Agenda – Council – June 25, 2014

COMMUNICATIONS

From the Chief Financial Officer,

Submitting communication dated June 5, 2014, advising that the 2013 Annual Financial Report and the 2013 Detailed Financial Statements include the consolidated financial statements of the City of Winnipeg for the year ended December 31, 2013 and related Auditors' Report. These consolidated financial statements were reviewed and approved by Audit Committee at their meeting on May 14, 2014.

Further advising that the 2013 Detailed Financial Statements also include individual financial statements for each of the City's General Tax Supported Funds, Reserve and Service Funds, Special Operating Agencies, City-Owned Utilities, Wholly-Owned Corporations, the Sinking Fund Trustees of the City of Winnipeg, as well as other financial statements and various financial statistics and debenture debt information.

From the City Auditor, Chief Performance Officer, Audit Department

Submitting communication dated June 19, 2014, advising that pursuant to the provisions of the Councillors' Representation Allowance (CRA) Fund Policy ("the Policy"), they have audited the annual allowance reports of each City Councillor for the year ended December 31, 2013. Councillors are responsible for maintaining compliance with the Policy for expenditures incurred. The City Clerk's Department is responsible for processing expenditures and preparing annual allowance reports for each Councillor in accordance with the provisions of the Policy; they are also responsible for such internal controls as are determined necessary to maintain compliance with the Policy, and to enable preparation of annual allowance reports that are free from material misstatement. Further advising that their responsibility is to express an opinion on the compliance of fund expenditures, and on the fair presentation of the annual allowance reports, based on our audit. The audit has been conducted to satisfy the provisions of the Policy and, therefore, may not be suitable for use for other purposes.

Also advising that they conducted the audit in accordance with generally accepted government auditing standards. Those standards require that they plan and perform an audit to obtain reasonable assurance that fund expenditures complied with the Policy, and that the annual allowance reports are free from material misstatement. An audit involves performing procedures to obtain evidence about the amounts presented in the annual allowance reports. The procedures selected depend on the auditor's judgment, and include risk assessments of non-compliance and material misstatement. Accordingly, they considered the internal controls relevant to the expenditure processes, and the preparation of annual allowance reports, in order to design procedures that were appropriate under the circumstances. They believe the evidence they obtained is sufficient and appropriate to provide a basis for their audit opinion.

Council – Communications (continued):

Further advising that in their opinion, fund expenditures of all the City Councillors were found to be in compliance, in all significant respects, and the annual allowance reports for the year ended December 31, 2013 fairly presented the fund expenditures, in all material respects, in accordance with the provisions of the Policy. The individual reports are attached for your information and include a summary of expenditures.

They have also provided their Councillors' Representation Allowance Control Systems Report to the Governance Committee of Council discussing their findings and recommendations on the internal controls for the fund. This additional report is an integral part of performing an audit in accordance with generally accepted government auditing standards.

From the Acting Director of Legal Services and City Solicitor,

Submitting communication dated June 18, 2014, submitting an amending by-law which replaces subsection 220(3.2) of the Downtown Winnipeg Zoning By-law with new wording to correct an error. The Planning, Property and Development Department have advised that this corrective amendment does not prejudice the rights of any person. Section 276 of The City of Winnipeg Charter provides that where Council considers that a proposed amendment to a by-law under Part 6 of the Charter (Planning Development) is to correct an error or omission and does not prejudice the rights of any person, Council may pass the amendment without giving notice of a hearing in respect of the proposed amendment, holding a hearing in respect of it, and receiving a report in respect of it. Draft By-law No. 67/2014, to amend the Downtown Winnipeg Zoning By-law No. 100/2004, to correct an error, is submitted for all three readings.
File DAZ 200/2014 (By-law No. 67/2014)

From the Acting Director of Legal Services and City Solicitor,

Submitting as instructed by Council on April 30, 2014, draft by-law to amend Winnipeg Zoning By-law No. 200/2006 to rezone land located at 765 Scotland Avenue in the City Centre Community, which by-law may receive all three readings. File DAZ 206/2014 (By-law No. 68/2014)

From the Acting Director of Legal Services and City Solicitor,

Submitting as instructed by Council on April 30, 2014, draft by-law to approve a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located on Concordia Avenue East, west of Grantsmuir Drive (Harbourview South) in the East Kildonan- Transcona Community, which by-law may receive all three readings.
File DASZ 55/2013 (By-law No. 69/2014)

Council – Communications (continued):

From the Acting Director of Legal Services and City Solicitor,

Submitting as instructed by Council on June 26, 2013, draft by-law to approve a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located at 1171 Fife Street, in the Lord Selkirk-West Kildonan Community, which by-law may receive all three readings. File DASZ 26/2012 (By-law No. 70/2014)

From the Acting Director of Legal Services and City Solicitor,

Submitting communication dated June 17, 2014 and draft by-law, which by-law may receive all three readings, to amend the Vote Counting Machine By-law in two ways:

- The definition of "Election Headquarters" would be changed from its current reference to the Council Building at 510 Main Street to a more generic reference to "City Hall". This not only accommodates the move by City Clerks to the Administration Building but provides flexibility in the future for the use of space in either of the two buildings as election headquarters.

- The procedure for declining a ballot has been changed to remove the requirement that the voter write "declined" on the back of the ballot. As rewritten, a voter can decline the ballot simply by returning it to the voting official without having placed a mark beside the name of a candidate, whether he or she writes anything on the ballot or not. This change will prevent a situation where writing on the back of the ballot bleeds through the paper and appears to the vote counting machine to be a mark beside a candidate's name, thereby defeating the intent of the voter to decline the ballot.

In my view, neither of these changes alters the intent of the amended provision in the By-law and are both technical in nature. Accordingly, I suggest that they can be brought to Council's attention for enactment by way of a communication. (By-law No. 71/2014)

From the Acting Director of Legal Services and City Solicitor,

Submitting as instructed by Council on February 26, 2014, draft by-law to approve a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located west of Charleswood Road, north of CN Railway and south of Harte Trail (Ridgewood South Area 1) in the Assiniboia Community, in the Community, which by-law may receive all three readings. File DASZ 50/2013 (By-law No. 72/2014)

Council – Communications (continued):

From the Acting Director of Legal Services and City Solicitor,

Submitting as instructed by Council on April 30, 2014, draft by-law to approve a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land south of Warde Avenue, west of Plessis Road and north of the Perimeter Highway in the Riel Community, which by-law may receive all three readings.
File DASZ 45/2013 (By-law No. 73/2014)

From the Acting Director of Legal Services and City Solicitor,

Submitting as instructed by Council on May 27, 2014, draft by-law toapprove a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located at 774 Bonner Avenue in the East Kildonan-Transcona Community, which by-law may receive all three readings. File DASZ 57/2013 (By-law No. 74/2013)

From the Acting Director of Legal Services and City Solicitor,

Submitting communication dated June 17, 2014, submitting draft by-law, which may receive all three readings, which would make four corrections to the Responsible Pet Ownership By-law:

Two corrections relate to dog breeds prohibited by section 7. One correction would add standards set by "United Kennel Club" to those of the Canadian Kennel Club as a basis for describing prohibited breeds. This is required because the Canadian Kennel Club has not established a standard for the American Pit Bull Terrier. The second correction would remove "Pit Bull Terrier" as a prohibited dog breed. This is due to the fact that "pit bull terrier" is not a recognized breed but is rather a generic term used to describe several breeds with similar physical characteristics. Both of these changes are consistent with Schedule B of the Pound By-law, which was replaced by the Responsible Pet Ownership By-law. They do not represent any change in historic or current practice.

The other corrections replace two incorrect references to section 36 and to section 51 in Schedules A and B of the By-law.

Because these changes do not substantively alter the By-law, they are considered to be technical in nature. Accordingly, they can be brought to Council's attention for enactment by way of a communication. (By-law No. 77/2014)

Council – Communications (continued):

From the Acting Director of Legal Services and City Solicitor,

Submitting communication dated June 17, 2014, submitting draft by-law, which by-law may receive all three readings, to make amendments to the Gail Parvin Hammerquist Fund By-law necessitated by the new Historical Resources By-law. Consequential amendments to this By-law were made when the Historical Resources By-law was enacted by Council in May. However, several other necessary amendments were missed. This By-law will correct that oversight.

Because this By-law merely corrects what are now outdated references and does not make any substantive changes to the By-law, I consider it technical in nature. I believe that it can be brought to Council's attention by way of a communication. (By-law No. 78/2014)

From the Acting Director of Legal Services and City Solicitor,

Submitting as instructed by Council on May 29, 2013, draft by-law to amend the Traffic By-law to Accommodate the Downtown Taxi Strategy, which by-law may receive all three readings. (By-law No. 79/2014)