EXECUTIVE POLICY COMMITTEE
DISPOSITION OF ITEMS

SPECIAL MEETING
MARCH 15, 2023

MEMBERS PRESENT: His Worship Mayor Gillingham, Chairperson
Councillor Browaty
Councillor Lukes
Councillor Mayes
Councillor Orlikow
Councillor Rollins

COMMITTEE CLERK: Andrew Poitras, Manager of the Decision Making Process
City Clerk's Department

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Item	Subject/File	Recommendations	Action Required By
		REPORTS	
1	Winnipeg Police Service Headquarters Litigation	The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council: 1. That the City agree to a full settlement of both the Deficiencies Action (CI 18-01-14533) and the Fraud Action (CI 20-01-25295) and all associated claims currently filed in Court of King's Bench in respect of all parties in those Actions (excepting the City's severed claim against the Sheegl defendants, as defined below) on the following basis: A. Payment to the City of the following: i. $21.5 million if payment in full is made within 12 months of Council's approval of the settlement proposed herein; ii. $22.5 million if payment in full is made within 24 months of Council's approval of the settlement proposed herein; iii. $23.5 million if payment in full is made within 36 months of Council's approval of the settlement proposed herein. B. If full payment is not made within 36 months of Council's approval of the settlement proposed herein, consent judgment in favour of the City to be filed with the Court of King's Bench in the amount of $28 million; and C. Security to be registered on real property and/or other security arrangements in place sufficient in the opinion of the Chief Administrative Officer to secure full payment of the above amounts to the City. 2. That the City enter into, execute and deliver such agreements with some or all of the parties to the Actions referred to in Recommendation 1 as are determined to be reasonable by the Director of Legal Services and City Solicitor to implement the intent of the foregoing. 3. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the agreements referred to in	Council

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		Recommendation 2 in accordance with this report and such other terms and conditions deemed necessary by the Director of Legal Services and City Solicitor to protect the interests of the City. 4. That, in the event Recommendations 1 - 3 are not approved, an over-expenditure be approved to the Legal Services Department 2023 operating budget of a total of $6,407,750 in order to continue the engagement of external legal counsel as well as document management and forensic accounting services and other experts required to complete the trials of the Deficiencies Action and the Fraud Action as further detailed in this report. 5. That subject to the approval of Recommendation 4, that contractual over-expenditures be approved as follows: A. $4,035,000 on the contract to Marr Finlayson Pollock LLP for a total contract value of $6,435,000 in connection with the Fraud Action (as defined below); B. $750,000 on the contract to Marr Finlayson Pollock LLP for a total contract value of $1,100,000 in connection with the Deficiencies Action (as defined below); C. $1,622,750 on the contract to Deloitte LLP for a total contract value of $3,270,750. 6. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	