CONSIDERATION OF REPORT OF THE
COMMITTEE ON FINANCE AND ADMINISTRATION

The Executive Policy Committee has had before it the Report of the Committee on Finance and Administration, dated July 17th, 1990, has concurred in the recommendations contained therein and submits same to Council for approval and adoption.

On motion of Councillor Gilroy, the Report of the Committee on Finance and Administration, dated July 17th, 1990, was considered clause by clause.

West Committee Room,
Council Building, Winnipeg.
July 17th, 1990.

His Worship the Mayor and Councillors:

Your Committee on Finance and Administration submits the following Report and recommends:-

Leave and License Agreement for Sidewalk Cafe into Hugo Street - Colosseo Pizzeria - City Centre-Fort Rouge Community File ED(22)

1325 - 1. Your Committee on Finance and Administration has considered the attached Item 2 of Report No. 1 of the Technical Advisory Committee on City Properties dated July 4th, 1990 (File 39/132) relative to a Leave and License Agreement between the City of Winnipeg and Colosseo Pizzeria Ltd. for permission to establish and operate a sidewalk cafe on Hugo Street, as shown on Misc. Plan No. CCFR 7963, in the City Centre-Fort Rouge Community.

Your Committee on Finance and Administration recommends that a Leave and License Agreement be granted to Colosseo Pizzeria Ltd. subject to the terms and conditions outlined in the said report including Clause 4 being amended by adding to the end thereof "or such other hours as may be established by conditional use order approved by the City Centre-Fort Rouge Community Committee".

Your Committee further recommends that the Proper Officers of the City be authorized to do all things necessary to implement the above recommendation, including the execution of any documents related thereto.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

(Note: See Minute No. 1331 for attachment.)

Leave and License Agreement for Sidewalk Cafe into Portage Avenue - La Dolce Vita Restaurant - City Centre-Fort Rouge Community File ED(22)

1326 - 2. Your Committee on Finance and Administration has considered the attached Item 4 of Report No. 1 of the Technical Advisory Committee on City Properties dated July 4th, 1990 (File 39/132) relative to a Leave and License Agreement between the City of Winnipeg and La Dolce Vita Restaurant for permission to establish and operate a sidewalk cafe on Portage Avenue as shown on a plan entitled "Proposal for La Dolce Vita Restaurant Outdoor Patio" dated May 21st, 1990, in the City Centre-Fort Rouge Community.

Your Committee on Finance and Administration recommends that a Leave and License be granted to La Dolce Vita Restaurant subject to the terms and conditions as outlined in the said report.

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Your Committee further recommends that the Proper Officers of the City be authorized to do all things necessary to implement the above recommendation, including the execution of any documents related thereto.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

(Note: See Minute No. 1332 for attachment.)

Land Acquisition for Future Street Widening - South-East Lemay Avenue and Pembina Highway - Assiniboine Park-Fort Garry Community
File FI-2(21)

1327 - 3. Your Committee on Finance and Administration has considered the attached Item 1 of Report No. 1A of the Technical Advisory Committee on City Properties dated July 4th, 1990 (File FG 6168) relative to a proposed land acquisition at the south-east corner of Lemay Avenue and Pembina Highway as shown on Misc. Plan No. APFG 6908/2, in the Assiniboine Park-Fort Garry Community, for the purpose of the widening of Lemay Avenue.

For the information of Council, the Committee on Works and Operations has been requested to approve the proposal and to instruct the City Solicitor to prepare the necessary Street Opening By-law in accordance with Misc. Plan No. APFG 6908/2 for submission to Council and that the cost of the By-law estimated to be $200.00 be charged to the "Regional Street Land Sales Account".

Your Committee on Finance and Administration recommends the purchase of the subject property be approved at a price of $18,000.00 plus a payment of $34,259.00 for relocating pump islands, aprons and base pads and in accordance with the terms and conditions as outlined in the said report and subject to any funds owing to the City being recovered prior to payment.

Your Committee further recommends that the Proper Officers of the City be authorized to do all things necessary to implement the above recommendation, including the execution of any documents related thereto.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

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

(Note: See Minute No. 1333 for attachment.)

Proposed Acquisition of the Sherwood Property - Lots 22/23, Part Lot 29, Plan 4507
File FI-2(21)

1328 - 4. On February 20th, 1990, the Committee on Finance and Administration instructed the Director of Land Surveys and Real Estate to enter into negotiations for acquisition of the subject property. The following is a chronology of events regarding the Sherwood property:

The owner of Lots 22/23, Part Lot 29, Plan 4507 has had applications to develop the land dating back to the mid 1970's.

On February 25th, 1986, the Administrative Co-ordinating Group considered an application (DASZ 76/86) to create a residential subdivision on the subject lands which would have resulted in the creation of sixteen residential lots. The application was denied because the proposed cul-de-sac was of excessive length and because the subdivision would

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have required substantial backfilling in order to meet the requirement of the Canada-Manitoba Flood Damage Reduction Agreement (the site is designated floodway fringe). (A similar proposal under File DASZ 43/73 was denied by Council on November 5th, 1975, primarily on the grounds of the then prevailing flood policies.) On June 21st, 1976, the Committee on Environment declined to recommend purchase of part of the Sherwood property.

On March 21st, 1986, Heritage St. Norbert, a Community Group asked the City to consider the purchase of the Sherwood property.

On June 16th, 1986, the Parks and Recreation Department advised that while it might normally consider pursuing acquisition of the subject property, it was unable to identify sufficient sources of funding for same to warrant further consideration.

On June 13th, 1989, the Assiniboine Park-Fort Garry Community Committee requested the Parks and Recreation Department to submit a report on whether there was value in having the subject property purchased by the City. On July 11th, 1989, the Community Committee received as information a report from the Parks and Recreation Department on this matter.

On September 19th, 1989, the Community Committee heard representation from individuals who presented a petition containing the signatures of 88 residents in favour of the acquisition of the property for park purposes. The Community Committee requested the Land Surveys and Real Estate Department to investigate the possible purchase of the property.

On October 6th, 1989, the Land Surveys and Real Estate Department contacted the owner with the purpose of determining whether the property was available for sale and, if so, at what price.

On October 10th, 1989, the owner indicated that his Part Lot 29 was available for sale and that he wished to retain Lots 22 and 23, Plan 4507 (Misc. Plan No. APFG 7586/1).

On December 12th, 1989, the Assiniboine Park-Fort Garry Community Committee considered a report on the subject matter from the Parks and Recreation Department, which recommended, as follows:-

1. That the report be received as information.

2. That the Assiniboine Park-Fort Garry Community Committee not pursue outright purchase of the Sherwood property, as defined on the plan.

3. That a suitable portion of the riverbank be acquired through open space land dedication, at no cost to the City, at such time as the property owner applies for subdivision or rezoning.

On December 18th, 1989, the Assiniboine Park-Fort Garry Community Committee advised the Board of Commissioners that it did not concur with the recommendations and further recommended that the Land Surveys and Real Estate Department proceed with negotiations with the property owner.

On January 9th, 1990, your Committee on Finance and Administration referred the proposed acquisition of this property to the Committee on Protection, Parks and Culture for its consideration as to need.

On January 29th, 1990, the Committee on Protection, Parks and Culture advised your Committee on Finance and Administration that there was a need to preserve the subject property as a natural area and referred the matter of acquisition of said property for its favourable consideration.

On February 20th, 1990, your Committee on Finance and Administration instructed the Director of Land Surveys and Real Estate to enter into negotiations and to report back thereon.

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Details of the subject property are as follows:

Location:	West of rue St. Pierre between avenue Ste. Therese and the La Salle River, as shown on Misc. Plan No. APFG 7586.
Legal Description:	Part Lot 29, Lots 22/23, Plan 4507
Certificate of Title:	B25619
Owner:	Joseph F. Sherwood
Overall Lot Area:	6.5 acres (more or less)
Zoning:	'R1-6' and 'R1-20' Single Family
Roll Nos.:	302080 FG 303040 FG
Assessment:	Land: $96,200.00 Bldg. n/a Land: $73,400.00 Bldg. n/a

The terms and conditions of the proposed agreement are as follows:

1. An all-inclusive purchase price of Two-Hundred and Seventy-Five Thousand ($275,000.00) Dollars for the subject property as shown illustrated on Misc. Plan No. APFG 7586.

2. The subject property to be conveyed to the City free and clear of any liens or encumbrances.

3. The date for vacant possession (free of leasehold interest) and adjustment of taxes, etc., to be mutually agreed upon.

4. The vendor to be responsible for any agent's fee and its own legal and other costs.

The Land Surveys and Real Estate Department is of the opinion that while the proposed purchase price of $275,000.00 is at the upper limit of the range of values, the price is acceptable.

In order to finance the acquisition of the subject property the Land Surveys and Real Estate Department is of the opinion that funding in the amount of $303,000.00 be allocated. This amount would include the purchase price, a small contingency and the normal finance administration charge.

The Board of Commissioners recommended against the acquisition of the above-noted property for the following reasons:

1. In the opinion of the General Manager of Parks and Recreation, this acquisition is of low priority.

2. No suitable funding source has been identified. On July 11th, 1990 the Assiniboine Park-Fort Garry Community Committee recommended as follows:-

   "That the Community Committee recommend to the Committees of Finance and Administration and Protection, Parks and Culture, that the lands commonly referred to as the "Sherwood Forest" be acquired by the City of Winnipeg for park purposes, using funds from the Land Dedication Reserve Account;

   And that any monies recovered from the sale of any portion of said lands be placed back into the Land Dedication Reserve Account."

On July 16th, 1990, the Committee on Protection, Parks and Culture recommended as follows:-

"1. That the purchase of the subject property be approved at an amount not to exceed $303,000.00; said funding to be allocated from the Assiniboine Park-Fort Garry Community's "Cash in Lieu of Land Dedication" account;

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2. That the City pursue the sale of Lots 22 and 23, west side of rue St. Pierre, with proceeds from the land sales to be credited to the Community's Reserve Account;

3. That the proposed acquisition be subject to confirmation of a caveat providing public access to Part Lot 29, Plan 4507, through the dyke at the south limit of Lot 15, Plan 19,709."

Your Committee on Finance and Administration concurred that the purchase of the subject property be approved at an amount not to exceed $303,000.00; said funding to be allocated from the Assiniboine Park-Fort Garry Community's "Cash in Lieu of Land Dedication Reserve" account.

Your Committee recommends that the City pursue the sale of Lots 22 and 23, Plan 4507, west side of rue St. Pierre, with proceeds from the land sales to be credited to the Community's Reserve Account.

Pursuant to Section 156(2) of The City of Winnipeg Act (S.M. 1989, C. 10) the sale of property designated or acquired for park purposes requires the approval of at least two-thirds majority of Council.

Your Committee further recommends that the Proper Officers of the City be authorized to do all things necessary to implement the above recommendation, including the execution of any documents related thereto.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

Councillor Reese asked to be recorded as voting against the clause, in accordance with Section 50.7 of the Procedure By-law.

Amendment of Agreement/Caveat - 429 Elgin Avenue - City Centre-Fort Rouge Community

File PR-2.7

1329 - 5. Your Committee on Finance and Administration has considered the attached Item 1 of Report No. 1 of the Technical Advisory Committee on City Properties dated July 4th, 1990 (File 5975/B-29) relative to the proposed amendment of the Agreement/Caveat which restricts the use of property located at 429 Elgin Avenue as shown on Sketch Plan No. 309/78, City Centre-Fort Rouge Community to a group home to one which would allow its use as a "multi-purpose community-based resource, residential education and training centre.

Your Committee on Finance and Administration recommends that the City Solicitor be authorized to amend the Agreement/Caveat which restricts the use of property located at 429 Elgin Avenue to a group home to one which would allow its use as a "multi-purpose community-based resource, residential education and training centre".

Your Committee further recommends that the Proper Officers of the City be authorized to do all things necessary to implement the above recommendation, including the execution of any documents related thereto.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

(Note: See Minute No. 1334 for attachment.)

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Transfer of Capital Funds for Conversion from Central Steam Heat to Alternate Heating Plants - Civic Buildings
File HP-1

1330 - 6. The Committee on Works and Operations at its meeting held on July 14th, 1987 recommended the closing of the Winnipeg Hydro Central Steam Heating system at the end of the 1989/1990 heating season, with the steam being cut off in the latter half of June, 1990, which proposal was subsequently approved by City Council.

Action Consulting Engineers Inc. was commissioned on June 21st, 1989 to study and design the conversion project. This initial task was to provide a cost estimate to carry out this conversion work. Based on the information they provided, a report was submitted to the Commissioner of Finance and Administration on September 19th, 1989 requesting $1,337,000.00 be approved as a first charge to the 1990 Capital Budget to carry out this work. These funds were approved as part of the 1990 Capital Program.

Tenders have been called and awarded, or will shortly be awarded on all major facilities.

Ten civic buildings affected by the closing of the Central Steam Heating system are as follows:-

- Administration and Council Building
- Public Safety Building
- Civic Centre Car Park
- Pantages Playhouse Theatre
- Portage and Main Concourse
- M.A.W. Block
- 55 Princess
- Drake Hotel
- Bawlf Block
- Prairie Theatre Exchange

The scope of work in the conversion of these facilities consists of providing heat generating sources within these buildings ranging from the installation of a few electric heaters to the provision of complete boiler systems. In the M.A.W. block and the Playhouse, in addition to installing the boilers, the rest of the heating apparatus has to be renewed once the system is disturbed. In the case of the Public Safety Building a new boiler room or penthouse had to be constructed to house boilers.

The financial status of the project is as follows:

Source of Funding Available:

1990 Capital Program Funds	$1,337,000.00

Committed and Anticipated Expenditures:

		As Requested	As at Present	
Admin/Council Bldg PSB, and c.c. Car Park	Original Estimate	$460,000.00	592,515.00	(Actual)
Portage and Main Concourse	Original Estimate	$ 90,000.00	209,346.00	(Actual)
M.A.W. Block	Original Estimate	$115,000.00	60,000.00	(Actual)
55 Princess	Original Estimate	$115,000.00	109,228.00	(Actual)
Drake/Bawlf/PTE Buildings	Original Estimate	$ 26,000.00	26,000.00	(Estimated)
Pantages Playhouse Theatre	Original Estimate	$235,000.00	305,000.00	(Estimated)
TOTAL CONSTRUCTION COST		$1,041,000.00	$1,302,089.00	

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Contingency	127,000.00	89,911.00
Consultant Fees	73,000.00	73,000.00
Administration & Interest Charges	96,000.00	96,000.00
TOTAL	$1,337,000.00	$1,561,000.00
	Apparent Shortfall	$ 224,000.00

Of the additional $224,000.00 being requested, approximately $160,000.00 of these funds are required for the following reasons:

- At the Portage and Main Concourse, there was an additional $86,089.00 charge by Winnipeg Hydro for upgrading the electrical feed from the substation which is normally absorbed by Hydro. The policy of not rebating this service charge was decided by Council and was to apply only for the new electrical services for conversion to electric heating from the central steam heating system.

- A temporary heating system estimated at $75,000.00 is in the process of being installed within the Pantages Playhouse Theatre to provide adequate heat for the facility for the 1990/1991 heating season while the extent of the addition/modifications is determined for this facility.

The remaining $63,000.00 of the funds being requested amount to approximately 5% of the original capital request. This $63,000.00 is required to carry out additional work required by the project consisting of the following items:

- Extra equipment required by the City in addition to what the Consultant based his estimate. Additional controls for the boilers were necessary, and at the Concourse, it was required that the electrical feeders to the new service be bus duct instead of cable.

- More adjustments to building modifications at 510 Main Street were required than were originally anticipated. For example the emergency generator had to be relocated for the second boiler since the open floor area originally planned for this boiler structurally could not take the loading of the second boiler. It would not be reasonable to expect the estimator to know this without doing the detailed design.

In addition to the above reasons, the bidding was limited as only one or two bidders submitted tenders for some of the tenders.

There are sufficient funds to carry out the temporary heating system at the Pantages Playhouse Theatre, and to award tenders for all work with the exception of the permanent conversion for the Pantages Playhouse Theatre. It should be stressed that the additional funds being requested will be required to complete the permanent heating conversion which is necessary for the existing Pantages Playhouse heating system. The Finance Department has informed the Civic Properties Department that the $224,000.00 being requested is available from the unused borrowing authority for 1984 Civic Accommodations.

All of the work being carried out under this program is work required to provide a proper environment for each of the facilities.

Your Committee on Finance and Administration recommends that authorization be given to transfer $224,000.00 from the 1984 Civic Accommodations Unused Borrowing Authority to Account Number 03-118xxx- 6390030708, being the 1990 Capital Program for the conversion of various civic buildings from central steam heating to alternate heating plant, to compensate for a projected shortfall of funds originally approved for this work.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

1331 – Attachment referred to in Clause 1 of the Report of the Committee on Finance and Administration, dated July 17th, 1990.

(NOTE: SEE PAGES 1747 TO 1749 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENTS).

1332 – Attachment referred to in Clause 2 of the Report of the Committee on Finance and Administration dated July 17th, 1990.

(NOTE: SEE PAGES 1750 TO 1752 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENTS).

1333 – Attachment referred to in Clause 3 of the Report of the Committee on Finance and Administration dated July 17th, 1990.

(NOTE: SEE PAGES 1753 TO 1755 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENTS).

1334 – Attachment referred to in Clause 5 of the Report of the Committee on Finance and Administration dated July 17th, 1990.

(NOTE: SEE PAGE 1756 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT).

1335 - Upon completion of consideration of the Report of the Committee on Finance and Administration, dated July 17th, 1990, Councillor Gilroy rose on a matter of personal privilege regarding comments made earlier by Councillor Murray suggesting that he speak regarding Clause 20 of the Report of the Executive Policy Committee, dated July 25th, 1990, with respect to the 1991 Current Estimates.

Councillor Murray rose to advise Council that he certainly intended no criticism or offense and apologized if anything he said offended Councillor Gilroy.

COMMITTEE ON FINANCE AND ADMINISTRATION
MOTIONS

Moved by Councillor Eadie,
Seconded by Councillor Laurendeau,
1336 - WHEREAS the City of Winnipeg License By-law requires new applicants for certain types of business licenses to obtain a certificate from the Character Review Board that the applicant is of good character, prior to such license being issued;

AND WHEREAS the License By-law also provides that any person who is refused a certificate by the Character Review Board may re-apply to the Committee on Planning and Community Services for said certificate;

AND WHEREAS it should not be the function of City Council or any of its Committees to act as a venue for hearing certificate of good character applications or appeals;

THEREFORE BE IT RESOLVED that the Committee on Finance and Administration review this section of the License By-law and examine alternatives to having Council or its Committees deal with certificate of good character applications;

AND BE IT FURTHER RESOLVED that the Committee on Finance and Administration recommend appropriate amendments to the License By-law in this regard at the earliest opportunity.

Referred to the Committee on
Finance and Administration.