Carts - RFQ No. 27-2002
File GL-9 (Vol. 17) [c/r PR-6 (Vol. 9)]

Recommending:

I. That the bid submitted by Stephenson Equipment Co. be determined to be non-responsive.

I. That a contract be awarded to Canadian Golf Car Company Ltd., the lowest evaluated responsive bidder meeting the specifications in the total amount of $37,902.00 plus GST plus optional end of lease buy out of $22,470.00.

Moved by Councillor Eadie,
That the recommendations be concurred in and forwarded to Council.

Carried

139. From the Community Clerk, Riel Community Committee
Extract of Minutes RCC 2002/02/19

French Quarter / ZAC Quartier Francais Business Improvement Zone – Proposed Program, Zone Levy and Budget Estimates - 2002

File FL-7.17 (Vol. 2)

On February 19, 2002, the Riel Community Committee considered the proposed program, zone levy and budget estimates for the French Quarter Business Improvement Zone / ZAC Quartier Francais,

The Riel Community Committee passed the following motion, namely:-

"WHEREAS a public meeting to review the proposed program, zone levies and budget estimates for the French Quarter Business Improvement Zone / ZAC Quartier Francais for the year 2002 was duly advertised in The Winnipeg Free Press and The Winnipeg Sun on December 28, 2001, in accordance with Section 17 of By-law No. 6201/93;

AND WHEREAS no objections were received in respect to the Board's proposals;

NOW THEREFORE BE IT RESOLVED that the Riel Community Committee unanimously recommend to Executive Policy Committee that the proposed program, zone levy, and the budget estimates for the French Quarter Business Improvement Zone / ZAC Quartier Francais, for the year 2002, as adopted, be ratified by the Executive Policy Committee and City Council."

Moved by Councillor Eadie,
That the recommendation be concurred in and forwarded to Council.

Carried

140. From the Community Clerk, Riel Community Committee
Extract of Minutes RCC 2002/02/19

Norwood Grove Business Improvement Zone – Proposed Program, Zone Levy and Budget Estimates - 2002

File FL-7.6 (Vol. 3)

On February 19, 2002, the Riel Community Committee considered the proposed program, zone levy and budget estimates for the Norwood Grove Business Improvement Zone.

The Riel Community Committee passed the following motion, namely:-

"WHEREAS a public meeting to review the proposed program, zone levies and budget estimates for the Norwood Grove Business Improvement Zone for the year 2002 was duly advertised in The Winnipeg Free Press and The Winnipeg Sun on December 28, 2001, in accordance with Section 17 of By-law No. 6201/93;

AND WHEREAS no objections were received in respect to the Board's proposals;

NOW THEREFORE BE IT RESOLVED that the Riel Community Committee unanimously recommend to Executive Policy Committee that the proposed program, zone levy, and the budget estimates for the Norwood Grove Business Improvement Zone for the year 2002, as adopted, be ratified by the Executive Policy Committee and City Council."

Moved by Councillor Eadie,
That the recommendation be concurred in and forwarded to Council.

Carried

141. From the Community Clerk, Riel Community Committee
Extract of Minutes RCC 2002/02/19

Old St. Vital Business Improvement Zone – Proposed Program, Zone Levy and Budget Estimates - 2002

File FL-7.13 (Vol. 2)

On February 19, 2002, the Riel Community Committee considered the proposed program, zone levy and budget estimates for the Old St. Vital Business Improvement Zone.

The Riel Community Committee passed the following motion, namely:-

"WHEREAS a public meeting to review the proposed program, zone levies and budget estimates for the Old St. Vital Business Improvement Zone for the year 2002 was duly advertised in The Winnipeg Free Press and The Winnipeg Sun on February 1, 2002, in accordance with Section 17 of By-law No. 6201/93;

AND WHEREAS no objections were received in respect to the Board's proposals;

NOW THEREFORE BE IT RESOLVED that the Riel Community Committee unanimously recommend to Executive Policy Committee that the proposed program, zone levy, and the budget estimates for the Old St. Vital Business Improvement Zone for the year 2002, as adopted, be ratified by the Executive Policy Committee and City Council."

Moved by Councillor Eadie,
That the recommendation be concurred in and forwarded to Council.

Carried

142. From The Housing Steering Committee
Report 2002/02/14

Preparation of a Vacant and Boarded Up Dwelling By-law Containing Minimum and Progressive Penalties

Files EX (Vol. 14), GF-1 (Vol. 19)

I. That Council enact the Vacant Dwellings By-law.

II. That Council request the Province to amend The City of Winnipeg Act to permit the City to take title, free and clear of all encumbrances (except for easements), to vacant and boarded-up dwellings that repeatedly violate the attached By-law.

III. That the City prioritize staged enforcement of the By-law in the following areas:

a. Designated Housing Improvement Zones - four targeted neighbourhoods under the Winnipeg Housing Policy;
b. The remaining 10 neighbourhoods designated Major Improvement Areas under the Winnipeg Housing Policy; and
c. All other areas.

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

Moved by Councillor Vandal,
That the recommendations be concurred in and forwarded to Council.

Carried

REPORTS OF COMMITTEES
STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

143. On motion of Councillor Vandal, the Report of the Standing Policy Committee on Property and Development dated January 28, 2002, was considered.

1. Proposed Text Amendment - Downtown Winnipeg Zoning By-law No. 4800/88

Moved by Councillor Vandal,
That Clause 1 be approved and forwarded to Council.

Carried

144. On motion of Councillor Vandal, the Report of the Standing Policy Committee on Property and Development dated February 5, 2002, was considered.

1. Request for Extension of time - Rezoning of land located at 433 Young Street
2. Proposed Zoning Agreement Amendment - 21 Roslyn Road
3. Proposed Street Name - DeBaets Street to De Baets Street Proposed Street Name
4. Change - "Durban Place" to "Endcliffe Place" and "Danford Place" to Danford Drive"
5. Extension of Time - Proposed Subdivision and Rezoning of land located on Ravelston Avenue West and Lagimodiere Boulevard

Moved by Councillor Vandal,
That Clauses 1 to 5 be approved and forwarded to Council.

Carried

145. On motion of Councillor Vandal, the Report of the Standing Policy Committee on Property and Development dated February 7, 2002, was considered.

1. Proposed Disposition of a portion of the Old Exhibition Park Site - Lord Selkirk-West Kildonan Community
2. Proposed Renewal of Winnipeg Housing and Rehabilitation Corporation Management Agreement to Facilitate the Management of City-owned Residential Dwellings
3. Proposed Sale of a portion of Charing Cross Park adjoining 58 Maitland Drive

Moved by Councillor Vandal,
That Clauses 1 to 3 be approved and forwarded to Council.

Carried

REPORTS OF COMMITTEES
STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES

146. On motion of Councillor Eadie, the Report of the Standing Policy Committee on Protection and Community Services dated February 11, 2002, was considered.

1. 2002 Operating Grants to Cultural Organizations
2. Community Incentive Grant Application - Friends of Elmwood Cemetery Inc.

Moved by Councillor Eadie,
That Clauses 1 and 2 be approved and forwarded to Council.

Carried

REPORTS OF COMMITTEES
STANDING POLICY COMMITTEE ON PUBLIC WORKS

147. On motion of Councillor Angus, the Report of the Standing Policy Committee on Public Works dated February 5, 2002, was considered.

1. Award of Tender 895-2001 - Lease of Light Fleet Vehicles
2. Bus Transportation Grant - Hong Kong Veterans Commemorative Association
3. Parking Meters on Lombard Avenue between Westbrook Street and Mill Street

Moved by Councillor Angus,
That Clauses 1 to 3 be approved and forwarded to Council.

Carried

REPORTS OF COMMITTEES
ALTERNATE SERVICE DELIVERY COMMITTEE

148. On motion of Councillor Eadie, the Report of the Alternate Service Delivery Committee dated February 14, 2002, was considered.

1. Annual Selection Report 2002 - Animal Services Special Operating Agency

Moved by Councillor Eadie,
That Clause 1 be approved and forwarded to Council.

Carried

Moved by Councillor Eadie,
That pursuant to Section 17(1) of The City of Winnipeg Act and By-law No. 5288/89, Committee go In Camera for the following reasons:

the matter comes under Category "C" of said by-law, in that it deals with property related matters including but not limited to reports respecting purchase, sale, lease, exchange, expropriation or development of City-owned lands.

Carried

IN CAMERA
REPORTS

In Camera
149.

In Camera
150.

In Camera
151.

Moved by Deputy Mayor Thomas,
That Committee return to open session.

Carried

CONSENT AGENDA

Moved by Deputy Mayor Thomas,
That all matters requiring Council approval be considered on the Consent Agenda.

Carried

On motion of Deputy Mayor Thomas, Committee adjourned at 2:03 p.m.

APPROVED AND CONFIRMED

City Clerk Chairperson