CONSIDERATION OF REPORT OF THE

EXECUTIVE POLICY COMMITTEE

On motion of Mayor Norrie, the Report of the Executive Policy Committee, dated May 1st, 1991, was considered clause by clause.

West Committee Room,
Council Building, Winnipeg,
May 1st, 1991.

His Worship the Mayor and Councillors:-

Your Executive Policy Committee submits the following Report and recommends:-

1991 Negotiations.
Files GC-2 & GU-4

763 - 1. On January 23rd, 1991, Council referred the following motion to your Executive Policy Committee for consideration, namely:-

"WHEREAS The City of Winnipeg is currently negotiating with the various unions re 1991 salaries and benefits;

AND WHEREAS it has been shown that straight percentage increases increase the gap between labour and management;

THEREFORE BE IT RESOLVED that all City employees including City Councillors be limited to a raise of 1% plus a $1,000.00 increase for the year 1991."

In any negotiating situation, it is important for both sides to willingly consider various approaches to reaching a settlement. Recently, the City offered a similar combination of percentage and fixed dollar increase to its Local 500, Canadian Union of Public Employees. This offer was not as generous as that proposed in the Council motion but the structure was quite similar.

As a general comment, the major disadvantage in utilizing fixed dollar increases as a long-term strategy is the resulting compression between job grades. Over the course of several years, the wage differential between skilled labourer and foremen, for example, would be gradually diminished. It is generally accepted that, when combined
with the effects of taxation and normal policies related to payment for overtime, wage compression will lead employees to question the value of aspiring to and/or accepting more demanding work with greater responsibility. This disadvantage does not eliminate this bargaining strategy at appropriate times and as already noted above, the City's negotiating team will take this approach when it seems constructive to do so.

There is a general concern that publicly discussing such issues at a time when the City is bargaining with four groups could result in a charge of bargaining in bad faith or an unfair labour practice.

Your Executive Policy Committee therefore recommends that no action be taken on the referenced resolution and that the matter be filed.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

Report of the Executive Policy Committee, dated May 1st, 1991.

Shortfall in Provincial Funding.
Files FC(1991) & FR-1

764 - 2. Council on January 14th, 1991, adopted an Annual Capital Budget of $172,302,000.00 which included an estimated $17,833,000.00 of funding from the Province of Manitoba. On March 1st, 1991, the Minister of Finance of the Province of Manitoba approved the Borrowing By-law No. 5595/91 for the funding of 1991 Capital Work by the issue of debentures in the amount of $104,894,000.00. On March 6th, 1991, Council gave second and third reading to the By-law. On March 7th, 1991, the Minister of Urban Affairs of the Province of Manitoba wrote to His Worship Mayor Norrie outlining Provincial contributions to the 1991 Capital Budget of only $15,848,000.00. This resulted in a shortfall of $1,985,000.00 in funding for the 1991 Capital Estimates.

Also included in the Annual Capital Budget adopted by Council on January 14th, 1991, was a $3,190,000.00 provision under "Regional Streets" for Street Renewal - Normal Annual Program - Unallocated. On March 6th, 1991, Council also adopted the recommendation of Clause 4 of the Report of the Committee on Works and Operations, dated February 19th, 1991, to use the Normal Annual Program - Unallocated for Munroe Avenue - Henderson to Golspie, Weston Street - Notre Dame to Logan, and McGregor - Jefferson to Leila. Those projects totalled $2,969,000.00. On April 5th, 1991, the Committee on Works and Operations approved a transfer of $133,900.00 from the Normal Annual Program - Unallocated to the Munroe Avenue at Gateway Road and Raleigh Street Intersection Improvement project to cover an estimated shortfall.

The status of the Street Renewal - Normal Annual Program - Unallocated is now as follows:-

Budget adopted by Council		$ 3,190,000.00
Less amount required to offset Provincial Funding Shortfall		(1,985,000.00)
Balance of Unallocated funding available in the 1991 Capital Budget		1,205,000.00
Less:		
Transfer to Munroe Avenue Intersection Project	(133,900.00)	
McGregor Street - Jefferson to Leila (Asphalt resurfacing)	(1,000,000.00)	
Weston Street - Notre Dame to Logan (Asphalt overlay)	(1,362,000.00)	
Munroe Avenue - Henderson to Golspie (Asphalt resurfacing)	(607,000.00)	(3,102,900.00)
Shortfall to be funded from Unused Borrowing Authority		$(1,897,900.00)

If the Regional Streets, Streets Renewals, Normal Annual Program - Unallocated is reduced by $1,985,000.00 to offset the shortfall in Provincial funding, the Capital Budget can be balanced without changing the Borrowing By-law or requiring new Ministerial approval. The three additional street renewals which were to have been done from this account can still be funded by utilizing available Unused Borrowing Authority created from prior years projects being cancelled or completed under budget.

Your Executive Policy Committee recommends:-

1. That the 1991 Annual Capital Program as adopted by Council be amended to reduce the Regional Streets, Streets Renewals, Normal Annual Program - Unallocated by $1,985,000.00 from $3,190,000.00 to $1,205,000.00 to offset the shortfall in Provincial Funding.

Report of the Executive Policy Committee, dated May 1st, 1991.

2. That $1,897,900.00 from Unused Borrowing Authority be utilized to provide the required funding for Munroe Avenue - Henderson Highway to Golspie Street, Weston Street - Notre Dame Avenue to Logan Avenue, and McGregor Street - Jefferson Avenue to Leila Avenue projects.

Moved by Mayor Norrie,
Adoption of the clause.

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

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

Local Improvement Projects – Manitoba Hydro Transmission Line Frontages.
File SL

765 - 3. Under Section 375 of The City of Winnipeg Act, Council can declare a property unfit for building purposes.

On October 6th, 1989, the City advertised its intention to construct a 16 foot concrete lane in the first north-south lane east of Fife Street from Machray Avenue to Church Avenue and a 5 foot concrete sidewalk on the north side of Huron Avenue from Fife Street to a point 286.4 feet east of the east line of Fife Street.

The concrete lane and the concrete sidewalk construction was completed in 1990 and the assessment therefore is scheduled for 1991.

On October 23rd, 1989, the City received a communication from Manitoba Hydro outlining the Corporation's position in the matter stating:-

"(a) It will be of no benefit to the Corporation property.

(b) ...Railway right-of-way property abutting a proposed improvement site is deemed unfit for building purposes and the City assumes the levies assessed in respect to those lands. The same guideline should apply in the case of Manitoba Hydro right-of- way abutting the proposed improvement site, for it as well would be unfit for building purposes.

You are therefore advised, Manitoba Hydro shall not pay a grant for any local improvement charges that may be levied against our property abutting the improvement area, should you decide to proceed with this proposal." (See Exhibit I on file in the office of the City Clerk.)

The District Engineer is of the opinion that the lands in question are occupied by a transmission line, and they are thereby unfit for building purposes. (See Exhibit II on file in the office of the City Clerk). As well, Manitoba Hydro has taken the position that the local improvements provide no direct benefit to the properties forming the transmission line route and they therefore will not accept any local improvement charges levied against the Corporation property.

Section 372(2) and 372(3) of The City of Winnipeg Act allows the City to reactivate, for the full term of the improvement, any levy assumed by the City for exempt land when such land becomes subject to taxation.

Your Executive Policy Committee recommends that the properties listed on Appendix "A", owned by Manitoba Hydro and used for a power transmission line right-of-way, be declared as unfit for building purposes and accordingly not be assessed for the following local improvements:-

1. 16 foot concrete lane on the first north-south lane east of Fife Street from Machray Avenue to Church Avenue.

Report of the Executive Policy Committee, dated May 1st, 1991.

2. 5 foot concrete sidewalk on the north side of Huron Avenue from Fife Street to a point 286.4 feet east of the east line of Fife Street.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

(Note: See Minute No. 775 for attachment.)

Fire Protection Service Outside City Limits. File GF-1

766 - 4. On June 25th, 1990, the Committee on Protection, Parks and Culture concurred in a recommendation that the Fire Department not attend emergency calls of any nature outside the City of Winnipeg boundaries without the explicit direction of the Fire Chief or his designate on authority from His Worship the Mayor.

For many years, the City's Fire Department has, under formal agreements, provided fire protection services to several properties outside of the City's boundaries.

The agreements prescribe two types of charges - a standby fee and an attendance fee.

The standby fee is calculated annually on the basis of current data and is payable on June 30th of each year.

The formula for calculating the annual standby charge is as follows:-

Fire Department Costs	(Standby Fee Per
Winnipeg's Total	($1,000.00 of Building
Portioned Assessment x .8*=	(Assessment of each
	(participating facility

* Assumes that 80% of the Fire Department's costs are for standby.

The standby charges billed for the year 1990 are as follows:-

Stony Mountain Penitentiary, R.M. of Rockwood	$15,101.05
Canadian Pacific North Transcona Yard, R.M. of Springfield	1,189.12
Petro Canada Inc., R.M. of MacDonald	1,600.08
Manitoba Hydro, Dorsey Station, R.M. of Rosser	6,487.36
University of Manitoba Glenlea Research Station, R.M. of Ritchot	890.57
Seven Oaks Centre for Youths, R.M. of West St. Paul	1,254.98
Imperial Oil Limited, R.M. of East St. Paul	6,080.82

This standby fee is reduced by:

1. 75% as a protection allowance where the participating facility has some meaningful measure of self-protection in place (e.g. a local fire department, volunteer brigade, sprinkler system); and/or

2. 25% as a "distance" allowance where the distance of the facility from Winnipeg is sufficiently far so that the Fire Department's attendance would be marginally effective and less likely to be called.

All participating facilities qualify for both allowances except:-

a) The University of Manitoba Glenlea Research Station does not qualify for the protection allowance; and

b) Imperial Oil Limited does not qualify for the distance allowance.

Report of the Executive Policy Committee, dated May 1st, 1991.

An attendance fee is charged over and above the yearly standby fee when the Fire Department actually attends at a fire in response to a call from any of the participating facilities in accordance with the following schedule:-

One Engine Company	$200.00 per hour or fraction thereof
One Aerial Ladder Company	$200.00 per hour or fraction thereof
One "Snorkel" Company	$200.00 per hour or fraction thereof
One Service Ladder Company	$200.00 per hour or fraction thereof
One Rescue Company	$200.00 per hour or fraction thereof
Supervisory Service (One District Chief & Driver)	$ 42.50 per hour or fraction thereof

Invoices totalled $1,327.50 in 1989 and $2,497.50 in 1990.

Although current civic policy states that services should not be provided outside the City boundaries, The City of Winnipeg has contracted to provide fire protection service to the companies noted above. In a report dated August 16th, 1990, the Acting Fire Chief recommended that the Fire Department continue to provide fire protection service outside the City limits to the companies currently under contract. Despite this recommendation, however, it should be noted that this does not reduce the Fire Department's concern with regard to reduced service inside City limits during the periods fire protection services are provided outside City boundaries.

A review of personnel and apparatus costs was conducted by the Fire Department in April 1989. The proposed attendance fees were established with the objective of achieving a reasonable charge for the supply of firefighting services outside the established boundary of the City of Winnipeg while maintaining firefighting personnel strength at the minimum authorized level.

Fire incidents were examined and the number of occurrences where apparatus remained committed for 15 minutes or greater was tabulated. Of these incidents, the average length of time involved was calculated and costs per hour for each apparatus type were established. From this, an average cost per hour for a unit of fire fighting apparatus
was defined.

On the basis of this review, it is recommended that the attendance fee be increased to $880.00 per hour for pumpers, aerial ladders, snorkels, service ladders and rescues and to $220.00 per hour for the district chief and driver. Details of how the rate is calculated are included in the attached Appendix "A".

The removal of all reductions under the standby fee will result in the following charges (1990 figures):-

Stony Mountain Penitentiary, R.M. of Rockwood	$80,538.90
Canadian Pacific North Transcona Yard, R.M. of Springfield	6,342.00
Petro Canada Inc., R.M. of MacDonald	8,533.77
Manitoba Hydro, Dorsey Station, R.M. of Rosser	34,599.24
University of Manitoba Glenlea Research Station, R.M. of Ritchot	1,187.43
Seven Oaks Centre for Youths, R.M. of West St. Paul	6,693.21
Imperial Oil Limited, R.M. of East St. Paul	24,323.28

Due to the large increase to the standby fees created by the removal of the reductions, it is proposed that a phasing-in provision be established. The impact of the phasing-in is displayed in the attached Appendix "B".

Other methods of calculating the attendance fee which were considered are as follows:-

a) Determining what additional equipment and personnel is required to provide this service. This scenario would be such that there would not be any reduction in service in Winnipeg during periods equipment would be assigned outside the City limits.

b) Calculate an hourly charge and assume costs distributed on an hourly basis rather than on incidents. This method produces a much lower hourly charge as indicated on the analysis attached as Appendix "C".

Report of the Executive Policy Committee, dated May 1st, 1991.

Method a) is unrealistic since it is unlikely that anyone would pay the resultant charge. In addition, the City would have to pay for the cost of the additional equipment when the calls did not bring the required revenue to offset the costs. This method would, however, ensure that The City of Winnipeg is not caught short of equipment for its own needs.

Method b) is not considered reasonable since, on a service basis, the hourly rate does not truly represent the cost of the service. The service is a response. It is, therefore, felt that this method is not a realistic way to charge.

The method used by the Fire Department in its calculation seems to be the most reasonable to follow because the "incident" is far more representative of the service supplied than any other alternative.

ALTERNATIVE RECOMMENDATION

That the Fire Department discontinue provision of fire protection service outside the City limits to the companies currently under contract.

Current civic policy states that The City of Winnipeg should not provide service to areas outside the City limits. In addition, Fire Department administration is concerned about the lack of available service to City of Winnipeg residents and businesses while outside fire protection service is provided. Seven alarms were attended in 1986, 13 in 1987, 6 in 1988, 6 in 1989 and 11 in 1990. Apparatus/personnel were committed outside the City for each alarm thus compromising fire protection service inside the City limits during that period.

In complying with this civic policy, the City would be required to give notice of termination in accordance with the provisions of the agreements entered into.

Your Executive Policy Committee recommends:-

1. That the Fire Department continue to provide fire protection service outside the City limits to the companies currently under contract.

2. That the present formula continue to be used to calculate the gross standby fee with the provision for reductions removed.

3. That a provision for phasing-in be established so that the standby fees would be adjusted and payable as follows:-

   1/3 of the full standby fee in 1991
   2/3 of the full standby fee in 1992;
   and the full standby fee in 1993 and thereafter

   for all participating facilities except for the University of Manitoba's facility in Glenlea in which instance the full standby fee will commence to be payable in 1991.

4. That the attendance fee be increased to $880.00 per hour for pumpers, aerial ladders, snorkels, service ladders and rescues and to $220.00 per hour for the district chief and driver.

Moved by Mayor Norrie,
Adoption of the clause.

The Speaker returned to the Chamber and resumed the Chair.

In amendment,

Moved by Councillor Fleisher,
Seconded by Councillor Reese,
THAT Section 3 of Clause 4 of the Report of the Executive Policy Committee, dated May 1st, 1991, be amended to read as follows:-

Report of the Executive Policy Committee, dated May 1st, 1991.

"3. That the rural municipalities who purchase fire services from the City of Winnipeg be charged the full standby fee, and that the adjoining municipalities be afforded a 60-day period to pay these fees or services will be removed."

Moved by Councillor Reese,

That the clause and the proposed amendment be referred to the Committee on Protection, Parks and Culture.

Carried.

(Note: See Minute No. 776 for attachment.)

Long Term Policy for Waterworks Infrastructure Renewal.

File WW-2.4

767 - 5. On December 3rd, 1990, your Executive Policy Committee requested a review of the long term policy for the waterworks infrastructure renewal and passed the following motion in this connection, namely:-

"That the Executive Policy Committee make a commitment to a long term policy towards the renewal of the waterworks infrastructure through a process of imposing a special surcharge on water/sewer bills; and that the matter be referred to the Board of Commissioners for review and report on the timing, feasibility, disclosure and relative costs."

In 1983 the Waterworks, Waste and Disposal Department took a major step towards addressing infrastructure renewal by recommending that $8 million per year be expended on watermain renewals and that funding for a Watermain Renewal Reserve be raised by way of a frontage levy.

At its Special Meeting held on March 20th, 1991, Council approved a substantial increase in this levy. This increase is required to build the Watermain Renewal Reserve such that a funding level of $12 million for watermain renewals in 1991 could be established. This increased level of funding is intended to reduce the "backlog" of renewal projects which are economically viable.

Ongoing upgrading/renewal of regional infrastructure such as reservoirs, pumping stations and aqueducts is taking place through the annual capital budget.

Two key studies in this regard were recently commissioned. In 1988, the Aqueduct Condition Assessment Study commenced. This report, which should be complete in mid-1991, will recommend a program of rehabilitation for the aqueduct, to ensure that the 70 year old system will continue to provide a reliable delivery of Shoal Lake water to Winnipeg.

The Regional Water Supply Conceptual Planning Study, which commenced in early 1990, is being undertaken in three phases. Phase I is now complete, and compared the existing system to future requirements, both in terms of water quantity and quality. The Phase I report, now in preparation, will undergo public review as part of a public information program for the study. Phase II of the study, review of candidate systems, and Phase III, development of an implementation program, will follow. The final report is expected in late 1992.

In Phase II of the study, the short and long term implications of new system commitments on rate requirements and borrowing capacity will be identified. The financial implications of the candidate options on the consumer and the utility will be outlined and used as a factor in evaluating the candidate options.

In Phase III of the study, an implementation schedule to the year 2040 will be developed, with associated cost estimates. This will permit the projection of revenue requirements for financing the system, including the repayment of debenture costs. These revenue requirements will allow estimates of the implications on water rates.

Report of the Executive Policy Committee, dated May 1st, 1991.

As can be seen from the foregoing, the Waterworks, Waste and Disposal Department has been and continues to be developing a long term policy for infrastructure renewal in conjunction with requirements for future supply. It is therefore proposed that the administration submit a status report along with the proposed Annual and Five Year Capital Program in the Fall of 1991 and 1992, and that a full report recommending an action plan for major waterworks infrastructure renewals be provided at the conclusion of the Regional Water Supply Conceptual Planning Study late in 1992.

Your Executive Policy Committee recommends:-

1. That a status report on development of a long term policy for waterworks infrastructure renewal be provided with the proposed Annual and Five Year Capital Programs in the Fall of 1991 and 1992;

2. That a report recommending a specific action plan regarding funding for long term infrastructure renewal be provided at the conclusion of the Regional Water Supply Conceptual Planning Study in late 1992.

Moved by Mayor Norrie,
Adoption of the clause.

In amendment,

Moved by Councillor Fraser,
Seconded by Councillor Fleisher,
BE IT RESOLVED that:-

A. Recommendation 1 of Clause 5 of the Report of the Executive Policy Committee, dated May 1st, 1991, be amended as follows:-

i) delete the word "provided"
ii) insert in place of the deletion the following:-

"...presented to the Standing Committee on Works and Operations..."

B. Recommendation 2 of Clause 5 be amended by including after the word "provided" the following:-

"...to the Standing Committee on Works and Operations for consideration and recommendations."

Carried.

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

Presentation of Audit Reports to all Members of Council at same time they are presented to the Audit Committee and Executive Policy Committee.
File FA-2

768 - 6. Council at its meeting held on March 6th, 1991, referred the following motion to your Executive Policy Committee, namely:-

"THAT the Audit Reports to Council be presented to all members of Council at the same time as they are presented to the Audit Committee and Executive Policy Committee."

On April 3rd, 1991, your Committee referred the referenced matter to the Audit Committee for consideration and recommendation back to the Executive Policy Committee.

Your Executive Policy Committee recommends that Council grant your Committee a further extension of time of 60 days to deal with this matter.

Report of Executive Policy Committee, dated May 1st, 1991.

Moved by Mayor Norrie,
Adoption of the clause.

The motion for the adoption of the clause was put.

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

Yea: Councillors Wade, Boychuk, Brown, Clement, Diamant, Douglas, Lorenc, Mitchelson, Prystanski, Thomas, Timmers, Timm-Rudolph, Young, Mayor Norrie and Councillor Eadie. 15

Nay: Councillors Fraser, Golden, Lazarenko, Mendelson, Murray and Reese. 6

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

Proposed Amendment to Section 60 of The City of Winnipeg Act - Operational (Value-for-the-Money) Audits.
File GL-5.1

769 - 7. Council at its meeting held on March 6th, 1991, referred the following motion to your Executive Policy Committee, namely:-

> "THAT the Province be requested to amend Section 60 of The City of Winnipeg Act to require all operational (value-for-the-money) audits be reported to Council within six months of the end of each fiscal year or when the report is completed, whichever comes sooner."

On April 3rd, 1991, your Committee referred the referenced matter to the Law Department for the drafting of an appropriate amendment and response back to the Executive Policy Committee.

Your Executive Policy Committee recommends that Council grant your Committee a further extension of time of 60 days to deal with this matter.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

Winnipeg Stadium - Amateur Use.
File F-5

770 - 8. On October 17th, 1990, the Executive Policy Committee considered Clause 7 of its Report, dated October 3rd, 1990, regarding a request of the Winnipeg Enterprises Corporation for reimbursement of costs relative to amateur sport usage at the Winnipeg Stadium, which clause had been referred back to it by Council on October 10th, 1990. At the same meeting, Committee referred the matter to the Board of Commissioners for report.

The City had initially planned to construct a baseball field at Alexander Park. According to a 1986 report, the capital cost allocated for this facility was $1 million. Staff anticipated, at the time, that annual operating costs would approximate $125,000.00 to $150,000.00.

However, prior to construction, the Provincial Government, in 1987, approached the City with a proposal that a tripartite agreement be signed between the Province of Manitoba, the City of Winnipeg and the Manitoba Sports Federation, whereby each party would contribute $5 million over a five-year period for construction of major sports facilities in The City of Winnipeg. This led to lengthy and detailed negotiations. The City successfully negotiated a position whereby the other two parties would recognize its contribution towards a soccer complex and a baseball
stadium.

Report of the Executive Policy Committee, dated May 1st, 1991.

In the final agreement, the City was credited for an expenditure of $2.6 million for a baseball stadium. The City's representatives also negotiated an agreement that the Winnipeg Stadium would be the site for said baseball stadium with artificial turf installed to create a multi-purpose facility.

As a result of the aforementioned $2.6 million upgrading of the Winnipeg Stadium for multi-purpose use, which included the upgrading of the existing playing field with an artificial surface, The City of Winnipeg, the Winnipeg Enterprises Corporation and the Manitoba Sports Federation Inc. entered into an agreement to provide suitable access arrangements for amateur sport to the facility.

The 1987 Agreement provides, amongst other things, for the following:-

"10(1) The Federation agrees to pay Enterprises for making the Winnipeg Stadium available to amateur athletes on the basis of the schedule of fees attached hereto and marked Schedule 'A' to this agreement for the period April 1st, 1988 to November 1st, 1988, and thereafter on the basis of a schedule of fees to be established annually by Enterprises not later than the first day of January in each year, commencing in 1989.

10(2) Enterprises agrees that fees set for use of the Winnipeg Stadium by amateur athletes each season shall not increase by more than 10% over the fee charged by Enterprises for a similar use of the facility in the previous season.

10(4) In addition, the Federation agrees to reimburse Enterprises, for each public or private event, an additional sum equal to actual staffing costs incurred by Enterprises in making use of the Winnipeg Stadium available to amateur athletes and, in the case lighting is required, the sum of $40.00 per burn hour.

15(2) It is understood and agreed that the terms of this agreement shall be reviewed by the parties on an annual basis on or before the 15th day of December in each year commencing in 1988, to ensure:-

(a) amateur athletes are receiving fair and equitable access to the Winnipeg Stadium; and
(b) Enterprises is receiving reasonable compensation for the use of the Winnipeg Stadium by amateur athletes and the parties agree that such amendments as may be necessary to this agreement will be made to ensure the foregoing."

During the years since the agreement was signed, amateur use of the Stadium has represented a significant percentage of overall use.

YEAR	AMATEURS	OTHER	TOTALS
1988	32	28	60
1989	67	20	87
1990	61	38	99
TOTALS	160	86	246

The attached schedule details the costs attributed to amateur use by the Winnipeg Enterprises Corporation. As noted, rental payments do create some off-setting revenue. Rental rates have increased annually by the 10% maximum allowable. In addition, user groups are directly assessed any out-of-pocket expenses related to parking, security or timekeeping plus the $40.00 per burn hour which is allocated to off-set utility costs.

Based on experience to date, formula schedules have been developed which assess labour, equipment and supplies required to convert the Stadium from one use to another. These costs include a minimum provision for event staff.

Report of the Executive Policy Committee, dated May 1st, 1991.

Schedule	Conversion	Amount
1	Football to Baseball	$4,451.00
2	Baseball to Football	4,134.00
3	Field Hockey to Baseball	2,929.75
4	Baseball to Soccer or Field Hockey	2,792.50
5	Football to Soccer	541.25
6	Soccer to Football	320.25
7	Football to Field Hockey	580.25
8	Field Hockey to Football	505.25

Because certain conversions are relatively expensive, a continuing emphasis on improved planning or scheduling of events has resulted in cost savings. In the end, however, conversions are unavoidable.

Winnipeg Enterprises Corporation has also developed a formula for attributing general maintenance, operation and administrative overhead costs to amateur users of the Stadium. These assessments, which range between 20% and 30%, are considered to be modest and defensible, given the proportion of usage.

The final result is a financial shortfall of $171,052.11 for 160 event days over the two and one-half year period. In effect, it is costing approximately $1,069.08 per day (after rental and other charges) to allow amateur groups to use the Winnipeg Stadium. These costs will likely be subjected to some inflation over the balance of the ten-year agreement period.

The 1987 agreement is ambiguous in certain key areas. The Winnipeg Enterprises Corporation has directed its invoices for the above-noted shortfall to The City of Winnipeg, based on its understanding that the City would be responsible for such costs. The Enterprises maintain that this arrangement is more beneficial and less costly than the original Alexander Park proposal. More specifically, the Enterprises relies on Clause 15(2)(b) which states that the Winnipeg Enterprises Corporation is to receive "reasonable compensation for the use of the Winnipeg Stadium by amateur athletes and the parties agree that such amendments as may be necessary to this agreement will be made to ensure the foregoing."

This position is re-stated in the last official statement by Enterprises, dated July 3rd, 1990 - "and it is Enterprises' position that the City at all times understood responsibility for this receivable to be theirs."

The only other potential "party" which could cover the shortfall is the Manitoba Sports Federation. Its position is summarized in a letter to His Worship the Mayor, dated June 18th, 1990, which states, in part, that it "has also always clearly understood that The City of Winnipeg would reimburse Winnipeg Enterprises for all costs incurred by Winnipeg Enterprises, in excess of the rental fees."

The City staff view is that the agreement does not contemplate payment by the City of costs incurred at the Stadium arising out of amateur sport usage. Accordingly, the Board of Commissioners recommended to the Executive Policy Committee in February, 1989, that if it is Council's view that the City is responsible to reimburse Enterprises, then the Board should be directed to renegotiate the agreement.

On February 22nd, 1989, the Executive Policy Committee considered an application by the Winnipeg Enterprises Corporation that The City of Winnipeg reimburse the Corporation for the deficit incurred through the use of the Winnipeg Stadium by amateur athletes. The Committee provided the following direction:-

> "That pursuant to Section 15(2)(b) of the existing agreement that the parties to said agreement review the issue of concern in connection with the costs incurred relative to the use of Winnipeg Stadium by amateur sports, and further that Councillor C. Lorenc and Commissioner R. Lunney be named the City's representatives for review purposes."

Report of the Executive Policy Committee, dated May 1st, 1991.

The resulting discussions provided no resolution to the issue. Subsequently, Councillor R. Douglas was appointed Chairman of the Standing Committee on Protection, Parks and Culture and he was requested by the Executive Policy Committee to pursue the matter.

At its meeting held on May 2nd, 1990, the Executive Policy Committee provided the following direction after considering a report submitted by Councillor Douglas with respect to amateur usage:-

> "THAT His Worship the Mayor and Councillor Douglas, with the help of administration be directed to negotiate an agreement with the Winnipeg Enterprises Corporation and the Winnipeg Sports Federation providing that the Corporation shall account to The City of Winnipeg for its management of the use of the Winnipeg Stadium by amateur sport organizations in each fiscal year."
>
> "THAT Executive Policy Committee recommend to the Winnipeg Enterprises Corporation that the only way to resolve the issue with respect to liability is not to allow an accumulation."

Representatives met on May 7th, 1990, and reviewed this issue in detail and no such agreement was evident. Civic representatives then requested the other parties to confirm their position in writing. By letters dated June 18th and July 3rd, 1990, the Manitoba Sports Federation and the Winnipeg Enterprises Corporation, respectively, advised His Worship the Mayor that, in their opinions, The City of Winnipeg is obligated to assume financial responsibility for costs relative to amateur sport usage at the Winnipeg Stadium under the Tripartite Sports Facility Agreement.

It remains the opinion of the City's Law Department that the Tripartite Sports Facility Agreement does not obligate The City of Winnipeg to assume liability for costs associated with amateur sport usage at the Winnipeg Stadium. The staff view is that the City is not responsible for such charges unless specifically approved by Council. The tripartite agreement does contain abundant provision for the review and adjustment of fees charged and while this is the responsibility of the Winnipeg Enterprises Corporation, it can only be accomplished with the concurrence of the Manitoba Sports Federation. Clause 10(4) of the agreement "that in addition, the Federation agrees to reimburse Enterprises, for each public or private event, an additional sum equal to actual staffing costs incurred by Enterprises in making use of the Winnipeg Stadium available to amateur athletes...." has been rendered ineffective by other clauses in the agreement.

In summary, all efforts to resolve the impasse over the past two years have been unsuccessful.

The City has diligently pursued every avenue in order to resolve this issue. Staff continues to believe that in accordance with the terms of the agreement, the Manitoba Sports Federation does have some obligation. Winnipeg Enterprises Corporation is to receive "reasonable compensation" (undefined in the agreement) for its costs.

Amateur sports groups, throughout the City, have enjoyed the benefits provided by the agreement in that the Winnipeg Stadium is being utilized to a far greater extent throughout the season as a result of the decisions taken in 1987.

Your Executive Policy Committee considered the following alternatives, namely:-

1. As the City does not have sufficient budget provision to cover all outstanding invoices, plus the costs incurred in 1991, it could advise the Winnipeg Enterprises Corporation that the City will provide $125,000.00 in January, 1992, as a means of offsetting accumulated costs to date. In each subsequent year, throughout the life of the agreement, the City will provide an annual payment reduced by $5,000.00, such that in January, 1998, the City's provision will be $95,000.00. This formula assumes 60 amateur event days per year and the said annual payments will be reduced on a pro- rata basis if less than 60 event days actually occur. For example, if 30 amateur days occur in 1991, the January 1992 payment would be $62,500.00. This alternative would provide sufficient funding over time such that Winnipeg Enterprises could continue allowing amateur use of the Stadium. This solution resolves the issue primarily at City cost with some burden on Winnipeg Enterprises (interest and likely some inflation).

Report of the Executive Policy Committee, dated May 1st, 1991.

2. Clause 10(4) of the agreement reads in part as follows:-

"..... the Federation agrees to reimburse Enterprises, for each public and private event, an additional sum equal to actual staffing costs incurred by Enterprises in making use of the Winnipeg Stadium available to amateur athletes...".

Political and administrative attempts were made to have the Manitoba Sports Federation live up to its obligations under the clause. If further attempts are to be made to have the Federation recognize its obligations, these negotiations should be undertaken by an Ad Hoc Committee of the Executive Policy Committee.

3. Section 15(2) of the agreement reads as follows:-

"It is understood and agreed that the terms of this agreement shall be reviewed by the parties on an annual basis on or before the 15th day of December in each year commencing in 1988, to ensure:-

(a) amateur athletes are receiving fair and equitable access to the Winnipeg Stadium; and
(b) Enterprises is receiving reasonable compensation for the use of the Winnipeg Stadium by amateur athletes and the parties agree that such amendments as may be necessary to this agreement will be made to ensure the foregoing."

It may be advisable, under this clause, to re-open negotiations with the Manitoba Sports Federation and Winnipeg Enterprises Corporation to clarify the word "reasonable" in sub-section (b) of said clause and to further ensure that the agreement makes it clear as to who is responsible for the payment of the additional costs involved in making the Stadium available to amateur sports - i.e.:-

- if additional staff is required for the event should the Manitoba Sports Federation, under the terms of Clause 10(4) of the agreement, pay all such additional staffing costs;

- in defining the word "reasonable", should the Winnipeg Enterprises Corporation be expected to recover all its overhead costs in making the facility available to amateur sports;

- if it is recognized that The City of Winnipeg has an obligation to support amateur sports, should the City cover part of the additional costs in making the Stadium available to amateur sports.

If such re-negotiations of the agreement is deemed advisable, this should be undertaken by an Ad Hoc Committee of the Executive Policy Committee.

Your Executive Policy Committee recommends:-

1. That the Winnipeg Enterprises Corporation be advised that the City will provide $125,000.00 in January, 1992, as a means of offsetting accumulated costs to date.

2. That in each subsequent year, throughout the life of the agreement, the City provide an annual payment reduced by $5,000.00, such that in January, 1998, the City's provision will be $95,000.00.

The above formula assumes 60 amateur event days per year and the said annual payments will be reduced on a pro-rata basis if less than 60 event days actually occur. For example, if 30 amateur days occur in 1991, the January 1992 payment would be $62,500.00.

This alternative would also provide sufficient funding over time such that Winnipeg Enterprises could continue allowing amateur use of the Stadium. This solution resolves the issue primarily at City cost with some burden on Winnipeg Enterprises (interest and likely some inflation).

Report of the Executive Policy Committee, dated May 1st, 1991.

Moved by Mayor Norrie,
Adoption of the clause.

The motion for the adoption of the clause was put.

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

Yea: Councillors Wade, Boychuk, Brown, Clement, Diamant, Fleisher, Fraser, Gilroy, Golden, Lazarenko, Lorenc, Mitchelson, Murray, O'Shaughnessy, Prystanski, Selinger, Timm-Rudolph, Young, Mayor Norrie and Councillor Eadie. 20

Nay: Councillors Douglas, Duguid and Timmers. 3

and the motion was declared carried.

(Note: See Minute No. 777 for attachment.)

Management Philosophy. File GP-1

771 - 9. On November 21st, 1990, Council referred the following motions to your Executive Policy Committee, namely:-

(a) "WHEREAS it is desirable, more productive and cost-effective to have a flatter administration hierarchy;

AND WHEREAS middle management positions should be competitive within the province vis-a-vis comparable private and public positions;

THEREFORE BE IT RESOLVED that:-

1. The existing 18 grades of management and W.A.P.S.O. positions be reduced to 10 grades;

2. The salaries for the positions referred to in Clause (1) be based on the average pay of a cross section of comparable positions within the public and private sectors;

3. The City review its practice of operating on an 'internal relative philosophy' which means that each individual position is not examined in the market place;

4. These resolutions be referred to the Budget Committee."

(b) "WHEREAS it is a well-known fact that percentage increases in salaries are inequitable because it widens the gap between higher salaried employees and lower salaried employees;

AND WHEREAS flat dollar wage increases across the board are, in fact, equitable and will result in less cost to the taxpayer for salaries;

THEREFORE BE IT RESOLVED THAT:-

1. The City of Winnipeg implement a policy immediately of negotiating only flat dollar increases in salaries for all its employees, including those employees with City utilities;

2. This Resolution be referred simultaneously to both the Ad Hoc Committee on Budget Controls and Executive Policy Committee."

Subsequently on March 20th, 1991, Council also referred the following motion to your Executive Policy Committee, namely:-

Report of the Executive Policy Committee, dated May 1st, 1991.

"WHEREAS City Council has instructed the Board of Commissioners to prepare a budget to stay within the cost of living;

AND WHEREAS the Board has recommended a budget of 4.4% which has the potential for drastic cuts in services and massive lay-offs of City employees;

AND WHEREAS the Board has not proposed significant cuts in management positions commensurate with cuts being proposed in C.U.P.E. and other union positions;

THEREFORE BE IT RESOLVED that for the year 1991, in all departments, management positions, including W.A.P.S.O. and the 'M' series positions, be reduced to accomplish a reduction of at least 20%, with a further study in two years with a view to implementing an additional cut of 20%. This will result in a total reduction of management staff and overhead costs of 40%, resulting in a saving of a possible $5 million or more per annum. This reduction should still enable this Council to deliver the same services to the public."

Your Executive Policy Committee has further considered the matter and recommends that the motions be filed inasmuch as the matter will be dealt with by the Ad Hoc Committee on Service Levels.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

Management Philosophy. File GP-1

772 - 10. On November 21st, 1990, Council referred back to the Executive Policy Committee, Clause 4 of your Committee's Report, dated November 14th, 1990, which reads in part as follows:-

"On August 1st, 1990, Council adopted Clause 16 of the Report of the Executive Policy Committee, dated July 25th, 1990, regarding a management philosophy.

During consideration of the Clause, the following motion was introduced and referred to the Executive Policy Committee:-

'WHEREAS Thorne Stevenson & Kellogg did a Comprehensive Compensation Review of Specifications and Administrative and Management Positions in 1985 involving 600 interviews and the evaluation of 600 positions;

AND WHEREAS the salary survey sample included five cities including Edmonton, Toronto, Ottawa, the federal government, and a cross-section of eight Winnipeg-based private sector and public sector organizations, supplemented with data from a national salary survey;

AND WHEREAS every W.A.P.S.O. and M series job has been evaluated relative to the same set of criteria with fully documented results;

AND WHEREAS the job evaluation results implementation was difficult and even at times contentious, but deemed necessary to gain control over the salary expenditures;

AND WHEREAS Council can choose to pay above average, at the average, or below average, Council chose in 1985 to pay national instead of provincial average, believing that it would increase the City's ability to attract talented employees;

AND WHEREAS in 1985 the City had a total of 890 employees in the M series and W.A.P.S.O. series for a payroll of $39.7 million in 1985 compared to 64 senior management, 504 supervisory and 443 technical or professional W.A.P.S.O. employees for a total of 1,011 in 1990 for a payroll of $51.8 million;

Report of the Executive Policy Committee, dated May 1st, 1991.

THEREFORE BE IT RESOLVED:

(1) that item 3 be amended to read that the existing 18 grades be reduced to 10 grades, excluding the 64 most senior positions, and that the 21 steps and new 10-grade scale applying to the remaining 947 positions be based on the average pay of a cross-section of public and private sector organizations in Winnipeg,

(2) that the 64 most senior positions be put on contract and salaries be negotiated on a national average pay scale,

(3) that the implementation not be carried out prior to Council having a cost analysis of the revised management structure,

(4) that a two-track system be allowed for only a 3 year phasing-in period, and

(5) that the emphasis be put on a non-monetary award system and public recognition.'

Since the adoption of Clause 16 of the Report of the Executive Policy Committee by Council on August 1st, 1990, briefing sessions have been held with senior management of all departments. The Board will be reviewing the proposal in detail prior to a formal presentation to the Winnipeg Association of Public Service Officers. The process has been consultative throughout and, while somewhat more time consuming, should lead to greater understanding and hopefully a better solution.

It should be noted that the Commissioner, Department Head and Deputy Department Head positions are now benefitted on contract and that Council policy already includes an intent to reflect average national pay scales for the most senior positions.

The City operates on an internal relative philosophy which means that each individual position is not examined in the marketplace but, instead, is compared with other positions within the system.

The Board is committed to an implementation plan over a three-year period and annual progress reports will be submitted.

The Board further agrees with the concept of non-monetary recognition.

In summary, the Board is evolving toward a new plan and will keep Council informed.

Your Executive Policy Committee therefore recommends that the aforementioned Council resolution of August 1st, 1990, be filed."

Your Executive Policy Committee has further considered the matter and recommends that the clause be filed inasmuch as the matter will be dealt with by the Ad Hoc Committee on Service Levels.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

Draft Legislation for Changes to The City of Winnipeg Act - Area Charges for Local Improvements.
Files GL-5.1 & SL-1.

773 - 11. On October 31st, 1990, Council referred back to the Executive Policy Committee Clause 1 of your Committee's Report, dated October 24th, 1990, which reads in part as follows:-

Report of the Executive Policy Committee, dated May 1st, 1991.

"On June 21st, 1988, the Committee on Works and Operations requested the Administration to investigate and report back on the feasibility and financial implications should a recommendation be made to Council that the Province of Manitoba be requested to amend The City of Winnipeg Act to provide enabling legislation such that Council could declare the Bison/Letellier development area a separate local improvement district for installation of municipal services, thereby permitting the City to charge appropriate local improvement rates for wastewater, sewer, watermains, streets, etc. and to recover the full costs for the provision of such servicing.

The proposal for legislation changes to The City of Winnipeg Act is rooted in the request for municipal services by landowners in the Bison/Letellier area of the University Ward in the Assiniboine Park- Fort Garry Community. The initiation of this request began in 1978 and ultimately resulted in two consultant studies, one public meeting, numerous delegations to the Community Committee and the Committee on Works and Operations, the latest being June 21st, 1988.

The Bison/Letellier service area is approximately 90 hectares and is bounded by Bison Drive on the north, Waverley Street on the west, the C.N.R./Letellier tracks on the east and Comdale Avenue on the south. (See map attachment Appendix "A"). There are approximately 100 separate property titles and 65 individual landowners. There are two key problems associated with servicing of this area; they are:-

1. The requirement of extension of trunk services for wastewater and land drainage sewers to be bridge-financed by the City.

2. A temporary shortfall in recovery costs by application of local improvement rates.

The position of the Committee on Works and Operations on November 17th, 1987, was that the shortfall between actual costs of providing municipal services and what the actual recoveries through local improvement charges would be, are to be funded by the private property owners.

On November 26th, 1988, at a public informational meeting, the landowners were presented with two broad options:-

1. Have The City of Winnipeg Act amended to allow assessment of all municipal services on a local improvement district basis, such that all costs could be recovered from the land benefitted similarly to what can now be done with trunk storm water drainage systems (land drainage).

2. Owners group together and enter into a servicing agreement with the City wherein all City shortfall costs would be paid up-front by the owners.

Option 1. was pursued by delegations to the Committee on Works and Operations on March 29th and June 21st, 1988, and subsequently the Committee requested an investigation and report on changes to The City of Winnipeg Act to provide for the creation of separate local improvement districts.

The documentation of history beginning in 1985 is provided in Appendix 'B' and the report in Appendix 'E' - Bison Drive/Letellier Development Area - Municipal Servicing Concept Study - October 22nd, 1987, provides further history and recommendations.

The Law Department in conjunction with the Finance Department and with input from the Works and Operations Division, have prepared 'working draft' amendments of enabling legislation to The City of Winnipeg Act that would allow for the creation of local improvement districts. The full text of these proposed amendments is provided in Appendix 'C'. These amendments have been drafted such that they would be applicable not only to the Bison/Letellier area, but also to any other area of the City. As an example, the south Transcona area could be a similar application. In preparation of the amendments, the Municipal Act and Business Improvement Zones of The City of Winnipeg Act were used in part as an example to follow. It should be noted that prior to unification, the area municipalities in many instances created local improvement districts for one or more services in accordance with the Municipal Act.

Report of the Executive Policy Committee, dated May 1st, 1991.

In essence the proposed amendments would provide for the creation of local improvement districts wherein all costs of municipal services for a specified area could be recovered through local improvement assessments in accordance with The City of Winnipeg Act against all those lands benefitting. The basis of these amendments is to provide
for full cost recovery from a developing area rather than the City-at-large paying a portion of costs as it currently exists with the Local Improvements By-law. For comparison purposes this would be similar to what a Developer must do in terms of a Development Agreement, i.e. recover all costs from the area being developed.

In The City of Winnipeg Act, Section 346(2), Special Assessment for Trunk Storm Sewers, there is provision for creating a special assessment for lands determined to be benefitting from a trunk storm water drainage system. In a somewhat similar fashion, the proposed amendments would extend the powers of the City to enable creation of local improvement districts that would provide for a full range of municipal services within the boundaries of a district and provide for a full cost recovery from the lands benefitting.

Process for Creating a Local Improvement District

The process to create a local improvement district is contingent on landowners petitioning Council for the improvements. It is envisioned that landowners may approach an Operations Department office to formulate a district servicing concept before appearing at the Committee on Works and Operations. The necessary formal petition would be prepared by the Finance Department with engineering and planning details provided by other departments upon receipt of instructions from the Committee on Works and Operations. It would be essential at this stage that all required services within as well as outside the proposed district boundaries be determined and be consistent with current development agreement parameters. It is envisioned that the Committee on Works and Operations would be approached by a delegation or requested by a Community Committee to consider and support creation of the local improvement district.

Upon preparation of the formal petition, the interested landowners would then endeavour to secure sufficient support of landowners representing at least one-half of the value of the lands within the proposed district, and upon doing so would then present the petition to Council. It is necessary that the petition be sufficient and be so verified by the City Treasurer before being presented to Council. Council, upon receipt of such a petition, would refer it back to the appropriate Community Committee.

The Community Committee would advertise in a local newspaper, have written notice sent out to landowners and thereafter hold a public hearing and subsequently report back to Council through the appropriate Standing Committee within 60 days of the public hearing.

Council, after receipt of Committee reports, may vary the proposed district boundaries, and alter any of the improvements, costs and levies. Council would then decide whether or not to proceed to create a local improvement district. If the decision is made to proceed, then the By-law(s) receive first reading and the City Clerk proceeds with a local improvement advertisement, following which the landowners would have 30 days to petition against. It might well be that Council has changed the original proposal such that the boundaries, improvements, costs and levies might be quite different from that of the original petition and landowners who originally supported the local improvement district may now wish to petition against the proposed local improvements.

It should be noted that the landowners are only entitled to petition against the creation of all the district improvements and not any individual local improvement. In other words, it is an all or nothing deal. If no petition against, or one insufficiently signed against is received, Council may proceed with creation of the local improvement district defined in the first reading, by passage of second and third readings of the By-law(s). Appendix 'D' charts the process and steps which land owners, the administration, Committees and Council must follow to form a local improvement district.

Report of the Executive Policy Committee, dated May 1st, 1991.

Synopsis of the Draft Amendment

An overview of the proposed amendments in Appendix 'C' is as follows:-

346.1(1) DEFINITIONS

Definitions of 'Land Benefitted and Local Improvements' as applicable in this section.

346.1(2) PETITION FOR FORMATION OF LOCAL IMPROVEMENT DISTRICT

Landowners representing at least one-half of the value of the land can petition Council to initiate the creation of a local improvement district.

346.1(3) VERIFICATION OF PETITION

Verification of petition and contents.

346.1(4) CONTENTS OF PETITION

Contents of petition:-

- the area
- proposed improvements
- estimated costs
- lands to be assessed
- method and rate of assessment

346.1(5) ACTION BY COUNCIL

Upon receipt of a verified petition, Council will request Community Committee to conduct public hearings.

346.1(6)(a)(b) NOTICE

Notices by Community Committee for public hearing.

346.1(7) CONTENTS OF NOTICE

Contents of Notice:-

- the area affected
- proposed improvements
- estimated costs
- lands to be assessed
- method and rate of taxation
- time and place of public hearing

346.1(8)(a)(b)(c) HEARING AND RECOMMENDATIONS

Community Committee will hear representations and make recommendations to Council through Standing Committee.

346.1(9)(a)(b) ACTION BY COUNCIL

Council to make final determinations of local improvement district or decide not to proceed.

346.1(10)(a)(b) BY-LAWS

Council formulates By-law(s) for creation of local improvement district and authorizes the undertaking of local improvements.

346.1(11)(a)(b) NOTICE OF BY-LAWS OR BY-LAWS

Report of the Executive Policy Committee, dated May 1st, 1991.

Newspaper publication and notice to landowners of the proposed local improvement district.

346.1(12) FORM OF NOTICES OF OBJECTION

City Treasurer shall determine form and acceptance of Notices of Objection.

346.1(13) PETITION AGAINST CREATION OF DISTRICT

City Treasurer receives and verifies Notices of Objection which constitute a petition against.

346.1(14)(a)(b)(c) VALIDITY OF PETITION AGAINST

Requirements of petition against to be valid and to be sufficient to receive Certificate of the City Treasurer.

346.1(15) SUFFICIENCY AND VALIDITY OF PETITION AGAINST

The City Treasurer shall determine the sufficiency and validity of any petition against the creation of a local improvement district.

346.1(16) EFFECT OF VALID PETITION

Council may proceed to second and third readings of By-law(s) in absence of a sufficient petition against.

346.1(17) INSUFFICIENT OR INVALID PETITION

Council may proceed to second and third readings of By-law(s) in absence of a sufficient petition against.

346.1(18) CITY-OWNED LANDS

City-owned lands will refrain from petitioning for or against.

346.1(19) LEVY FOR OUTSIDE WORK

Where municipal services are required for the district but are outside the local improvement district boundaries, Council may levy all or part of these costs against the land benefitted. This would be similar to a Development Agreement situation where services outside the development boundaries are installed in total or in part by the Developer.

346.1(20) LEVY WITHIN DISTRICT

There will be a uniform assessment against the lands within the local improvement district.
346.1(21) SECTIONS NOT APPLYING

The sections of Part 10 of The City of Winnipeg Act that would not apply.

<u>IMPLICATIONS OF THE AMENDMENTS</u>

The following implications should be considered with respect to the creation of a local improvement district.

1. In each case, the Committee on Works and Operations will have to refer the landowner's proposal to the administration for their investigation and report on the feasibility of the request for a petition. Consideration must be given to the implications of cost and administrative time. Consultants may be required to provide engineering studies and reports. This has been the case for the Bison/Letellier area and represents front-end costs that may not be recoverable.

   The administration report would involve several departments and culminate in a recommendation to the Committee on Works and Operations. The Committee will want to be satisfied that there is sufficient interest and good cause in proceeding and ultimately giving its approval for the preparation of a formal petition.

Report of the Executive Policy Committee, dated May 1st, 1991.

2. There is risk that one or more developer/owners may appeal to Council to proceed on a local improvement district basis rather than develop through the normal servicing agreement. If a developer garners one-half or more of the support required he could petition Council for use of these proposed amendments rather than assemble the remaining lands, which often takes a number of years. The City would be put in the position of financing subdivisions and consequently increase the debt load of the City rather than a developer doing the capital investment. This could be viewed as the City acting like a developer on behalf of one or more landowners. Future Councils would have to be cautious that local improvement districts are created only when and where justified.

3. It is envisioned that areas such as Headingley or South St. Vital for example could petition for a single service such as a water system. The proposed enabling legislation is not restrictive and therefore could be utilized for a single improvement.

4. The general thrust of Local Improvement By-law No. 98/72 is that there is a uniform levy rate throughout the City for improvements in any year. The local improvement rates for sewers, water and ornamental and lane lighting, are set by Council each year on the basis of estimated average cost for the respective services installed. In the case of pavements, sidewalks and boulevards, a pooled rate based on the actual cost of constructing all these improvements throughout the City in that year are used. There may be cases where the local improvement district area charge method may permit servicing at less cost to the landowners than proceeding under the current local improvement By-law No. 98/72. This may result in requests for creation of a local improvement district where a conventional local improvement should otherwise be utilized.

POLICY GUIDELINES FOR LOCAL IMPROVEMENT DISTRICT

If the amendments are incorporated into The City of Winnipeg Act, Council by policy should then establish guidelines for the administration and petitioning landowners to establish conditions that must be met prior to consideration by Council for the creation of a local improvement district.

The following are examples of policy guidelines that should be met before a formal petition is prepared:-

1. Landowners must appear before the Committee on Works and Operations. The Committee will consider their request to create a local improvement district and endorse the process to initiate a formal petition. Prior to this, the landowners should approach the appropriate District Office for help in outlining an appropriate servicing concept. Local improvement district boundaries should be consistent with appropriate servicing boundaries.

2. It should be adequately demonstrated that:-

   a) The cost of installation of local improvements will exceed the cost recovery from these improvements.

   b) There is a multiplicity of landowners involved making land assembly difficult.

   c) Landowners have made sufficient effort to assemble lands and enter into an agreement amongst themselves prior to applying for creation of a local improvement district.

   d) It is administratively impractical for the City to enter into separate agreements with each of the landowners.

   ALTERNATIVES AND IMPACTS

   There are three distinct alternatives by which services could be installed in a developing area. All three have different financial impacts on the City.

Report of Executive Policy Committee, dated May 1st, 1991.

Alternative I - Council decision to create a Local Improvement District

The City would have to provide funds in the Capital Budget and subsequently incur and carry a funded Capital debt. Assessment would be in the form of frontage foot levies and/or an area charge. Recovery, with interest, would take place over a number of years. The existing local improvement legislation provides the methods of recovery. Fundamental differences between a regular local improvement and this method are that if a district is created, all costs incurred may be recovered. This would mean that the cost of all internal improvements plus those outside the boundaries of the district would be recovered. Improvements outside the boundaries would include those needed for servicing the district as well as those required because of creation of the district, such as regional and/or collector street improvements, traffic lights, railway crossings and extension of trunk services.

With reference to the Bison/Letellier area, if a local improvement district is created, the City would incur a capital debt of approximately $5.7 million in 1987 dollars. The total costs would, in the long term, be recovered from within the local improvement district, resulting in no financial impact to the City-at-large.

In this alternative the City would borrow the money to finance the improvements and would carry a debt funded by the local improvement district. This debt would be reduced each year by annual levy against the district.

Alternative 2 - Regular Local Improvement

The City advertises a local improvement and, if successful, allocates capital and proceeds with the improvements. Frontage foot levies are applied and the City-at-large makes up the shortfall between the actual cost of providing the services and the actual amount of recovery through local improvement levies. City-at-large costs would include non-assessable items such as flankages and intersections along with the costs of oversizing services and widening street pavements.

In the case of Bison/Letellier, if a regular local improvement is enacted the City will incur a capital debt of approximately $5.678 million in 1987 dollars. Short-term recovery by local improvement frontage foot levy would be approximately $3.879 million, leaving an initial shortfall of $1.799 million. Over time, approximately $1.570
million could be recovered through land drainage trunk service charges and wastewater sewer payback by other benefitting lands. A permanent shortfall of $229,000.00 from the internal services plus an estimated shortfall of $750,000.00 for pavement improvements (not included in the above) would be borne by the City-at-large.

It should be noted that these shortfalls and large interim capital funding requirements led the Committee on Works and Operations at their meeting of June 21st, 1988, to seek an alternative method of financing the installation of services in the Bison/Letellier area, i.e. the request to investigate the feasibility of creating a local improvement district.

Alternative 3 - Servicing Agreement

The landowners could, at their own initiative, group together and enter into a common servicing agreement with the City in the same manner that a developer would. All costs would be borne by the group with appropriate oversizing and benefitting private land paybacks set out in the agreement. There would be no capital cost to the City.

Administratively this is the most desirable alternative. In the case of Bison/Letellier it is also the most unlikely. The idea was presented to the landowners at a November 26th, 1987 public informational meeting. There was no initiative taken at that time and it is felt that because there are approximately 65 individual landowners and over 100 property titles it would take a long time, if ever, to get the 100% consent required to enter into an agreement.

Report of Executive Policy Committee, dated May 1st, 1991.

SUMMARY

The three alternatives may be summarized as follows:-

By creation of a local improvement district, the City would front-end the total cost of the works but recover the entire debt in the long- term through annual levies. The City of Winnipeg Act would have to be amended and Council would have to establish policy guidelines relating to creation of local improvement districts. The process of creating a local improvement district would take a considerable amount of time, considerable efforts by landowners, administrative time and upfront costs. The process takes on the elements of being complicated because of the nature of engineering and financial detail and inputs required from various Committees, Departments and considerations of Council.

By enacting a regular local improvement, the City could recover costs by frontage levy. The City-at-large would absorb the cost differential between recovery and the actual servicing costs. It should be noted that local improvements for the Bison/Letellier area were advertised in the Spring of 1987 and not successfully petitioned against. In the Fall of 1987, the Committee on Works and Operations indicated that the shortfall between actual costs of providing municipal services and what the actual recoveries through local improvement charges would be, are to be funded by the private property owners in the Bison/Letellier development area. This, in effect, was a decision not to proceed with the local improvements as advertised.

By grouping together, the landowners could initiate a servicing agreement and front end the servicing costs. However, the number of individual landowners involved makes this alternative not readily achievable.

Your Executive Policy Committee recommends:-

1. That the amendments to The City of Winnipeg Act, as listed in Appendix 'C', be submitted to the Province of Manitoba for implementation.

2. That the guidelines for processing and implementing the creation of local improvement districts, as discussed in this report, be approved by Council.

For the information of Council, the Committee on Works and Operations, on September 4th, 1990, considered the entire proposal as outlined and concurred in the above recommendations.

Also for the information of Council, the Commissioner of Works and Operations has been requested to prepare the necessary policy and guidelines in the above connection, to be put in place upon Provincial approval of the required amendments to The City of Winnipeg Act."

Your Executive Policy Committee has further considered the matter and recommends that the clause be filed inasmuch as the matter has been forwarded to the Plan Winnipeg Review Committee for consideration during its deliberations.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

(Note: Appendices referred to in the above clause are on file in the Office of City Clerk.)

Report of the Executive Policy Committee, dated May 1st, 1991.

1991 Current Estimates - Utility Operations - "96" Transit Service to The Forks.

Files FE(1991) & TE-2

774 - 12. On December 12th, 1990, Council referred back to the Executive Policy Committee, Clause 2 of your Committee's Report, dated December 3rd, 1990, which reads in part as follows:-

"Your Executive Policy Committee has considered a recommendation from the Committee on Works and Operations that the "96" Transit Service to The Forks be eliminated, effective April, 1991.

Your Executive Policy Committee is of the view that the '96' Transit Service to the Forks should not be eliminated and therefore recommends:-

1. That the '96' transit service to the Forks no longer be identified as a 'free service' and that regular bus fares apply to this route.

2. That administration be directed to monitor the operation and ridership in 1991 and report back to the Committee on Works and Operations on its findings.

3. That the Proper Officers of the City do all things necessary to effect the intent of the above recommendations."

Your Executive Policy Committee has further considered the matter and recommends that the clause be filed inasmuch as the Utility portion of the Current Estimates has been finalized by Council for 1992.

For the information of Council, the Executive Policy Committee is currently awaiting a report from the Board of Commissioners on the issue relative to the transit service to The Forks.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

775 - SEE OFFICIAL SET OF MINUTES FOR ATTACHMENT.

776 - SEE OFFICIAL SET OF MINUTES FOR ATTACHMENT.

777 - SEE OFFICIAL SET OF MINUTES FOR ATTACHMENT.

EXECUTIVE POLICY COMMITTEE

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Moved by Councillor Lazarenko,
Seconded by Councillor Golden,
778 - WHEREAS a report on the H. Pollock arrest was prepared and submitted to the Mayor upon his request;

AND WHEREAS the report dated January 7th, 1991, has been discussed at length in camera at the Executive Policy Committee meeting held on April 11th, 1991;

AND WHEREAS that report has individual names "blacked out";

THEREFORE BE IT RESOLVED that the report dated January 7th, 1991, prepared by Commissioner Reynolds to Mayor Norrie be released to all members of Council, effective immediately.

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

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

Carried.

The motion was put.

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

Yea: Councillors Boychuk, Duguid, Lazarenko and Selinger, 4

Nay: Councillors Wade, Clement, Diamant, Douglas, Fleisher, Fraser, Gilroy, Murray, O'Shaughnessy, Timmers, Yuen, Mayor Norrie and Councillor Eadie. 13

and the motion was declared lost.

Moved by Councillor Fleisher,
That Council recess for dinner, to reconvene at the call of the Chair.

The motion was put and declared carried and Council stood recessed at 6:15 p.m.

Council reconvened at 7:52 p.m.

Same members present.

MOTIONS

Moved by Mayor Norrie,
Seconded by Councillor Brown,
779 - BE IT RESOLVED that Councillor Greg Selinger be appointed as alternate to Councillor Ernie Gilroy in his capacity as Council's representative to the City of Winnipeg Community and Race Relations Committee.

Carried.

Moved by Councillor Demare,
Seconded by Councillor Golden,
780 - THAT Councillor Kaufmann, who is recovering from surgery, be granted leave of absence from the Council meeting of this date.

Carried.

EXECUTIVE POLICY COMMITTEE – MOTIONS (Continued)

Moved by Councillor Young,
Seconded by Councillor Mendelson,

781 - WHEREAS The City of Winnipeg must find the means to maintain or improve services to meet the significant and changing needs of its citizens and taxpayers;

AND WHEREAS The City of Winnipeg faces major requirements for rehabilitation or replacement of physical infrastructure;

AND WHEREAS the outlook for financial support by other levels of government is uncertain;

AND WHEREAS the future competitiveness of the City, its enterprises and residents will depend primarily upon the comparative advantages that The City of Winnipeg offers including quality of life and amenities, and the stability of the City's economic environment;

AND WHEREAS requirements for financial and other resources to meet current and emerging needs will have to be met innovatively by achieving more with less;

AND WHEREAS reductions in expenditures should be orderly, supportable and achieved with minimal disruption in the provision of essential services;

THEREFORE BE IT RESOLVED THAT:

1. A Joint Subcommittee of Executive Policy Committee on Organizational Effectiveness and Efficiency, hereinafter called the Committee, shall be established to replace the existing Budget Committee and Service Levels Committee so as to more completely and adequately examine:

    1.1. The City's organization structure and management processes to determine what measures may be undertaken to assist elected and appointed officials to identify, evaluate and support initiatives that will enhance the effectiveness, efficiency and economy of the City's operations and administration.

    1.2 The City's geographical organization, administration and operations to determine whether and how more efficient structures may be adopted for planning, managing and controlling the execution of the City's various responsibilities.

    1.3 The provision of services to citizens and taxpayers by all levels of government to determine which services should most appropriately be provided by the City.

    1.4 How the City may achieve maximum levels of effectiveness and productivity in performing organizational functions that are replicated in more than one department, division or branch.

    1.5 The potential to trim management layers through attrition, early retirement policies or redeployment.

    1.6 Opportunities to foster greater organizational effectiveness, efficiency and innovation through improved accountability, performance incentives and increased department authorities.

    1.7 Such other matters as the Committee may from time to time determine are relevant to the effectiveness, efficiency or economy of the City's structure, management, operations and administration.

EXECUTIVE POLICY COMMITTEE – MOTIONS (Continued)

2. The Committee shall consist of:

   2.1 The Mayor plus the Chairpersons of the four Standing Committees and one councillor-at-large to be appointed by Council.

   2.2 The Chief Commissioner.

   2.3 The Director of Personnel.

   2.4 The City Auditor.

   2.5 Two representatives of the Winnipeg Association of Public Service Officers.

3. In order to conduct its affairs and to fulfill its mandate, the Committee shall be authorized to:

   3.1 Elect a chairperson and a vice chairperson.

   3.2 Establish such policies or procedures as the Committee may deem necessary.

   3.3 Request such reports, explanations or information as may be reasonably required by the Committee.

   3.4 In considering any of the following organizations, call for representations from the middle management groups of:

      3.4.1 The Ambulance Department.
      3.4.2 The Fire Department.
      3.4.3 The Police Department.
      3.4.4 The Transit Department.

   3.5 Extend a general invitation to all employees of the City to initiate proposals to the Committee to improve the effectiveness or efficiency of individual departments or of the performance of particular functions.

   3.4 Request such appearances or presentations by department heads or others as the Committee may deem necessary.

EXECUTIVE POLICY COMMITTEE – MOTIONS (Continued)

4. The Committee shall:

4.1 Review existing plans of the Administration for the promotion of efficiency.

4.2 Report to Executive Policy Committee within 90 days of plans for Departments to develop specific proposals to selectively reduce costs for the 1992 budget year.

4.3 Report to Executive Policy Committee regularly thereafter of the intended scope, nature and timing of its ongoing examination and any representations the Committee may seek.

5. The Committee be authorized to retain or recruit an independent advisor to be paid a fee or salary at an annual cost not to exceed $55,000.00 subject to required funding being drawn against an existing budget allocation for a vacant staff position or alternative available budgetary authority."

In amendment,

Moved by Councillor Fraser,
Seconded by Councillor Fleisher,

"BE IT RESOLVED that the resolution moved by Councillor Young, seconded by Councillor Mendelson, be amended to include an additional paragraph as follows:-

'AND WHEREAS the size of City Council will be reduced for the next Civic Election...';

AND BE IT FURTHER RESOLVED that Recommendation 1., sub-paragraph 1.1 of the resolve be amended by adding after the word 'organization' the following '...,including political organizational...';

AND BE IT FURTHER RESOLVED that Recommendation 1., sub-paragraph 1.2 of the resolve be amended by adding after the word 'City's' in the first sentence, the following, '...political organizational structure,...'."

In amendment,

Moved by Councillor Timm-Rudolph,
Seconded by Mayor Norrie,

"THAT the motion moved by Councillor Young, seconded by Councillor Mendelson, be amended in Section 3., sub- section 3.2 by adding at the end thereof the words:-

'in accordance with the policies and procedures of Council and in accordance with The City of Winnipeg Act.'."

Referred to Executive
Policy Committee.

EXECUTIVE POLICY COMMITTEE – MOTIONS (Continued)

Moved by Councillor Duguid,
Seconded by Councillor Diamant,

782 - WHEREAS the City of Winnipeg draws its water from Shoal Lake;

AND WHEREAS there are significant mining claims on both the Ontario and Manitoba sides of Shoal Lake;

AND WHEREAS mining operations threaten the quality of Shoal Lake water;

AND WHEREAS there are development opportunities which, unlike heavy industry or mining, can co-exist with high water quality objectives;

AND WHEREAS the City of Winnipeg has provided compensation to the First Nation Band 40 to ensure that members of the band will have resources with which to pursue economic initiatives and good water quality objectives;

AND WHEREAS the Mining Act is presently in the process of being rewritten;

AND WHEREAS it will be difficult to have Ontario agree to ban mining in its jurisdiction without Manitoba doing so first;

THEREFORE BE IT RESOLVED that the City Council of Winnipeg most vigorously request that the Province of Manitoba prohibit any person from carrying on any mining, exploration or development as defined under the Mining Act or any other related mining activity including the staking of mining claims anywhere with any part of the Shoal Lake watershed governed by Manitoba.

Required to Stand as Notice of Motion.

Moved by Councillor Selinger,
Seconded by Councillor Thomas,

783 - WHEREAS the recession in Canada and in particular the regions such as Manitoba is deepening;

AND WHEREAS the C.A.I. I and II was a major support to vulnerable neighbourhoods and individuals during the last 10 years;

AND WHEREAS this year social and economic conditions in the core area are rapidly deteriorating;

AND WHEREAS the Premier promised a third C.A.I. Agreement in the last election;

AND WHEREAS the City has placed resources in the capital budget for a new agreement;

AND WHEREAS the City is reviewing Plan Winnipeg, and many of the issues to be addressed will need Federal and Provincial support through an agreement such as the C.A.I.;

THEREFORE BE IT RESOLVED that the City urge that the Provincial and Federal Governments, after due consultation with the Community, sign an Agreement in Principle to renew a third tri-level agreement by October 30th, 1991;

THEREFORE BE IT FURTHER RESOLVED that the three levels of Government implement this Agreement no later than January 1st, 1992.

Required to Stand as Notice of Motion.

CONSIDERATION OF REPORT OF THE

EXECUTIVE POLICY COMMITTEE

On motion of Mayor Norrie, the rule was suspended and the Report of the Executive Policy Committee, dated May 8th, 1991, was considered clause by clause.

West Committee Room,
Council Building, Winnipeg,
May 8th, 1991.

His Worship the Mayor and Councillors:-

Your Executive Policy Committee submits the following Report and recommends:-

Manitoba Hazardous Waste Management Corporation (MHWMC) Community Advisory Group (CAG). File WT-2

784 - 1. On March 6th, 1991, Council adopted the following recommendations contained in the Executive Policy Committee Report dated February 27th, 1991.

1. That the City confirm with the Manitoba Hazardous Waste Management Corporation (MHWMC) its interest in investigating the establishment of a hazardous waste management facility in the Winnipeg area;

2. That the Manitoba Hazardous Waste Management Corporation investigate further, through detailed field studies, the Four Mile Road Site.

3. That independent public forums on the proposed location of the hazardous waste management facility at the Four Mile Road site be undertaken immediately in the neighbourhoods nearest the proposed site prior to the initiation of any environmental impact assessment as required under the approval process.

The Executive Policy Committee report dated February 27th, 1991, indicated that, to ensure continued public input, the Manitoba Hazardous Waste Management Corporation recommends a Community Advisory Committee appointed by Council.

The concept for the Community Advisory Group as envisioned by the Manitoba Hazardous Waste Management Corporation is a body acting independently of the Manitoba Hazardous Waste Management Corporation and
acting as the Community's linkage to the Manitoba Hazardous Waste Management Corporation. The Manitoba Hazardous Waste Management Corporation has indicated that it will provide support to the Community Advisory Group with reasonable resources in order that it may undertake an independent review of the Manitoba Hazardous Waste Management Corporation's activities and become knowledgeable on the issue of hazardous waste management.

Based on the concept of the Manitoba Hazardous Waste Management Corporation for this group and in consideration of general principles for public participation programs, the following terms of reference have been developed:-

TERMS OF REFERENCE FOR MANITOBA HAZARDOUS WASTE MANAGEMENT CORPORATION COMMUNITY ADVISORY GROUP

Authority

- appointment by City Council
- February 27th, 1991 Report of the Executive Policy Committee adopted by Council on March 6th, 1991; Site Selection for a Hazardous Waste Management Facility in the City of Winnipeg.

Report of the Executive Policy Committee, dated May 8th, 1991.

Objectives

1. To bring together representatives of those who will benefit from the project with those who may be negatively affected and with the public-at-large, to listen to their views in order to maximize benefits and minimize the consequences.

2. To provide information on the issues associated with this project and the public's response to these issues to appropriate committees and Council.

The Community Advisory Group should represent the City-at- large and stakeholders (business, environment groups, academics and opposing residents) and should provide decision makers (eg. Community Committees, Works and Operations Committee, Executive Policy Committee and Council) with the issues associated with this project and the public's response to these issues. It is not the purpose of the Community Advisory Group to make decisions about the project, but, to become informed about it and check that the Manitoba Hazardous Waste Management Corporation has not overlooked some important issue or option.

A community planning workshop could be held for the Community Advisory Group members to obtain information about the technical studies underway and to solicit their comments and suggestions on the studies and emerging proposals to maximize the benefits of the project and minimize the negative effects.

Your Executive Policy Committee recommends:-

1. That the following named organizations and individuals be appointed by Council to the Community Advisory Group.

2. That the Mayor be authorized to appoint the unidentified individuals or alternates to be recommended by the named organizations and Community Committees for Districts No. 1 through 5.

Citizens

2 - Local Community - Richard L. McMillan
Catriona Younger
3 - Residents opposed to Brady Site (ROBS)
Robert Lafond
Lisa Kackenhoff
Ed Hailley
5 - Community Committees for Districts No. 1 through 5 - to be determined

Environmental Agencies

1 - Manitoba Eco-Network - Brian Pannell or alternate
1 - Manitoba Environmental Council - Wayne Neilly or alternate
1 - Fort Whyte Centre - Bill Elliott

Business Community

1 - Industry - Jim Johnson (Perths)
1 - Winnipeg Chamber of Commerce - to be determined

Other Agencies

1 - Consumer's Association - to be determined
1 - Social Planning Council - to be determined
1 - Winnipeg Labour Council - to be determined

Academic Community

2 - University of Manitoba - Thomas Henley (Natural Resources Institute)
- Martin Samoiloff (Zoology Department)

Chairperson - to be determined

Report of the Executive Policy Committee, dated May 8th, 1991.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

Amendment to Plan Winnipeg to Redesignate Lands South of the Winnipeg Canoe Club to "Suburban Residential Neighbourhood". File EP-1.1(PW 44/90)

785 - 2. Council on March 6th, 1991, gave second reading to By-law No. 5632/91, proposing to redesignate the lands shown outlined below to a "Suburban Residential Neighbourhood" Policy Area.

By-law No. 5632/91 was forwarded on March 7th, 1991, to the Minister of Urban Affairs.

The Minister of Urban Affairs approved By-law No. 5632/91 on April 12th, 1991, subject to conditions in Schedule "A".

CONDITIONS IN SCHEDULE "A"

1. That Plan Winnipeg, By-law No. 2960/81, be amended by redesignating lands from "Golf Course" to a "Suburban Residential Neighbourhood" Policy Area, subject to the proviso that the redesignation affect only those lands to be utilized by the application for the proposed condominium development.

2. That concurrent with any rezoning application flowing from the above redesignation, an application also be filed to rezone all Winnipeg Canoe Club and Golf Course lands to a "PR" Parks and Recreation District.

3. That provision be made for public access to lands adjacent to the riverbank in perpetuity.

As per the Minister of Urban Affairs' letter received on April 12th, 1991, Conditions 1 and 2 are recommendations contained in the Executive Policy Committee's Report dated February 27th, 1991, adopted by Council on March 6th, 1991.

Report of the Executive Policy Committee, dated May 8th, 1991.

The Minister of Urban Affairs is requesting that Conditions 1 to 3 of Schedule "A" pursuant to clause 584(1)(b) of The City of Winnipeg Act, be added by Council to By-law No. 5632/91 and thence referred to the Minister of Urban Affairs for approval prior to third reading.

COMMENTS ON CONDITIONS 1 TO 3 OF SCHEDULE "A"

CONDITION 1

That Plan Winnipeg, By-law No. 2960/81, be amended by redesignating lands from "Golf Course" to a "Suburban Residential Neighbourhood" Policy Area, subject to the proviso that the redesignation affect only those lands to be utilized by the application for the proposed condominium development.

The plan below, shows the existing Plan Winnipeg policy designations.

Report of the Executive Policy Committee, dated May 8th, 1991.

The plan below, shows the proposed extension of the Suburban Residential Neighbourhood Policy Area as per By-law No. 5632/91. This area includes the proposed condominium site, a small portion of the Canoe Club parking area and a small portion of Canoe Club lands adjacent to the Red River. It can be interpreted that these lands are those being utilized for the proposed condominium development.

The plan below, shows an alternate expansion of the Suburban Residential Neighbourhood Policy Area that includes the condominium site, small portion of the Canoe Club parking area and some Canoe Club lands. This plan clearly indicates that the expansion is to cover only the proposed condominium site.

Report of the Executive Policy Committee, dated May 8th, 1991.

On May 8th, 1991, your Executive Policy Committee considered the following recommendations, namely:-

RECOMMENDATION RE CONDITION 1

That By-law No. 5632/91 be amended to cover only, the expansion as shown on Plan No. Three above.

This amendment complies with Condition 1 of Schedule "A" from the Minister of Urban Affairs.

CONDITION 2

That concurrent with any rezoning application flowing from the above redesignation, an application also be filed to rezone all Winnipeg Canoe Club and Golf Course lands to a "PR" Parks and Recreation District.

In accordance with Council's instructions of March 6th, 1991, on the Plan Winnipeg amendment for the Winnipeg Canoe Club, a rezoning application DAZ 225/91 was filed to rezone the Winnipeg Canoe Club and Golf Course lands to a "PR" Parks and Recreation District.

The public meeting to consider the rezoning to "R3B-Two" Planned Building Group District of the condominium site was held on February 26th, 1991. The St. Boniface-St. Vital Community Committee recommended approval of the proposed rezoning subject to conditions. Council will consider this rezoning proposal at its meeting of May 8th, 1991 (DAZ 204/91). The recommendation to Council is for approval of the zoning change subject to the Plan Winnipeg amendment By-law No. 5632/91 receiving third reading and several agreements being entered into thereafter.

The "PR" rezoning has been held pending the resolution on the condominium site rezoning. It is intended to advertise the "PR" rezoning to a public meeting before the St. Boniface-St. Vital Community Committee on May 21st, 1991.

The advertisement of the "PR" rezoning to a public meeting complies with Condition 2 of Schedule "A" from the Minister of Urban Affairs.

CONDITION 3

That provision be made for public access to lands adjacent to the riverbank in perpetuity.

The Land Surveys and Real Estate Department has indicated that in the agreement to provide lands for the condominium site, the Winnipeg Canoe Club will exchange riverbank lands adjacent to the clubhouse. These lands will be incorporated in the Parks and Recreation Department proposed 15 m wide walkway shown on the plan below.

Report of the Executive Policy Committee, dated May 8th,1991.

The addition to By-law No. 5632/91 of Condition 3 as proposed by the Minister of Urban Affairs as a policy statement will provide the City with great latitude in how they will accomplish this.

RECOMMENDATION RE CONDITION 3

That By-law No. 5632/91 be amended to add Condition 3 as a policy statement thereto.

Your Executive Policy Committee recommends that the necessary amendment to By-law No. 5632/91 and the By-law, as amended, be forwarded back to the Minister of Urban Affairs for final approval, pursuant to sub-
sections 584(9) and (11) of The City of Winnipeg Act prior to third and final reading.

Moved by Mayor Norrie,
Adoption of the clause.

The motion for the adoption of the clause was put.

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

Yea: Councillors Brown, Clement, Demare, Douglas, Fleisher, Fraser, Gilroy, Golden, Lazarenko, Lorenc, Mendelson, Mitchelson, O'Shaughnessy, Prystanski, Reese, Timmers, Young, Mayor Norrie and Councillor Eadie. 19

Nay: Councillors Wade, Boychuk, Duguid, Murray and Thomas. 5

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

Proposed Acquisition of Burlington Northern (Manitoba) Limited Lands on Pacific Avenue for the Ross Avenue Yard Relocation. Files GG-1 & S-1

786 - 3. Approval is required for a new public works yard site in order to implement the relocation of public works facilities to make the Ross Avenue Yard location available to the Federal Government to accommodate the construction of the Virology Lab project in accordance with the decision of Council on November 29th, 1989.

The Pacific Avenue Industrial Site is the preferred location as the focal point for the Central Yard Relocation. The primary advantages associated with this site are as follows:-

- a reduction to five districts as part of the basic proposal

- the possibility of future consolidation of Districts 4 and 5

- it provides the ability to economically provide works services to the busy downtown area

- the incremental additional cost of operating with the Central Yard functions at the Pacific Avenue site is $365,750.00 per year less than at the Public Markets site.

- the lower annual operating cost of $365,750.00 per year, in 1991 dollars, is worth a present value of $4,195,116.00 over the next twenty years, and $5,503,184.00 over the next forty years.

- comparative costs of the two options are:

Report of the Executive Policy Committee, dated May 8th,1991.

	Public Markets	Pacific Avenue
Capital Cost	$35,958,000.00	$39,108,000.00
Present value of annual costs	$4,195,116.00*	-
TOTAL	$40,153,116.00	$39,108,000.00

* or $5,503,184.00 on a 40 year basis

In accordance with the request of the Executive Policy Committee, Public Open House Presentations were conducted on April 23rd and 24th, 1991, in the Weston Area and the Clifton area. Appendix "A" to this report provides information relative to these presentations.

The Open House presentations were attended by 225 people who completed 167 questionnaires. One of the key questions asked was to solicit an opinion on whether the project (broken into components) was a good or bad idea. The results were as follows:-

	Central/District Facilities (shops, garages, storage, etc.)	Asphalt/Concrete Plants (including aggregate storage)
Good idea	32.3%	9.0%
No strong opinion	14.4%	10.8%
Bad idea	47.3%	73.1%
Not stated	6.0%	7.2%
	100.0%	100.00%

It was noted that of the respondents living in the adjacent area on the south side of Alexander Avenue, 39% considered the Central/District facilities to be a "good idea" for the site.

It can be concluded that there is a degree of acceptance for the Public Works Yard components at the Pacific Avenue Industrial Site. On the other hand, there was a high degree of concern expressed with respect to the asphalt and concrete plants. The issues raised with respect to the relocation of the concrete and asphalt plants would suggest that this issue ought to receive further consideration before a decision is made on the plant relocations.

The Ross Avenue Yard relocation can be accommodated to meet the requirements of the Federal Government if approval is given for the relocation of the Ross Avenue Yard Facilities (not including the concrete and asphalt plants) to the Pacific Avenue site; the relocation of the Traffic Signals Section to Maude Street; and the establishment of an administrative base and a yard location for a consolidated District 1 and District 2 at the Pacific Avenue site.

The matter of the acquisition of the property has been the subject of detailed discussion between the City's Land Surveys and Real Estate Department and the owners. It is intended that the purchase would be undertaken through a purchase/sale agreement to be executed by the City on or before May 31st, 1991, which would include provision for the City to opt out of the agreement up to July 31st, 1991, at a cost not to exceed $50,000.00, in the event that the Federal Government does not confirm the Virology Lab project. Purchase authority is required in an amount not to exceed $2,400,000.00. Further discussions will be required with the owner of the property in order to resolve the details of the purchase sales agreement.

The program for the Pacific Avenue site addresses a number of issues other than the relocation of the Central yard facilities. The estimated project cost of $39.1 million is broken down as follows:-

1.	Relocation of Central Yard facilities	$16,100,000.00
2.	Relocation of concrete, asphalt and crushing plants	5,200,000.00
3.	Consolidation of Districts 1 and 2	9,500,000.00
4.	Construction of a new yard for District 5 at a site that would permit consolidation of Districts 4 and 5	8,300,000.00
		$39,100,000.00

Report of the Executive Policy Committee, dated May 8th, 1991.

As the contemplated program is undertaken over approximately 8 to 10 years there would be a reduction in Operations Department districts from 6 to 4 and a reduction in work locations from 10 to 4, one of which would include the central facilities. Appendix "B" shows the eventual district boundaries.

Negotiations with Glacier Park Company, the sellers of the Burlington Northern (Manitoba) Ltd. lands located north and south of Pacific Avenue between McPhillips Street and Weston Street, have provided a Purchase and Sales Agreement Proposal which requires execution by the City on or before May 31st, 1991. The financial terms and conditions of the proposed agreement are provided herein on attached Schedule "A".

The proposed agreement provides the City with the ability to purchase the subject property at a purchase price of $2.2 million if the closing date for the purchase is on or before July 31st, 1991 and at a price of $2.4 million if the closing date is extended to as late as September 30th, 1991. The City may withdraw from the commitment to purchase on or before July 31st, 1991 should (a) the City not be satisfied that it can obtain any zoning variance or rezoning that it may require; or (b) the City does not receive a formal commitment from the Federal Government to locate the proposed Virology Laboratory on the City's existing Ross Avenue Yards site.

The purchase deposit of $50,000.00 is refundable to the City only up to June 29th, 1991, after which date it becomes non-refundable. The deposit, however, is to be applied towards the purchase should the City finalize the purchase of the property.

The proposed purchase price represents a considerable reduction from the vendor's original asking price and is lower than an abandoned sale price to a third party in 1989. The Land Surveys and Real Estate Department considers the purchase price to be acceptable.

Should the City close this transaction on or before July 31st, 1991, it will enjoy a $200,000.00 saving in the acquisition cost of the subject property.

Your Executive Policy Committee recommends:-

1. That the terms and conditions of a proposed Purchase and Sale Agreement for the acquisition of the approximate 46 acres of industrial property owned by Burlington Northern (Manitoba) Ltd. (Glacier Park Company) located north and south of Pacific Avenue between McPhillips Street and Weston Street in accordance with the terms and conditions provided herein on Schedule "A", and such other terms and conditions as are deemed necessary by the City Solicitor in order to implement the intent of Council, be approved.

2. That the Proper Officers of the City be authorized to enter into a Purchase and Sales Agreement on or before May 31st, 1991.

3. That approval be given to the use of the Pacific Avenue site for the relocation of the Ross Avenue Yard facilities other than the Primary Materials Section facilities consisting of the Concrete Plant, Asphalt Plant and Materials Crushing Plant; and that the Pacific Avenue site also be approved as a site of the District Administrative and Yard facilities for a consolidation of Districts No. 1 and 2; and that the operating facilities of the Traffic Signals Section of the Streets and Transportation Department be relocated to the existing District 1 operating base at Maude Street and Henry Avenue.

4. That the matter of the relocation of the Concrete and Asphalt Plants be the subject of further evaluation to address the matter of site suitability; and that the Administration be instructed to report back immediately with its plans for an environmental impact assessment application.

5. (a) That a buffer zone be maintained along the north boundary;

   (b) That all access be restricted to McPhillips and Weston Streets onto Pacific Avenue; and

   (c) That traffic control signals be installed at Logan Avenue and Weston Street and McPhillips Street and Pacific Avenue.

Report of the Executive Policy Committee, dated May 8th,1991.

6. That Council's instruction of January 23rd, 1991, relative to the implementation of Option "D" as detailed in Clause 11 of the Report of the Executive Policy Committee, dated January 16th, 1991, as it relates to the Public Market Site located east of Archibald Street and south of Marion Street, be rescinded.

7. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the above recommendations.

Moved by Mayor Norrie,
Adoption of the clause.

In amendment,

Moved by Councillor Duguid,
Seconded by Councillor Selinger,
THAT Clause 3 of the Report of the Executive Policy Committee dated May 8th, 1991, be amended to replace Recommendation 7 with the following:-

"7. That in view of the fact Council has been informed that an environmental impact assessment must be performed to obtain a provincial environmental license for the asphalt and concrete plant components of the central works yards, but not for other aspects of the yards re-location, a separate environmental assessment be prepared for all other aspects of the works yards.

And That the assessment be prepared by an independent consultant and that it be delivered in the form of a report to the Committee on Works and Operations by July 15th, 1991."

And That the existing Recommendation 7 be renumbered Recommendation 8.

Pursuant to The Municipal Council Conflict of Interest Act, Councillor Demare advised that she would refrain from entering the discussion and from voting on the clause and any motions arising therefrom due to a potential conflict of interest in view of the fact that she has a share in a company which leases property from Simpson's Storage and, in turn, Burlington Northern, and also that the company in which she has an ownership uses lands owned by Burlington Northern, and left the Chamber.

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

The Speaker returned to the chamber and resumed the Chair.

The amendment was put.

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

Yea: Councillors Wade, Boychuk, Diamant, Douglas, Duguid, Fleisher, Fraser, Gilroy, Golden, Lazarenko, Lorenc, Mendelson, Mitchelson, Murray, O'Shaughnessy, Prystanski, Reese, Selinger, Thomas, Timmers, Young, Yuen, Mayor Norrie and Councillor Eadie. 24

Nay: Councillors Clement and Timm-Rudolph. 2

and the amendment was declared carried.

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

Report of the Executive Policy Committee, dated May 8th,1991.

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

Yea: Councillors Wade, Boychuk, Clement, Diamant, Douglas, Duguid, Fleisher, Fraser, Gilroy, Lorenc, Mitchelson, Murray, O'Shaughnessy, Selinger, Thomas, Timmers, Timm-Rudolph, Young, Yuen, Mayor Norrie and Councillor Eadie. 21

Nay: Councillors Golden, Lazarenko, Mendelson, Prystanski and Reese. 5

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

(Note: See Minute No. 787 for attachment.)

787 - SEE OFFICIAL SET OF MINUTES FOR ATTACHMENT.

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

788 - On motion of Mayor Norrie, By-law No. 5691/91, a By-law of The City of Winnipeg to amend By-law No. 5660/91, being a by-law of The City of Winnipeg to levy 1991 Business Improvement Zone Levy for the Downtown Winnipeg Business Improvement Zone, was read a first, second and third time, the rule being suspended for the third reading and was passed and ordered to be signed and sealed. File No. FL-7.4.

On motion of Mayor Norrie, the rule was suspended and 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. 5675/91, a By-law of the City of Winnipeg to establish fees for development applications and related matters. File No. E-1.

By-law No. 5695/91, a By-law to amend By-law No. 5658/91, being a by-law of The City of Winnipeg to levy 1991 Business Improvement Zone Levy for the Corydon Avenue Business Improvement Zone. File No. FL-7.2.

Councillors Golden and Lazarenko asked to be recorded as voting in opposition to all three readings of By-law No. 5675/91, in accordance with Section 50.7 of the Procedure By-law.

Mayor Norrie moved that the rule be suspended and By-law No. 5632/91, a By-law of The City of Winnipeg to amend Plan Winnipeg being The Greater Winnipeg Development Plan established by By-law No. 2960/81 of The City of Winnipeg, be read a third time. File No. EP-1.1 (PW 44/90).

In amendment,

Moved by Mayor Norrie,
Seconded by Councillor Lorenc,
WHEREAS:

(a) On March 6th, 1991, Council gave second reading to By-law No. 5632/91 and referred it to the Minister for Urban Affairs for approval, and

(b) The Minister has directed that the by-law be amended;

THEREFORE BE IT RESOLVED that By-law No. 5632/91 be amended as follows:-

EXECUTIVE POLICY COMMITTEE – CONSIDERATION OF BY-LAWS (Continued)

1. The Plan on Page 1 of By-law No. 5632/91 is deleted and the plan attached dated May 3rd, 1991 marked "Schedule 'A' to By-law No. 5632/91" is substituted;

2. By-law No. 5632/91 is further amended by adding thereto Sections 2 and 3 as follows:-

"2. Concurrent with any application to rezone lands affected by the redesignation under Section 1 of this by-law a proposed rezoning of all Winnipeg Canoe Club owned lands and all City of Winnipeg lands leased to that Club to a 'PR' Parks and Recreation District shall be advertised, excepting such Winnipeg Canoe Club lands and City lands to be conveyed to that Club as are the subject of a proposed rezoning for multiple residential development.

3. The City shall endeavour to construct a public walkway along the lands shown cross hatched on the plan attached hereto marked 'Schedule "B" to By-law No. 5632/91' subject to the provisions of Section 2 of Plan Winnipeg.

3. By-law No. 5632/91 as so amended, be referred to the Minister for Urban Affairs for approval.

Carried.

(Note: See Minute No. 789 for attachments.)

789 - SEE OFFICIAL SET OF MINUTES FOR ATTACHMENT.