REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED MARCH 14, 2001

On motion of Councillor Eadie, the Report of the Executive Policy Committee dated March 14, 2001, was considered clause by clause.

Moved by Councillor Eadie,
That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8,9,10,11,12 and 13, be adopted.

Councillor Smith requested that Clause 12 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,2,3,4,5,6,7,8,9,10,11 and 13, was put and declared carried.

Proposed Widening of the West Side of Waverley Street, North of Cadboro Road
File DAO 1/2001

360 - 1. The Executive Policy Committee has been advised that the dedication of this property as a public right of way requires a by-law pursuant to Section 495 of The City of Winnipeg Act.

The subject street widening was part of the 1993 Capital Works Project. The land was required for intersection improvements and signalization at the intersection.

In 1994, the property owner accepted the City's offer to purchase the land and documents entitling the City to be the owner of the land were registered in the Winnipeg Land Titles Office. The widening and the improvements within it have since been constructed.

In the course of preparing the documents required to dedicate the property as a public street, the Geomatics Branch of the Planning, Property and Development Department discovered errors in the survey fabric in the area. Correcting these errors required a Special Survey, a plan of survey that supercedes all other plans of survey in the area. Funds have only recently been appropriated to finance the cost of this Special Survey. The Special Survey plan has been prepared and the City is now in a position to dedicate the property as a public street.

This report is submitted in accordance with the provisions of By-law No. 7325/98, a by-law to amend current procedures to allow certain street opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Committee.

The following criteria must be met before the authority given in the by-law may be exercised:

1. The proposed opening and acquisition must have been approved by the Director of Public Works.

2. The proposed opening must have been submitted to all affected city departments and publicutilities with no objections having been received.

3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.

4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the opening.

5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues, the Standing Policy Committee on Property and Development, or the Director of Planning, Property and Development, as is appropriate.

All of these criteria have been met.

Report of the Executive Policy Committee dated March 14, 2001

The only additional costs incurred as a result of the passage of the proposed by-law are the costs of registering the applicable documents in the Winnipeg Land Titles Office. These costs are considered immaterial, and thus there is no financial impact associated with this report.

The Executive Policy Committee recommends:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street opening, in accordance with Schedule "A", Misc. Plan No. 8642/2.

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

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Adopted by consent.

Proposed Street and Lane Opening at the East Terminus of Thomas Berry Street
File DAO 4/2000

361 - 2. The Executive Policy Committee has been advised that the dedication of this property as a public right of way requires a by-law pursuant to Section 495 of The City of Winnipeg Act.

The proposed street and lane opening has been initiated by the Public Works Department, following the receipt of a petition by the neigbourhood residents for the installation of a concrete pavement in the area.

On March 22, 2000, Council approved Clause 3 of the Report of the Standing Policy Committee on Public Works dated March 7, 2000. The report noted that the area residents have been using part of the Bertrand Arena site as an unpaved public lane for a number of years and recommended that the property be opened as a public right of way. The report further recommended the acquisition of a portion of the property at the rear of 261 Thomas Berry Street for a lane corner cut.

On June 13, 2000, the Riel Community Committee approved a report from the Public Works Department recommending the paving of this lane as a Local Improvement.

The recommendation of the Community Committee was incorporated into Clause 4 of the Report of the Standing Policy Committee on Public Works dated July 4, 2000, which was approved by Council on July 19, 2000. In addition to recommending the paving of the lane as a Local Improvement, the report recommended that construction of the pavement be deferred until 2001, and that the City Solicitor be requested to prepare the necessary Local Improvement By-law.

Before the City Solicitor may comply with Council's instructions and submit the Local Improvement By-law, the property must be legally opened as a public right-of-way.

The owner of 261 Thomas Berry Street has refused to sell the portion of her property required for the lane corner cut. The requirement for the corner cut has been abandoned.

This report is submitted in accordance with the provisions of By-law No. 7325/98, a by-law to amend current procedures to allow certain street opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Committee.

The following criteria must be met before the authority given in the by-law may be exercised:

1. The proposed opening and acquisition must have been approved by the Director of Public Works.

2. The proposed opening must have been submitted to all affected city departments and public utilities with no objections having been received.

3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.

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4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the opening.

5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues, the Standing Policy Committee on Property and Development, or the Director of Planning, Property and Development, as is appropriate.

All of these criteria have been met.

The only additional costs incurred as a result of the passage of the proposed by-law are the costs of registering the applicable documents in the Winnipeg Land Titles Office. These costs are considered immaterial, and thus there is no financial impact associated with this report.

The Executive Policy Committee recommends:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street and lane opening in accordance with the attached Schedule "A", Misc. Plan No. 10887/2.

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

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Adopted by consent.

Proposed Opening of Part of Maralbo Avenue East, East of Eric Street
File DAO 9/2000

362 - 3. The Executive Policy Committee has been advised that the dedication of this property as a public right of way requires a by-law pursuant to Section 495 of The City of Winnipeg Act.

The lands required for the subject street opening were acquired by the City for that purpose in 1982 and 1983.

In 2000, the Public Works Department initiated the extension of Maralbo Avenue, as outlined on Schedule "A".

The cost of constructing the extension will be levied by way of a Local Improvement charge. Before the City Solicitor may submit the Local Improvement By-law, the property must be legally opened as a public right-of-way.

This report is submitted in accordance with the provisions of By-law No. 7325/98, a by-law to amend current procedures to allow certain street opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Committee.

The following criteria must be met before the authority given in the by-law may be exercised:

1. The proposed opening and acquisition must have been approved by the Director of Public Works.

2. The proposed opening must have been submitted to all affected City Departments and public utilities with no objections having been received.

3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.

4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the opening.

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5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues, the Standing Policy Committee on Property and Development, or the Director of Planning, Property and Development, as is appropriate.

All of these criteria have been met.

The only additional costs incurred as a result of the passage of the proposed by-law are the costs of registering the applicable documents in the Winnipeg Land Titles Office. These costs are considered immaterial, and thus there is no financial impact associated with this report.

The Executive Policy Committee recommends:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane opening in accordance with the attached Schedule "A", Misc. Plan No. 9891/1.

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

Copy of attachment referred to in the above clause is on file in the Office of the City Clerk.

Adopted by consent.

Proposed Widening of the Public Lane North of Dumas Avenue, West of Pembina Highway File DAO 11/2000

363 - 4. The Executive Policy Committee has been advised that the dedication of this property as a public right of way requires a by-law pursuant to Section 495 of The City of Winnipeg Act.

On February 23, 2000, Council approved Clause 5 of the Report of the Standing Policy Committee on Public Works dated February 8, 2000. The report noted that the subject lane widening would improve the efficiency and safety of the City's refuse and snow clearing equipment in servicing the area residents and recommended that the City acquire the lands required for the project.

The property owner has recently agreed to the sale of the required lands and it is now appropriate to dedicate the property as public lane.

This report is submitted in accordance with the provisions of By-law No. 7325/98, a by-law to amend current procedures to allow certain street opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Committee.

The following criteria must be met before the authority given in the by-law may be exercised:

1. The proposed opening and acquisition must have been approved by the Director of Public Works.

2. The proposed opening must have been submitted to all affected City Departments and public utilities with no objections having been received.

3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.

4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the opening.

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5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues, the Standing Policy Committee on Property and Development, or the Director of Planning, Property and Development, as is appropriate.

All of these criteria have been met.

The only additional costs incurred as a result of the passage of the proposed by-law are the costs of registering the applicable documents in the Winnipeg Land Titles Office. These costs are considered immaterial, and thus there is no financial impact associated with this report.

The Executive Policy Committee recommends:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane opening in accordance with the attached Schedule "A", Misc. Plan No. 10600.

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

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Adopted by consent.

Date of Tax Sale Number 106
File FL-2.4 (Vol. 16)

364 - 5. The Executive Policy Committee has been advised that Subsection 230(1) of The City of Winnipeg Act requires a resolution of City Council to initiate Tax Sale proceedings.

Annually, the Chief Financial Officer forwards recommendations for tax sale to the Executive Policy Committee requesting they be forwarded to Council for approval.

The Executive Policy Committee recommends:

I. That the next City of Winnipeg Tax Sale (Tax Sale No. 106) be held on December 3, 2001 for lands which are in tax arrears for all, or part, of 1999, 2000 and 2001.

II. That all lands included in Tax Sale be advertised and sold in accordance with the applicable section of The City of Winnipeg Act and that The City of Winnipeg exercise its prior right to purchase the property sold in Tax Sale in accordance with subsection 235(5) of The City of Winnipeg Act.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

Redemption of 1060 McPhillips Street from Tax Sale by Installment Payments
File FL-2.4 (Vol. 16)

365 - 6. The Executive Policy Committee has been advised that on November 30, 2000, the registered owner of 1060 McPhillips Street, through the law firm representing them, requested an installment payment agreement to redeem this property from tax sale.

Council may, by by-law, enter into an agreement with the owner of, or a person who has an interest in, land that has been sold for taxes for the redemption of the land through an installment payment agreement.

Report of the Executive Policy Committee dated March 14, 2001

The City of Winnipeg conducted Tax Sale 104 on December 1, 1999, for properties with outstanding taxes for all, or part, of 1997, 1998 and 1999. Included in this sale was the commercial property located at 1060 McPhillips Street, owned by 2763941 Manitoba Ltd. At the time of the sale, the amount of outstanding taxes was $32,356.31.

The subject property is a commercial building that is leased to a franchise operating a Re/Max Real Estate office. The beneficial owners and shareholders of 2763941 Manitoba Ltd. are substantially the same parties who are operating the real estate franchise.

The business operating in this commercial building is on the business tax roll. The business is registered on TIPP and the business tax payments are up to date.

In February 2000, Canada Customs and Revenue Agency – CCRA (formerly Revenue Canada) contacted the Tax Office regarding this property. At that time, CCRA indicated that it was considering placing a lien on the property to recover an outstanding debt of $6,879.17 plus interest. This lien was in fact registered against the title on February 28, 2000.

Council has authority to enter into a tax sale redemption payment agreement pursuant to subsection 255(4) of The City of Winnipeg Act ("the Act"). Subsection 255(4) of the Act states:

Notwithstanding section 245 and subsection (1), but subject to subsection (5), the City, if authorized by by-law, may enter into an agreement in writing with an owner of, or a person who has an interest or estate in, or a charge on, land that has been sold for taxes, for the redemption of the land from the tax sale and the payment of all taxes payable in respect of the land subsequently accrued to the date of the agreement and during the currency of the agreement, by instalments.

The Tax Office administration strongly encourages taxpayers whose land has been sold for tax arrears, to redeem their property by making payment of the full amount of outstanding taxes plus associated penalties and costs. They are advised of the entire tax sale process, the amount of time between the tax sale date and the City's ability to commence action to take title to the land, and details specific to the tax sale redemption process. Should an installment redemption agreement be requested, the owner is advised of the necessary terms and conditions of the agreement, the consequences of not complying with the agreement and the associated legal costs.

In most cases, administration recommends against the use of these types of agreements as they are a costly option for the property owner and have, in the past, proven difficult to administer. They are also risky for the property owner as failure to comply with the payment requirement can result in the termination of the agreement and the loss of all amounts paid by the property owner. As such, most tax sale redemption's are made by owners making full payment of outstanding amounts and not through tax sale agreements. The City of Winnipeg currently is not party to any active redemption agreements.

If Council were to approve the agreement request, the gross agreement amount would be $49,049.14. This represents the original amount sold in tax sale, penalties, interest, costs and outstanding current taxes. The term of the agreement would be for twelve (12) months with monthly payments of $2,100.00. The projected annual taxes for the years 2001, 2002 and 2003 are also factored into the monthly payment. The agreement would be subject to annual renewal. The total length of the agreement, assuming all payments are made, would be thirty-eight (38) months.

In a letter dated February 6, 2001, the law firm representing the registered owner of 1060 McPhillips Street submitted (i) a certified cheque, dated January 31, 2000, in the amount of $9,000.00 as a down payment; (ii) a certified cheque, dated January 31, 2001, in the amount of $2,100.00 for the January installment payment and (iii) two post dated cheques, dated February 28, 2001 and March 31, 2001, for the February and March installment payments. These payments have been made pursuant to the terms and conditions.

The property owner has, in good faith, fulfilled the conditions. If approved, this agreement will be subject to an annual review before renewal is recommended/approved.

It is therefore recommended that the requested tax sale installment payment be approved.

The tax sale payment agreement is revenue neutral to the City. The ongoing associated costs relate to the administration of the agreement by the Legal Services Division and the Tax Office.

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The Executive Policy Committee recommends:

I. That the request from 2763941 Manitoba Ltd. for tax sale redemption of 1060 McPhillips Street via instalment payments be approved.

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law authorizing the agreement.

III. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

City of Winnipeg Employee Code of Conduct
Files GP-1 (Vol. 19), GL-5.4 (Vol. 8)

366 - 7. The Executive Policy Committee has been advised that The City of Winnipeg Act calls for Council to approve a Code of Conduct to apply to all City employees.

On March 4, 1999, the Chief Administrative Officer appointed a sub-committee consisting of:

Rick Borland, Director of Transit
Dorothy Browton, City Clerk (since retired)
Brian Moore, City Assessor

for purposes of reviewing the current Code of Ethics applying to City Employees, reviewing ethics/conduct codes in place in other jurisdictions and bringing forward a recommended Code of Conduct for City employees in order to meet the requirements of The City of Winnipeg Act.

The sub-committee undertook this work over a period of a number of months and prepared a draft code which was subsequently reviewed by the Senior Management Team on two occasions and by ethics professor Arthur Schafer of the University of Manitoba.

An initial version of the proposed Code of Conduct was submitted to the Executive Policy Committee on July 12, 2000 and referred back for consultation with the City's various Unions who represent employees who would be affected by the new Code. On October 18, 2000, the administration met with the various Unions in order to discuss and attempt to address any concerns that had been raised. The draft Code was subsequently revised in an attempt to reflect issues raised by the Unions, the Legal Services Division and the Human Resource Services Division. The Code, dated November 14, 2000, is outlined as Appendix "A" in its final form for approval.

This code, in its final form, represents a blend of the former Code of Ethics, codes in place in other Canadian jurisdictions, thoughts from Professor Schafer, suggestions from the Senior Management Team, suggestions from the Unions and advice from the Legal Services Division and the Human Resource Services Division of Corporate Services.

Once this Code has been approved by Council, a brochure outlining the content of the Code in a simplified form, will be prepared and distributed to all employees.

On March 21, 1984, resolution 576/84, was passed by Council requiring all department heads and the Board of Commissioners to disclose all interests in property, leaseholds, corporations, etc. It is not clear if this was intended to be an annual requirement or a one time only declaration. With the approval of this new Code of Conduct, the 1984 resolution is considered to be redundant and its repeal is recommended.

The Executive Policy Committee recommends:

I. That The City of Winnipeg Code of Conduct dated November 14, 2000, as outlined in Appendix "A", be approved.

Report of the Executive Policy Committee dated March 14, 2001

II. That, concurrent with approval of the new Code of Conduct, Council Resolution 576/84 be repealed.

III. That the former Code of Ethics for Employees approved by the Board of Commissioners on October 4, 1984, be declared redundant.

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

Adopted by consent.

(See Appendices for attachment)

Business Improvement Zones – Proposed Program, Zone Levy and Budget Estimates – 2001
Files FE (2001) (Vol. 1), FL-7 (Vol. 5)

367 - 8. The Executive Policy Committee has been advised that The City of Winnipeg Act S.M. 1989-90, c.10 Subsection 200(8) and Subsection 200(6) states the following:

Approval of estimates

200(8) Subject to Subsection (6), Council may pass a by-law approving all or part of the Board's proposed program, zone levy and budget estimates and, upon that approval, may direct the payment to the Board or on behalf of the Board of an amount not exceeding the amount approved.

Notice of Objection

200(6) The Board's proposed program, zone levy and budget estimates shall not be forwarded to Council if the Committee of Council receives written notice of objection on or before the date specified under subsection 200(5)(b) from at least 1/3 of the businesses in the zone that represent at least 1/3 of the total business assessment in the zone.

The details and relevant dates in the annual budget process for the sixteen established Business Improvement Zones are outlined on Schedule "B". The process followed by the 16 Zones fully complies with the requirements of The City of Winnipeg Act and the respective by-laws of each Zone. Moreover, Council, on January 31 and February 28, 2001, adopted the Executive Policy Committee's recommendation for each Zone's proposed 2001 program, zone levy and budget estimates.

Schedule "C" illustrates the 2000 to 2001 comparison of the budget, zone levy, annual rental value (A.R.V.) and zone levy rates for each of the 16 Business Improvement Zones.

As the Business Improvement Zones have complied with both the legislation and their individual by-laws governing the budget processes, Council is required to pass a by-law approving all or part of the Board's proposed program, zone levy and budget estimates. In addition to the individual by-law for each zone, an encompassing by-law is required, therefore, the total number of by-laws requiring approval is 17.

The Executive Policy Committee recommends:

I. That the 17 by-laws approving the Business Improvement Zone's Management Board's programs, zone levies and budget estimates be passed by Council to impose the 2001 Zone levy for each of the Zones.

II. That the zone levy rates, as outlined on Schedule "A", be applied to the annual rental value (A.R.V.) of individual properties in each listed zone.

III. That Council direct the City Treasurer to make payment to the Board in each zone in accordance with the following schedule:

(a) 75% of the approved budget on June 30, 2001;
(b) 15% of the approved budget on August 31, 2001;
(c) 10% of the approved budget on October 31, 2001.

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

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Adopted by consent.

Expenditure from the Land Dedication Reserve Fund – Caron House – Assiniboia Community Committee
File EP-2 (Vol. 28)

368 - 9. The Executive Policy Committee has been advised that the Assiniboia Community Committee has recommended the allocation of $20,000.00 from the Assiniboia Land Dedication Fund to complete renovations to the main floor of Caron House.

The Executive Policy Committee concurs with the above and recommends that funds in the amount of $20,000.00 be approved from the Assiniboia Community Committee Land Dedication Reserve Fund for the project.

Adopted by consent.

Expenditure from the Land Dedication Reserve Fund – Demolition of the Wading Pool and Building LaFleche (River West) Park – 17 Sinnott Street – Assiniboia Community Committee
Files EB-1.5 (Vol. 18), EP-2 (Vol. 28)

369 - 10. The Executive Policy Committee has been advised that the Assiniboia Community Committee has recommended the allocation of $10,000.00 from the Assiniboia Land Dedication Fund for the demolition and restoration of the River West wading pool site.

The Executive Policy Committee concurs with the above and recommends that funds in the amount of $10,000.00 be approved from the Assiniboia Community Committee Land Dedication Reserve Fund for the project.

Adopted by consent.

Winnipeg Police Pension Plan
File GU-3.10 (Vol. 7)

370 - 11. The Executive Policy Committee has been advised that Council approval is required to amend the Winnipeg Police Pension Plan By-law. Due to the continuing negotiations pertaining to the allocation of surplus in the Winnipeg Police Pension Plan, a decision is required as to the appropriate level of the City's contribution to the plan for 2001.

Until the surplus allocation issue is resolved, an interim agreement, which does not put either party at a disadvantage, is recommended.

On November 3, 2000, the Winnipeg Police Association wrote to the City, advising they were prepared to agree to have the City take a contribution holiday, effective January 1, 2001, if the City agreed to the allocation of the same amount, at the same time, to the Supplementary Pension Benefits Account (SPBA) to assist in funding the cost of living adjustments.

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On December 18, 2000, the Director of Corporate Finance concurred in the position subject to a number of conditions in addition to the approval of City Council.

On February 13, 2001, The Winnipeg Police Association proposed an "interim agreement, to the pension surplus matter.

The matter of the disposition of actuarial surpluses was determined by by-law up until January 1, 1995 when the subsection that governed the sharing of surplus expired. Under Subsection 5(5) of By-law No. 6253/93, the surplus emerging before that date was to be divided into two portions, one part allocated to the plan members through the SPBA, and the other to the City to be used to lower its contribution requirement to a matching level for the following three year period, with the balance allocated to a contingency reserve which could also be used by the City at its discretion for contribution support, at least to a matching level. Therefore, when the City matches employee contributions the surplus would normally be divided 50/50 under the previous formula. Due to the expiry of subsection 5(5), there is no formula at the present time for surplus allocation and a by-law amendment is required.

Since the expiry of subsection 5(5), the Police Pension Board has obtained a legal opinion, subsequently disputed by the WPA and WPSOA, that all emerging surplus is available to the City to take contribution holidays. It is the City's view that such a use of the surplus by the City could be considered fair, given the City is fully responsible to cover unfunded liabilities that emerge under the plan.

The latest actuarial report of the Police Pension Plan, which has been approved by the Police Pension Board but has yet to be submitted to Canada Customs and Revenue Agency (CCRA), disclosed an actuarial surplus of $85,099,000 as at December 31, 1999 of which $4,705,000 is an "excess surplus" under The Income Tax Act. If the report is filed with the CCRA, and unless benefit changes are made to eliminate the "excess surplus", the City must suspend contributions for ten pay periods.

The recommendation to cease contributions for ten pay periods is consistent with what would be required under The Income Tax Act once the 1999 actuarial report is filed with the CCRA. In addition, the recommendation is consistent with the expected 2001 budgetary savings for reduced contribution holidays to the Police Pension Plan, which results in a savings of approximately $2 million.

The proposed interim agreement does not put either party at a disadvantage during current negotiations, is acceptable to the Winnipeg Police Association and the rights of all parties will not be prejudiced by this agreement.

The Executive Policy Committee recommends:

I. That the City cease contributions to the Winnipeg Police Pension Fund for the first ten pay periods of 2001.

II. That By-law No. 6253/93 be amended so that the amount of contribution holiday that is enjoyed by the City (plus any accruable interest from January 1, 2001) is matched by an equal amount allocated out of the plan surplus to the Supplementary Pension Benefits Account (SPBA) an account established to fund cost-of-living adjustments.

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

Adopted by consent.

Task Force on Diversity Final Report
File CR (Vol. 10)

371 - 12. On March 14, 2001, the Executive Policy Committee passed the following motion, namely:

WHEREAS Council on December 15, 1999, adopted a motion directing that the Community and Race Relations Committee be dissolved, that the Mayor appoint a Task Force on Diversity on January 1, 2000, and that the Task Force on Diversity bring a report with final recommendations, implementation plan and time line to the Executive Policy Committee by December 31, 2000;

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AND WHEREAS Council on December 13, 2000 approved an extension of time to March 31, 2001, for the Task Force on Diversity to report back to the Executive Policy Committee with final recommendations, implementation plan and time line;

AND WHEREAS since the Task Force on Diversity was established it has examined the past, listened to present community groups and citizens, analysing more than 100 research documents and has met with dozens of representatives of various groups, looking into practices in other communities;

THEREFORE BE IT RESOLVED THAT in accordance with Council's direction, the Executive Policy Committee recommends:

I. That the Final Report of the Task Force on Diversity be adopted in principle.

II. That Recommendations 1 and 2 contained in the report be implemented immediately and that funding for this be transferred from the balance of the Community and Race Relations Budget.

III. That the report be referred to the Chief Administrative Officer for review and report back regarding implementation to the Executive Policy Committee by June 30, 2001, including the financial detail.

IV. That public consultations be conducted by the new Citizen Equity Committee to review the recommendations implementation plan and report back to the Executive Policy Committee by September 30, 2001;

and submits same to Council for approval.

Moved by Councillor Gerbasi
Adoption of the clause.

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

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

Former Eaton's Building - 320 Portage Avenue - Pedestrian Access and Winnipeg Hydro Charges Report
File SC-3.2 (Vol. 5)

372 - 13. On February 8, 2001, the Chief Financial Officer requested a Report on the former Eaton's Building at 320 Portage Avenue, with regard to the status of the pedestrian access through the building and the current Winnipeg Hydro charges for the building.

On October 19, 1999, Osmington Inc. confirmed the purchase of the Eaton's Building at 320 Portage Avenue, as well as the Hargrave Street Powerhouse.

On or about November 1, 1999, T. Eaton Company Ltd. ceased operations at its 320 Portage Avenue location.

On December 8, 1999, Osmington Inc. assumed occupancy at 320 Portage Avenue.

EPSI Emerald Management Inc. (EPSI) manage both Eaton Place and 320 Portage Avenue from their local office.

WALKWAY BACKGROUND:

The City of Winnipeg's Downtown Plan of 1969 advocated the development of a combined elevated / underground walkway system and on October 19, 1977, City Council designated a right-of-way for the weather protected walkway system. Current Plan Winnipeg Policy speaks to encouraging an accessible downtown while integrating land use, urban design, and transportation planning.

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In order to facilitate completion of the walkway system, City Council agreed to cost share the development of pedestrian links along the network. The City currently shares one-third of the cost of bridge or tunnel construction (that does not include retail operations), within a public right-of-way. The remaining two-thirds cost are borne equally by the adjoining property owners. The City also shares on a one-third basis annual operating and maintenance costs for the system. In addition to their share of the costs the owners grant an easement through their respective buildings.

The City does not lease or cost-share capital or operating expenses for space within private buildings along the System. The walkway is viewed as a benefit to private owners, as it provides essential foot traffic along the route. The City does not cost-share bridges incorporating retail operations such as the North Portage and the Eaton Place pedestrian bridges.

Since the early 1980's, the City has spent on a cost-shared basis, in excess of $3.0 million in capital to establish the weather protected pedestrian system. Currently, the Planning, Property and Development Department have identified $500,000 in capital funding within their five-year capital forecast ($250,000 in each of 2003 and 2004). Another approximate $100,000 per year is provided within the current budget of the Department to pay the City share of operating expenses for the bridges.

FORMER EATON'S BUILDING:

The former Eaton's Building is integral to the approximate 1.2 mile system, connecting a department store, over 300 shops and boutiques, 13 office complexes, over 100 restaurants, 19 financial centers, the YM-YWCA, 3 theatre complexes and the Prairie Theatre Exchange as outlined on Appendix "A". However, the 2nd floor pedestrian connection through the former Eaton's Building is not guaranteed. Although there are legal agreements on the overhead walkways connecting to 320 Portage Avenue (Newport Centre, Eaton Place and Somerset Place Bridges), the City had previously been unable to secure legal agreements that would require the maintenance of pedestrian access through this building.

The vacant former Eaton's Building is a unique situation within the downtown. The store represents a gross floor area of approximately 720,000 square feet over eight floors, including a basement area. To place this into perspective, the St Vital Centre Mall represents approximately 800,000 square feet of leaseable floor area.

Several options for the 320 Portage Avenue site have been contemplated. The building has alternatively been speculated to be adaptively re-used for multi-purpose use, for the façade to be retained to front a new Entertainment Facility or to be demolished to allow new construction on the site.

The current owners of 320 Portage Avenue have requested some financial support from the City in return for the continued pedestrian access through the building. In a letter dated August 28, 2000, (attached) EPSI, advised the City that:

"based on actual costs to date, extrapolated to December 31, 2000, the projected direct cost to Osmington in maintaining the skywalk connection through the former Eaton's Building is expected to exceed $235,000 for the year. Included in this figure are utility costs, (based on consumption), security and cleaning expenses only, and no direct or indirect expenses are included".

STATUS OF CURRENT TAXABLE STATUS 320 PORTAGE AVENUE:

The 2000 municipal taxes at 320 Portage Avenue were $155,252.19. Local improvements including water and sewer renewals and an encroachment total another $7,493.91. Their 2000 total tax demand of $372,936.81 (plus penalties) was paid in full on January 24, 2001.

The 2001 tax roll has yet to be struck. However, based on the adopted 2001 mill rate, their municipal taxes will drop to $152,086.48. There is no levy for Business Tax at 320 Portage Avenue.

For the year 2002, the Property Assessment Department has confirmed that the 320 Portage Avenue property will be reassessed substantially downward if the building remains vacant and not generating any income. On this assumption, the municipal portion of the realty tax for 320 Portage Avenue for 2002 are estimated at $54,400.

Report of the Executive Policy Committee dated March 14, 2001

In light of the unique circumstances, considerable expense of maintaining this walkway connection within a large vacant building, and the fact that Osmington Inc. is not contractually obliged to retain the pedestrian connection, it may be reasonable to negotiate an Access Agreement that more fairly recognizes the benefit that the City receives.

POTENTIAL ACCESS AGREEMENT:

It would be beneficial for the City to have continued and perpetual access either through the former Eaton's Building, through an adaptively re-used structure, or through a new building on this site. To guarantee such access, the City would require an Access Agreement (registered by Caveat obligating successors and assigns) ensuring a 12 foot (3.66 meter) width weather protected pedestrian access providing connections between Eaton Place (234 Donald Street), Somerset Place (298 Portage Avenue) Bridge and the Newport Centre (330 Portage Avenue) Bridge.

The location of the walkway within the building should not be prescriptive (allowing the owner some flexibility / creativity in its future design), although it should be at a common and accessible second floor elevation. The building owner would remain responsible for heat, light, maintenance, taxes, security and accessible public use consistent with the other portions of the walkway.

The administration has discussed the following parameters with the owners of 320 Portage Avenue:

1. The City would enter into an Access Agreement with Osmington Inc.

2. Subject to parameter 5 below, as consideration for the access, the City would make a one time payment to Osmington Inc. that would be phased over the years 2000 (retroactive), 2001 and 2002 as follows:

2000 (retroactive)	$155,250
2001	$152,100
2002	$ 54,400
Total Payment	$361,750

   The phased payments by the City would be made to Osmington Inc. following their payment of the annual Realty Taxes for 320 Portage Avenue in full.

3. Osmington Inc. would provide guaranteed access (registered by caveat) through the property through an Access Agreement which would have a 40 year term with a further 10 year renewal clause (standard with other agreements).

4. Subject to parameter 5 below, an ongoing contribution commencing January 1, 2003 equal to the amount of the Municipal portion of the property taxes to be paid once Osmington Inc. pays its annual Realty Taxes in full.

5. Any payments by the City would terminate immediately upon the building ceasing to be vacant, being redeveloped or demolished.

FUNDING

One possible source for the funding for the Access Agreement may be the Weather Protected Pedestrian System Capital Account. This account is utilized for the City share of capital costs of new connections to complete the system of right-of-way designated by Council (October 19, 1977 Council resolution). Specific projects, costs and dates for expenditures require the negotiation of agreements and the approval by Council.

Currently, $1,086,035 exists within approved Capital accounts managed by the Planning, Property and Development Department. These funds are identified for expenditure in 2002.

As 320 Portage Avenue does not form a part of the designated system, and as such an Access Agreement payment does not fit with the financial parameters associated with the capital program, approval of funding for 320 Portage Avenue utilizing these accounts would require Council to waive its policy for the use of Weather Protected Pedestrian System capital funds.

Report of the Executive Policy Committee dated March 14, 2001

WINNIPEG HYDRO COSTS FOR 320 PORTAGE AVENUE:

During the spring of 2000, EPSI as property manager for 320 Portage Avenue became aware of the hydro costs and the methodology for the billing associated with the building. Winnipeg Hydro advised that their customer, EPSI, is being billed hydro costs based on the installed transformer capacity at 345 Graham Avenue, which is consistent with Winnipeg Hydro's Rate Policy and Procedures Manual.

As a result of their diminished electrical requirements for 320 Portage Avenue, EPSI requested Winnipeg Hydro's assistance in reducing the Hydro costs for the building. On July 19, 2000, Winnipeg Hydro wrote a letter to EPSI advising them that in order to reduce the contract demand, EPSI had the option of reducing the installed transformer capacity from the current 12000 kVA to 2000 kVA, which in turn would reduce the monthly contract demand billing.

On February 13, 2001, EPSI made payment to Winnipeg Hydro in the amount of $256,623.22 which brought the outstanding account balance owing to Hydro, to the end of December 2000, to $0.00.

Also on February 13, 2001, EPSI made payment to Winnipeg Hydro in the amount of $193,135, which covers Winnipeg Hydro's costs to reduce the transformer capacity from 12000 kVA to 2000 kVA. This will reduce the Hydro contract monthly billing effective January 22, 2001.

On January 22, 2001, EPSI requested that they be provided a concession (or grant) from the City, for the difference between the monthly billed contract demand and the measured peak demand for the period between December 8, 1999 (occupancy date) to July 19, 2000, (date of the Winnipeg Hydro letter that suggested the option of downsizing the electrical service capacity). Since EPSI had the choice of paying for the transformer capacity reduction at an earlier date, they have accepted responsibility for the contract demand charges for the period July 20, 2000 to January 2001 inclusive.

Winnipeg Hydro advises that the total concession requested is $141,382.49.

Winnipeg Hydro cannot waive the accumulated contract demand charges, as many of their other customers pay minimum demand charges based on the same criteria and such a move would jeopardize Hydro's existing policy and the revenue that it generates.

EPSI has requested that Council therefore waive the accumulated contract demand charges of $141,382.49 as a one-time contribution.

Should Council approve this one-time contribution, there is no source of funding identified.

The Executive Policy Committee recommends:

I. That in exchange for perpetual and weather protected access through the former Eaton's Building or through the future development of 320 Portage Avenue, Council approve:

   a) a one-time payment over three years of $361,750 to guarantee such access, and;

   b) the waiving of Winnipeg Hydro's accumulated contract demand charges of $141,382.49 as a one-time contribution, and;

   c) commencing January 1, 2003, an annual on-going contribution to the cost of operating the walkway equal to the amount of the Municipal portion of the property taxes which will terminate immediately upon the building ceasing to be vacant, being redeveloped or demolished.

II. That the payments for access and the contribution towards the waiving of the accumulated contract demand charges be referred to the Fiscal Issues Committee to identify sources of funding, and;

III. That Council authorize the CAO to finalize the access agreement between Osmington Inc. and the City, which will embody the City's standard terms and conditions and Council's instructions, and;

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

Adopted by consent.

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED MARCH 21, 2001

On motion of His Worship Mayor Murray, the rule was suspended and the Report of the Executive Policy Committee dated March 21, 2001, was considered.

2001 School Tax Levies and Mill Rates
File FL-3 (Vol. 11)

373 - 1. The Executive Policy Committee has been advised that in order to comply with the requirements of The Public Schools Act, Schedules “A” to “I” are pertinent to the subject by-law and include information in comparison with that for prior years.

The amounts required to be raised by Council include the City's share of the Province's Education Support Program, and the additional requirements of the eleven School Divisions which serve Winnipeg - such additional requirements ("special levies") representing portions of their costs which have been determined to be entirely the City's responsibility to collect, i.e. those parts of a school division's expenditures which do not qualify for Provincial government assistance under its province-wide support program.

Some of the more significant results of the provisions for provincial/municipal sharing of school costs in 2001 as they apply to Winnipeg are hereunder itemized:

1. Property taxes for school levies in Winnipeg will total $395,404,095 in 2001 that is $14,498,742 or 3.8% more than in 2000, as outlined on Schedule “A”.

2. The Provincial Education Support Levy for all residential property owners increased by $190,645 or 0.3%. This increase levy requirement corresponds to a 0.2% increase in the residential Education Support mill rate due to an increased assessment base in 2001, as outlined on Schedule “A”.

3. The Provincial Education Support Levy for Other (non-residential) property owners has increased by $1,635,459 or 2.5%. This increase levy requirement corresponds to a 1.0% increase in the Other Education Support mill rate due to an increased assessment base in 2001, as outlined on Schedule “A”.

4. The City's eleven School Divisions' Special Levy requirements total $268,091,906, an increase of $12,672,638 or 5.0% and range from a 1.6% increase in Winnipeg School Division No. 1, to an increase of 9.4% in Transcona–Springfield School Division No. 12, as outlined on Schedule “A”.

   The corresponding Special Levy mill rate changes differ from the levy requirements due to increases/decreases in the assessment base for each school division. These mill rate changes range from a 1.8% increase in Winnipeg School Division No. 1, to an 8.0% increase in both Fort Garry School Division No. 5 and River East School Division No. 9.

5. It should be noted that in 1998, the Norwood School Division No. 8 amalgamated with the St. Boniface School Division No. 4. In accordance with The Public Schools Act, the amalgamated school division was allowed to levy a differential mill rate for up to three years. However, the differential mill rate could not be higher than the highest mill rate of any of the original divisions in the year of amalgamation. At the time of amalgamation, the Norwood School Division had the higher mill rate which was effectively “frozen” for 1999 and 2000. Over the past two years, the St. Boniface School Division’s mill rate has increased and for 2001 the mill rate will be higher than that of the Norwood mill rate. This has resulted in the levying of a common mill rate throughout the Division for 2001.

6. In general, total school expenditures have increased for all school divisions from 2000 to 2001. The increases range from 1.3% in St. Vital School Division No. 6 to 12.14% in Fort Garry School Division No. 5, as outlined on Schedule “E”.

7. When the eleven School Divisions' Special Mill Rate is combined with the Provincial Education Support Mill Rate, the percentage change of the combined rate for residential properties from 2000 to 2001 ranges from a 1.5% increase in Winnipeg School Division No. 1 to a 5.9% increase in Fort Garry School Division No. 5, as outlined on Schedule “F”.

Report of the Executive Policy Committee dated March 21, 2001

When the combined school mill rates for other properties is considered, the percentage change ranges from a 1.5% increase (Winnipeg No. 1) to a 4.8% increase (Fort Garry No. 5).

8. The percent change in the combined municipal and school mill rates for residential properties from 2000 to 2001 ranges from a .20% decrease in Winnipeg School Division No. 1 to a 1.7% increase in Fort Garry School Division No. 5, as outlined on Schedule “F”.

   The percent change in the combined municipal and school mill rates for other properties ranges from a .01% decrease in Winnipeg School Division No. 1 to a 1.7% increase in Fort Garry School Division No. 5.

9. Since 1995, the municipal share/ratio of the total mill rate (municipal and combined school and education support levy) for residential property has been steadily decreasing across all school divisions. For 2001 there are now two (2) school divisions where the school levy is greater than the municipal levy. Overall, the municipal ratio ranges from a high of 56.2 % to a low of 47.8%, as outlined on Schedules “G”, “H” and “I”.

The Executive Policy Committee recommends:

I. That in compliance with the mandatory provisions of The Public Schools Act, Council pass a by-law required to fix and impose taxes sufficient to meet that portion of the cost of education required to be raised through levies on assessable property within The City of Winnipeg in 2001, as outlined on Schedule “A”.

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

Moved by His Worship Mayor Murray,
Adoption of the clause.

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

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

Councillors Prystanski, Smith and Steek asked to be recorded as having voted against the clause in accordance with rule 50.7 of the Procedure By-law.

(See Minute No. 423 for attachments)

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by His Worship Mayor Murray,
Seconded by Councillor Eadie,
374 - WHEREAS the Federation of Canadian Municipalities and a number of larger Canadian cities and urban regions have refined and shaped a proposal for an ongoing role of the federal government in funding sustainable urban transportation;

AND WHEREAS $4 billion is collected annually for fuel taxes in Canada;

THEREFORE BE IT RESOLVED that The City of Winnipeg endorse the following proposal:

Executive Policy Committee – Motions (continued)

1. That there be ongoing federal funding equivalent to 3 cents per litre nationwide from existing or new revenue sources, with a preference for using the existing sources;

2. That the federal funding be matched by provinces, from existing or new revenue sources, with a preference for using the existing sources;

3. That the funding be available in urban regions for any expenditure to prepare and implement a regional plan for sustainable urban transportation;

4. That equivalent funding be made available in non-urban areas on a basis to be worked out between the three levels of government.

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

Moved by His Worship Mayor Murray,
That the rule be suspended to allow consideration of the motion at this time.

Carried.

The motion was put and declared carried.

Moved by His Worship Mayor Murray,
Seconded by Councillor Eadie,
375 - WHEREAS The City of Winnipeg has cut municipal property taxes by 4% over the past three years;

AND WHEREAS the school boards within the City of Winnipeg boundaries have raised their taxes on an average of 16% over the past three years;

AND WHEREAS The City of Winnipeg has actively worked with the Association of Manitoba Municipalities Task Force to present alternatives to The Province of Manitoba in place of the high school board taxes;

AND WHEREAS The Province of Manitoba is one of the few Canadian Provinces that levies a province wide education support levy;

AND WHEREAS the City of Winnipeg has the highest school levies for residential properties of the 10 major cities in the 2000 Edmonton Survey being 67% higher than the 10 city average;

THEREFORE BE IT RESOLVED that The City of Winnipeg call on the School Boards and the Provincial Department of Education to establish multi-year budget strategies with a clear plan to bring education property taxes in line with other Canadian Cities.

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

Moved by His Worship Mayor Murray,
That the rule be suspended to allow consideration of the motion at this time.

Carried.

The motion was put and declared carried.

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

376 - On motion of His Worship Mayor Murray, the following by-laws were read a second time and third time and were passed and ordered to be signed and sealed, namely:-

By-law No. 7751/2001, being an initial borrowing by-law of The City of Winnipeg to authorize the borrowing of money by the issue and sale of debentures of the city in the principal amount of $22,679,820.00 to make expenditures for the purpose of the City in connection with its 2000 Supplementary Capital Estimates and to cancel certain unused borrowing authority by previous initial borrowing by-laws. File FC-2 (Vol. 18)

By-law No. 7759/2001, being an initial borrowing by-law of The City of Winnipeg to authorize the borrowing of money by the issue and sale of debentures of the City in the principal amount of $37,815,000.00. File FC-2 (Vol. 18)

On motion of His Worship Mayor Murray, the following by-laws were 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. 7775/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the Downtown Winnipeg Business Improvement Zone for the year 2001. File FL-7.4 (Vol. 8)

By-law No. 7776/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the Exchange District Business Improvement Zone for the year 2001. File FL-7.1 (Vol. 5)

By-law No. 7777/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the Osborne Village Business Improvement Zone for the year 2001. File FL-7.3 (Vol. 5)

By-law No. 7778/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the Corydon Avenue Business Improvement Zone for the year 2001. File FL-7.2 (Vol. 5)

By-law No. 7779/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the West End Business Improvement Zone for the year 2001. File FL-7.7 (Vol. 4)

By-law No. 7780/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the Norwood Grove Business Improvement Zone for the year 2001. File FL-7.6 (Vol. 3)

By-law No. 7781/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the West Broadway-South Sherbrook Business Improvement Zone for the year 2001. File FL-7.8 (Vol. 3)

By-law No. 7782/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the Selkirk Avenue Business Improvement Zone for the year 2001. File FL-7.5 (Vol. 3)

By-law No. 7783/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the Osborne South Business Improvement Zone for the year 2001. File FL-7.9 (Vol. 3)

By-law No. 7784/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the Mosaic Market Business Improvement Zone for the year 2001. File FL-7.10 (Vol. 3)

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

By-law No. 7785/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the Academy Road Business Improvement Zone for the year 2001 File FL-7.11 (Vol. 2)

By-law No. 7786/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the Old St. Vital Business Improvement Zone for the year 2001. File FL-7.13 (Vol. 2)

By-law No. 7787/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the Transcona Business Improvement Zone for the year 2001. File FL-7.12 (Vol. 2)

By-law No. 7788/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the St. James Village Business Improvement Zone for the year 2001. File FL-7.14 (Vol. 2)

By-law No. 7789/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the Grosvenor Square Business Improvement Zone for the year 2001. File FL-7.16 (Vol. 2)

By-law No. 7790/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the "ZAC Quartier Français-French Quarter" Business Improvement Zone for the year 2001. File FL-7.17 (Vol. 2)

By-law No. 7791/2001, a by-law of The City of Winnipeg to approve the proposed program, zone levy and budget estimates of the Business Improvement Zones located in the City. File FL-7 (Vol. 5)

By-law No. 7801/2001, a by-law of The City of Winnipeg to widen the street right-of-way and public lane at the east terminus of Thomas Berry Street. File DAO 4/2000

By-law No. 7802/2001, a by-law of The City of Winnipeg to widen the public lane north of Dumas Avenue, west of Pembina Highway. File DAO 11/2001

By-law No. 7803/2001, a by-law of The City of Winnipeg to open Maralbo Avenue East, east of Eric Street. File DAO 9/2000

By-law No. 7804/2001, a by-law of The City of Winnipeg to widen the west side of Waverley Street, north of Cadboro Road. File DAO 1/2001

By-law No. 7810/2001, a by-law of The City of Winnipeg to amend By-law No. 6688/95, being the Academy Road Business Improvement Zone By-law. File FL-7.11 (Vol. 2)

On motion of His Worship Mayor Murray, the rule was suspended, and By-law No. 7812/2001, a by-law of The City of Winnipeg to fix and impose taxes to raise the amounts required in the year 2001 by The Public Schools Finance Board of the Province of Manitoba and by certain School Divisions for school purposes, 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 FL-3 (Vol. 11)

EXECUTIVE POLICY COMMITTEE

QUESTION PERIOD

377 - Councillor Steek inquired about the status of the administrative report relative to an alternative methodology for business tax.

His Worship Mayor Murray advised that the administration was working on a recommendation and indicated that a background report of information should be available within the next few weeks.

Councillor Steek questioned when the report pertaining to additional funding for the Planning, Property and Development Department would be forthcoming.

His Worship deferred the question to Councillor Vandal who advised that the report penned by the Planning, Property and Development Department had been submitted to the Chief Administrative Officer and should proceed to the Executive Policy Committee in April, 2001.

Councillor Angus questioned when an up-to-date financial plan could be expected, to which His Worship noted that the Chairperson of the Standing Committee on Fiscal Issues and the Chief Financial Officer were reviewing the matter and should be reporting to the committee level and Council in April, 2001.

In reference to the Canada/Manitoba Infrastructure program, approved by Council on January 31, 2001, Councillor Clement questioned how projects proceed forward through the program. In addition, he asked that correspondence be sent to Ron Duhamel, Member of Parliament, to determine which of the seven Winnipeg projects identified for consideration in the program he supported.

His Worship advised that neither the Federal nor Provincial Governments had provided a list of their projects or spending priorities for the infrastructure agreement. He indicated that he had written them on numerous occasions about this topic and would continue to be persistent. He further noted that the first agreement signed was a Manitoba/Canada Agreement on the floodway that did not require funding from the Municipal level. He also noted that the only other announcement he was aware of was that if money should be available for an entertainment complex downtown, the Federal Government was insistent that funds come out of the infrastructure agreement.

Councillor Clement noted that Federal Bridges Incorporated, a Federal Government company that owns four toll bridges in Quebec and Ontario was so successful, particularly in Quebec, that they were going to utilize the revenue to build a perimeter highway around Montreal for cash for the City of Montreal. Councillor Clement asked if the Mayor was aware of this and questioned why the City does not receive similar funding.

His Worship stated that he was also aware that other municipalities, such as Ottawa, have rejected toll roads as an acceptable method of raising funds.

In reference to the tentative Convention Centre expansion, Councillor Clement asked if the Mayor was aware that in the Provinces of Quebec and Ontario, every new convention center / addition or retrofit, had been subsidized fifty cents on the dollar by the Federal Government.

His Worship noted that many of those Convention Centres fell under Federal Government programs that existed at the time and suggested that if Winnipeg added the Convention Centre to the new infrastructure program it would also be considered.

Councillor Lubosch inquired when the Report of the Ad Hoc Committee to Review Smoking and Environmental Tobacco Smoke in Indoor Public Places would be forthcoming, to which His Worship responded that a 90 day extension of time had been granted by the Executive Policy Committee on February 21, 2001 for the administration to finalize their report.

Councillor Lubosch inquired if the Mayor was aware that the Provincial Government, currently within its Workplace Safety and Health Act, had specific legislation with respect to fugitive emissions created either through the manufacturing process or by persons in the workplace and that those fugitive emissions also include carcinogens found in the smoking of cigarettes, but that they had not taken action in regards to cigarette smoke.

Executive Policy Committee – Question Period (continued)

His Worship indicated that he shared the concern that the Province had chosen not to act and stated that the City should continue to work to persuade the Province to legislate this area.

Councillor Smith questioned why an extension of time was granted for the Report of the Ad Hoc Committee to Review Smoking and Environmental Tobacco Smoke in Indoor Public Places to which His Worship replied that the Administration requested the 90 extension of time to finalize the report.

Councillor Steek questioned if it was the Mayor's position that the Planning Division of the Planning, Property and Development Department should be severed and adjoined to the Community Services Department.

His Worship replied in the negative and suggested that his view was that, in the short term, additional funding should be provided, particularly for the real estate division. He noted that slowdowns had occurred due to under-staffing and shortfalls on the community services side in housing enforcement and health enforcement needed to be dealt with quickly. He added that it was his personal view, and one that he would be working on in the imminent future, that neighbourhood issues, such as housing and zoning, should be handled in one area at the neighbourhood level, often referred to as the Vancouver model. He also stated that industrial developments be on a separate track and handled by a specialized commercial development team.

In reference to a November 1999 report identifying significant manpower shortages within the Planning, Property and Development Department, Councillor Steek questioned why additional manpower for a department that generates revenue and, more importantly, acts as a specific liaison between the business community and the City, had not been approved.

His Worship replied that a full staffing complement currently existed and had increased recently. He also referred to the creation of CentreVenture, which had facilitated 42 development projects. He further indicated that concerns with the Department were not strictly related to staffing, but also with the amount of over-regulation in the overall development process. He suggested that both the issue of staffing and regulation had to be dealt with conjointly.

Councillor Steek questioned if there was a commitment by the City to the Winnipeg Blue Bomber Football Club to help host the Grey Cup in 2002, for a sum of at least half a million dollars.

His Worship replied in the affirmative but noted that the Winnipeg Blue Bomber Football Club was still considering the viability of hosting the event and were looking at the financial implications inasmuch as they were experiencing financial difficulties.