COUNCIL OF THE CITY OF WINNIPEG
Wednesday May 19, 2004

The Council met at 9:38 a.m.

The Clerk advised the Speaker that a quorum was present.

The Speaker called the meeting to order.

The opening prayer was read by Councillor Wyatt.

ROLL CALL

Clerk: Mr. Speaker Councillor O'Shaughnessy, Deputy Mayor Eadie, Councillors Angus, Clement, De Smedt, Gerbasi, Lubosch, Pagtakhan, Smith, Steeves, Thomas, Wyatt and Lazarenko.

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

Mr. Speaker: We have two Pages with us this morning. Welcome back Brittany Perija, of Mennonite Brethren Collegiate who lives in the Old Kildonan Ward. And Anthony Kachur also of Mennonite Brethren Collegiate who also lives in the Old Kildonan Ward. Welcome back. Thank you.

Mr. Speaker: Announcements and welcome of guests Mr. Mayor.

Mr. Deputy Mayor: Mr. Speaker, I would just like to bring to the attention of all members of Council the fact that the Federation of Canadian Municipalities annual conference will be coming up later this month in Edmonton, and our colleague Gord Steeves has been nominated to run for third Vice-President of FCM, and I would simply like to express best wishes to Councillor Steeves in his campaign and hopefully all of our colleagues who will be in Edmonton at FCM will give him their support and see another Manitoban elected to the Table Officers position at FCM. I hope that works out.

Just one more thing Mr. Speaker on a procedural matter. Motion No. 5 I understand is causing a bit of a problem, and perhaps during the course of the meeting with regard to the possibility of changing the June council meeting, we could have a bit of a confab and see if there's another date. I understand there are a couple of problems with the regular meeting date, it may also involve a quorum plus the by-election. Just put on notice that we might want to have a discussion. I thought people had been canvassed and they hadn't.

Mr. Speaker: Perhaps you could ask the Clerk to see to it that some canvassing is done here prior to the motion coming before council. Thank you.

MINUTES

Adoption of Minutes. Councillor Thomas moves the Minutes of the meeting held on April 21, 2004, be taken as read and confirmed. All in favour? Contrary? Carried.

We have two delegations listed this morning. Mr. Davidson has withdrawn and will not be appearing this morning. We do have Maryse Mymin, Principal, Harrow School, in support of Item No. 1, Protection and Community Services, dated May 3, 2004.

DELEGATIONS

Ms Maryse Mymin: Thank you. I just came to very briefly speak on behalf of Harrow School. We've been trying for years to get a playground. We've had relative success in fund raising, but I know that our Councillor, Garth Steek had put something forward to this group that apparently you're supposed to be accepting this morning. It's the second part of a $30,000 grant that we were supposed to get. But since he's no longer available I thought that I would come and make a plea on behalf of Harrow School.

I don't know, a lot of people don't even know where Harrow School is. It's a small little school at the corner of Harrow Street and Taylor, right by the Hydro Building. I guess one of the reasons I'm here is to stress to council that we are not your typical River Heights School. Even though we're in the south district.

We are a very small school. We have about 163 kids. We are not in any great sort of financial circumstances.

We have a lot of ESL students. About 40 ESL students. We have approximately 30 Aboriginal students. Our families are all hard working and not necessarily very wealthy. We've raised a lot of money already especially given our circumstances. I guess the reason I'm here is because even though I'm a school principal and should be working, I'm the only one among all the people that belong to our school that was able to take the time, hope the school division doesn't mind me doing that.

That's it. I'm just here to make a plea, please help us out. We're in desperate needs. The community club that used to service Harrow was closed down a couple of years ago, and there's absolutely nothing around for our kids unless they cross Grant and cross Stafford. The only parks available are across Stafford and Grant. There are no other play structures available. We also serve a daycare, and there's several seniors and we were planning on having a walking track.

We're trying to do something for not just the school but the community at-large; I hope you can help us out.

Mr. Speaker: Would you permit questions? Councillor Thomas.

Councillor Thomas: This is an are you aware question.

Are you aware that the City Solicitor, Manager of Legal Services has advised that recommendation No. 2, the money from the 2006 the $10,000 from the 2006 is contrary to the provisions of the City of Winnipeg Charter. No. 1 is okay, but No. 2 we have to lay it over and consider it at the time of the budget? And that's fine by you as long as we proceed with part one.

Ms. Mymin: That's right. Of course I would love to have part two done as well, I realize that we cannot do that at this time. Whenever it happens, it will happen.

Councillor Thomas: Just so long as you understand if we were to support part two, we'd be going against the Charter.

Ms Mymin: I understand that.
Mr. Speaker: Councillor Gerbasi.

Councillor Gerbasi: Thank you for coming down here. I'm just wondering, we are in a bit of a dilemma with the councillor having resigned and there will be a new councillor next month. Would you have a problem if we laid this matter over until there was a new councillor in place and they could determine what they wish to do in their ward with their funds at that time? Would you have a problem in terms of the project of waiting another month or two for that to happen?

Ms Mymin: We've been working on this project for so long that I feel badly postponing it again. I suppose if there's no chance of us dealing with it now, we don't really have any choice but to postpone it. That would be up to you.

I now would of course prefer to have the money in my pocket as soon as I leave this building, but I understand that that's not possible either.

Mr. Speaker: Thank you very much.

Onto the Report of the Executive Policy Committee dated May 5, 2004, Mayor Eadie.

REPORT OF THE EXECUTIVE POLICY COMMITTEE DATED MAY 5, 2004

Deputy Mayor Eadie: Thank you, Mr. Speaker I'm prepared to move that the Report of EPC for May 5 be received, and that clauses 1 through 5 be adopted by consent.

Mr. Speaker: Nos. 1 and 2 have been asked to be stood down. And 4.

Your consent agenda is down to Items 3 and 5. All those in favour? Contrary? Carried.

Mr. Speaker: Return to Item 1 Mr. Mayor

Item No. 1.

Item No. 1 – Removal of School Taxes from Property Tax Bills
File FL-3

Deputy Mayor Eadie: Thank you Mr. Speaker, moving the Executive Committee recommendation, it's already the policy of City Council that we strive towards the removal of education taxes from property tax bills. We were part of a process to review that and work with the Provincial Government.

As members may know, there is a steering committee appointed by the Minister of Education who have not yet reported but I understand they're going to be reporting on options to the Minister of Education perhaps by the end of June.

The reason we're recommending that this particular motion be filed, its already part of the policy of the City, we don't need to reinvent the wheel. We will do our best to work with our colleagues throughout Manitoba to try and achieve the Council's position on this matter, which was established two years ago. Thank you Mr. Speaker.

Mr. Speaker: Thank you. Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Speaker, I'd like to thank the Mayor for his comments and I agree with much of what he indicated and what he said.

As a former employee, Mr. Speaker, Director of Policy and Communications for the Association of Manitoba Municipalities, I'm familiar with the policy position and the work they're doing. And in indeed the work they're doing is tremendous, I commend the Association and the members of the Association, all those who spent much time doing this work.

I think the level of frustration with regards to school taxes is reflected in the motion moved by himself seconded by Councillor Lazarenko at the previous council meeting.

There's a sense that we're once again spinning our wheels, that school taxes are still out of control Mr. Speaker and that the Provincial Government is sleeping on the issue. They came out with recommendations that were basically received not exactly in the most welcoming way by the majority of the public, and even members of their own government.

When 50% of the taxes now on a property tax bill, over 50% is now being derived for school tax, paid towards school tax there's a problem Mr. Speaker. We have reached a point now where I think we have to say as a council enough is enough. I agree we're members of the Association of Manitoba Municipalities, but we also have our own charter. We're also in a position as the City of Winnipeg to be able to make a strong statement and a very strong position on this matter, that we want to see school taxes removed from the property tax bill.

What I'm asking today, what we're asking here to discuss here today, is to revise our existing policy and our existing position on this matter, our existing position is to reduce or eliminate, we're saying, eliminate school taxes from the property tax bill. It's a clear change in our existing policy.

The time has come Mr. Speaker I think to identity the fact of the matter which school taxes and the inherent use of property as a form of funding education does not seem to present any kind of rational argument other than the fact that it's based on historical condition or historical situation of this province and the history of assessing and driving revenues for education from school taxes.

The concept of funding education from property does not make any logical sense in my mind. We should be funding education based on the growth of this province, based on revenues whether it be income tax or sales tax, or other forms of taxation. To me, the idea of property funding education when education itself is not really a function of property and services provided to property, does not present any reasonable arguments in today's day and age. I think we have to move away from this concept.

The proposal put forward by the Province or the working group, I welcome it, I think it's a step in the right direction, but at the same time I think it's flawed to a certain extent if we go towards reducing property taxes to 20% of the entire tax bill, school taxes to 20% of the entire tax bill and yet move to increase sales tax by 1% is what was being recommended. I think Mr. Speaker, unless we're prepared to address the cyclical problem of school taxes on the rise every year without being able to cap the constant spending and spending above the rate of inflation, we're going to have a problem again with that 20% of the tax bill based on school taxes. Once it's lowered will start to creep up again and in a matter of 10, 15 years we will be back in the same position we are today with school taxes, and debating the same issues again, why are school taxes consuming 50% of the property tax bill.

I think the only solution to this Mr. Speaker, is to state as the City of Winnipeg our policy, our public policy on this matter is to remove school taxes from the property tax bill to work with the Province on achieving that but to take that position very clear position to the Province and recommend that that be their position with regards to education funding in this province.

I would encourage councillors to support this; it is a change in our policy position on this matter. I think it's long overdue. I think in light of the fact that the Province seems to be scrambling on some of these issues, I think we might be able to assist them in giving them some guidance and very clear definition on where we should be going on this matter. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor Wyatt. Councillor Lazarenko.

Councillor Lazarenko: Thank you Mr. Speaker. I was glad to be a seconder to this motion because it's high time that we as the City of Winnipeg Council take a direction and do what should be right.

The Manitoba Association of Municipalities have their own agenda they deal with. All the municipalities in the Province of Manitoba. We're the capital of Manitoba with two-thirds of the population. We have our own charter that is given to us by the Province of Manitoba. We can't do anything without the okay of the Province and what is in the Charter; this is what we have to live with. Even though at times we feel that this is not right because we can't even do the things that we want to do without having so called big brothers watching. When this was raised a number of years ago, back many years ago because when we have been straddled with the legislation that we have to collect the school taxes on behalf of the school boards of the City of Winnipeg, we kept the money then we had to give the money back to them. At that time we were getting a certain amount of interest that was collected, but now there's hardly anything. We do this on behalf of them.

Responsibility Mr. Speaker has to be placed with the people that set the budget like we do. We don't have anyone coming to Council complaining about the school taxes when we have to introduce it and pass it through council to go for collection. Nobody comes because people have the feeling that it's the City of Winnipeg, tax bill comes out school taxes are included, and we take the lumps for it. I don't see what harm it would be if council was to proceed and pass this motion and send it onto the Province. The Provincial Government has a responsibility my God, only common sense will tell you why would they do something like this to tell us that this is what we must do when we have no say on it. We can't do anything with the school budget. We have no say; we can't even ask any questions because we don't even get the detailed budget report, nothing. It falls within us to do this.

A number of years ago when we had a fiasco with the assessments and the City of Winnipeg was somewhere's around $200 million and a further $50 million that we had to find monies. We went and robbed the reserves to pay what was owed through the system when the challenges went on the assessments of all the commercial properties and the rest of it. $250 million we found. We had no

help from the Province. We had no help from the other municipalities, because the other municipalities are not put in a spot like we are. We have the Charter to worry about now; first it was the Winnipeg Act now it's the Charter.

To say that what is equally right and what should be our responsibility. Every four years now elections come we have the elections of school board trustees. They get elected the same way as we do. They have their responsibility, I remember a number of years ago one of the school trustees told me, he says Harry, I can tell you right now, I sit and I watch, you guys debate and you get the lumps and we do what we want. We had the taxes increased each and every year with the school divisions as high as over 8% in Transcona. 4.5% in the City of Winnipeg, Division No. 1. When you have this kind of increase and we can't stop it, we had to sacrifice our programs to a point to say we want to reach that minus 2% or a zero. Former mayor had said, this is great; this is what I'm going to do to the City of Winnipeg. Who's going to pay that piper. When everything comes into lump, we've already in a pinch with our finances. We've downsized our workforce. Take a look at the temporary staff that we hire for the summer programs. How many of them will not be here. We do this, okay we have some thing to be proud of to say look, you don't have that much of a tax increase but then whammy here it comes. Citizens of Winnipeg don't pay no increase in the City municipal taxes but they get a whammy when it comes in with the school tax increase.

Mr. Speaker, I would urge members of council, let this motion, this motion is not going to disrupt council. This motion is just asking the Provincial Government to change the Charter and take our responsibility off the school taxes. It is not us. It is not ours. We don't introduce those taxes; we've got nothing to do with it. And it's about time that they would do something because we're tired of having to take those lumps each and every year.

School board trustees get very few phone calls. We get them because we are the collectors. Who likes to have a tax collector, who likes to have a bailiff come to your house and say look, you haven't paid your share or a business tax hasn't been paid, the sheriff's will come and they'll say, we are going to confiscate some of your furniture here because you haven't paid. The collectors are the ones that have to do this.

The ones like the school board divisions, I respect them, sure they do a good job, they've never laid off any people. They have said to the people that complain, they said look, if you want to reduce the school taxes sure we'll do it, but we'll lay off the teachers, we'll stop some of the programs, people said, no no no we don't want that, please you keep the staff, we'll take that increase. We don't do that. Because somebody decides to say, we got to have a zero, because it was a promise made, some kind of fortune tellers they can tell exactly two or three years or four years down the road exactly what the financial status will be in the City of Winnipeg.

Did we predict what we had a fiasco of $250 million of the assessment challenges? No.

Further, how many more challenges we have to be faced with, but we paid the lumps, the Province doesn't come to us and say look, we will be paying your share, we'll help you pay for that. They know how to come to us when it comes to pay the losses with the former Jets, dollar for dollar, and the Province never gave even one penny to get their share. But the financing part of it they had because what kind of taxes do we get for any kind of venture any kind of a rock and roll group that comes here. We get nothing. We have to supply the police and all that, there's a cost to us. The Province gets their provincial sales tax, the Federal Government through their Goods and Services Tax. They get their money back two ten-fold. We're trying to speak out, we're trying to say look, this is something that should be happening now and not wait, the Manitoba Association of Municipalities work together as a group, like CUPE union. They've got their branches all over Canada. This is the City of Winnipeg; two-thirds of the

population is here in Winnipeg. Two-thirds of the population of Manitoba. We're asking for our rights to say and asking the government to Gary Doer the Premier to please change that charter. It's not going to have any affect and put the responsibility on the people that impose those taxes.

Deputy Mayor Eadie: Mr. Speaker, thanks to my colleagues who spoke in this particular debate. Nothing has really changed. This city has a policy, it was clearly enunciated, I mistakenly stated two years ago but four years ago. We've worked with our colleagues in Manitoba on a process. This is not a Winnipeg issue. This is a Manitoba issue. It's imperative that we have all Manitoba municipalities on board when we approach the Province on this, and we do have them all on board Mr. Speaker.

We've gone through a considerable process where we've been able to at least get the Provincial Government to actively work on this. They've created that committee. The committee is to report to the Minster. The Minister has been under considerable questioning in the Legislature over the last month, and as well during his estimates process, which is still underway.

We've recommended that this particular motion be filed because it's really superfluous. We have a policy we are working on it. We are negotiating with the Province and with our colleagues throughout Manitoba because we can't go on this one alone. The ball is in the Provincial Government's court, they have to respond. They have to develop a policy and the focus should now be on them and that's exactly where it is Mr. Speaker.

As I said at the beginning, we don't need to reinvent the wheel, it's been invented. We've become involved in the process, and we're recommending this particular motion be filed because we're already at the end of very near the end of a negotiating process and we're waiting to hear what the Provincial Government's policy is going to be.

Mr. Speaker: Thank you Mr. Mayor. Question on the clause. All in favour? Recorded vote. All in favour please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Deputy Mayor Eadie, Councillors Clement, De Smedt, Gerbasi, Lubosch, Pagtakhan, Smith, Steeves, Thomas, Mr. Speaker Councillor O'Shaughnessy.

Nays

Councillors Wyatt, Lazarenko.

City Clerk: The vote Mr. Speaker, Yeas 10, Nays 2.

Mr. Speaker: The clause is carried. Moving onto Item No. 2.

Item No. 2 – Establishment of Committee to consider and formulate a Taxpayers Bill of Rights
File FL

Deputy Mayor Eadie: Mr. Speaker I'll move the recommendation of EPC that this particular motion be filed.

We had considerable discussion of this at the meeting of the 5th of May, looking at the contents of this particular motion much of which is when you get to the resolves is beyond the legislative authority of municipal government. In any event we don't get to devise what the assessment legislation says and even what our tax legislation Mr. Speaker is dictated by the Manitoba Government, not by us. Would that it could be another way but it's not, and it's not likely to change.

Mr. Speaker when we look at our budgetary processes here at the City it's quite safe to say we are very open. We certainly have lots of opportunity for public access during the review of estimates at the committee stage, and even here on the floor of council when we're developing the budgetary process.

I don't think the rights of taxpayers have been abridged in any way that I'm aware of, and nobody was able to tell me and any of us actually that taxpayers rights have been abridged in any way in this city. Taxpayers from time to time may not like some of the decisions we make collectively as a government but that's the way it is in life Mr. Speaker. Everybody has opinions. We live in a democracy, and at the end of the process democracy rules.

We weren't convinced that there was any merit to this particular motion we think in our processes that taxpayers in this city have considerable opportunity for input more than they do in any other structure of government. They don't have the right to appear before the Legislature and make their comments on provincial budgets, they certainly don't have the right to appear before Parliament and have influence on federal budgets, but as members who have been here for any length of time know when we begin our budgetary process there is considerable opportunity for citizens to have input at the committees, as I said earlier on the very floor of this council. We weren't convinced that there was any much merit in proceeding with this and we're recommending the motion be filed.

Mr. Speaker: Thank you Mr. Mayor. Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Speaker. I think there are a lot of issues Mr. Speaker that have to be addressed and would be addressed through a process that's being proposed before us.

The motion reads, "therefore be it resolved that Council appoint a special committee consisting of one member from each community committee to consider and formulate a taxpayers bills of rights that provide for taxpayer protection, preservation of rights and opportunities for citizen participation and government transparency, and make recommendations regarding the changing of existing legislation that the Committee would report back to Council."

Clearly the Province would have the final say with regards to our existing legislation as quite correctly pointed out by our new mayor.

At the same token, I think we definitely have an opportunity and a role to play in regards to what we think that legislation should look like.

I think there's a lot of issues with regards to this matter Mr. Speaker that could be discussed and debated and considered by such a committee.

For example, questions relating to the fact that we have an assessment report which you yourself worked very hard on Mr. Speaker. With recommendations that were put forward. Many of them have been talked about in this chamber since the report came forward, yet we don't see much movement on actually the policy front with regards to them. I think this would be a way to bring life back to that report and to the recommendations contained therein.

I think there's an issue of transparency with regards to how we operate our existing Assessment Department. I think those issues could be addressed by such a committee. The issues are transparency regarding why today in the City of Winnipeg we have different rules or operating in a different manner than the Provincial Assessment Department. Maybe they operate better, maybe we do. Issues such as why for example the names of property owners do not appear on the assessment rolls. Why when we contact our Assessment Department the improvements to land versus the land value itself are not broken down on the assessment rolls. Why to get a copy of the assessment roll, you can only get an electronic fashion which means you have to pay for it, which means that if you want a copy of the entire roll you're looking at $300,000 to $400,000 minimum based on the cost of the electronic form.

Yet these issues when you go to a city like Brandon, or the City of Thompson that information that I just indicated is all-available. Why are we operating in a different manner. These are questions

that could have been addressed by this committee.

Why for example we have a situation where our existing Assessment Department and its unfortunately been substantiated by law, by court decisions, where an assessor can step in and literally seven days before an appeal date indicate to the party appealing that they're going to perform an reassessment on the assessment.

A friend of mine, Mike Mercury calls this, assessment by ambush. These are questions Mr. Speaker depending on how we're operating our assessment department and the question before how we are conducting ourselves with regards to assessment and the citizens of Winnipeg. Quite rightly this issue was talked about or came about by a lot of the concerns with the rights of taxpayers during the new deal debate. One of our foremost citizens of the City business citizens, Mr. Asper had an issue, and with regards to this concern, and made it public.

I find it ironic that and it's unfortunate that we live in a society where somebody of Mr. Asper's means can fight the Assessment Department and win. And yet those who don't have means or have less means of Mr. Asper are left in a position to either put up or shut up with decisions coming down from our Assessment Department.

I think those are some issues have to be addressed with regards to protections and rights of appeal of citizens with regards to the Assessment Department.

The last time we really looked at the issue of taxpayer protection our assessment was under the Walter Weir Commission 25 years ago. The Province requested a commission, came up with a commission reporting back in '79 and the Municipal Assessment Act came out of that.

Clearly there's a need to reform it, and this would be an opportunity to give recommendations and guidance to the Province to do exactly that.

The needs to do this Mr. Speaker are clear. Just to give you a couple of examples.

Justice Croft in his court of appeal hearing on Sandstone Developments states in his ruling. Citizens, lawyers, courts and municipalities would be well served if the confidence of revision of the statutory provisions in Manitoba pertaining to real property assessment were undertaken.

This was echoed by Justice Clearwater in the St. Boniface General Hospital case where Clearwater after quoting Croft said, "whether the enactment of the new City of Winnipeg Charter Act effective January 1, 2003 will assist the citizens, lawyers, courts, municipalities as suggested by Justice Croft remains to be seen. Suffice it to say that the interpretation or construction of the assessment and taxation provisions of the various statues in question at least prior to January 1, 2003 remains problematical."

Another case of Asper versus the tax collector of the City of Winnipeg states. "It's trite to observe that this appeal like the multitude of appeals that have come to this court in recent years involving consideration of the sometimes convoluted provisions of the Manitoba Assessment Act and the Winnipeg Charter Act, is in the final analysis one of statutory interpretation."

I've got another ruling here, but I can go on Mr. Speaker. We have rulings out of our courts that there are problems with regards to interpretation and the clarity of the Assessment Act. This would have been an opportunity for us to look at the Assessment Act. Look at the Provincial Assessment Act and give some strong recommendations to the Province with regards to what they should be looking at to reform, and hopefully the Province will move on that nonetheless.

With regards to taxpayers and the issue of a referendum, I think it's fairly clear. There is a need I think Mr. Speaker to update our records or update our processes with regards to how we

approach taxpayers in the City with regards to taxation and new taxation.

The new deal was very clear on that. We had a new deal debate where we could have seen had it been implemented a whole host of new taxes. Mr. Speaker, I think there has to be safeguards in place with regards to that. I believe there has to be safeguards in place to give taxpayers a right to vote before the introduction of new taxes. I personally believe that the money by-laws that were wiped out with the creation of Unicity where municipalities had the ability to levy money by-laws based on very clear projects indicating clear costs of increasing the tax base, increasing their tax burden, that opportunity was wiped out with the creation of Unicity. I would welcome that opportunity to bring that back. Clearly we wouldn't do it on small projects but on large projects benefiting the City as a whole, $15 million plus such as rapid transit. I think the case could be made through a money by-law one way or the other whether you believe in rapid transit or not and if you do, then you're in favour of seeing your taxes increase by 'x' amount of dollars to pay for it.

Clearly Mr. Speaker, this sort of transparency does not exist today and this could have been dealt with by the special committee, and recommendations could have been coming forward to this council.

These would have of course involved amendments to the City of Winnipeg Charter, but I think it would have been a step in the right direction.

To make it very clear, we're talking about property rights and property issues regarding the taxpayers of the City. This is not discussing the Charter of Rights and Freedoms. I heard some comments at the Executive Policy Committee when I was there that why are we bringing this forward, these are individual citizens, this is something from the dark ages. Well in reality Mr. Speaker, we have it's called the Charter of Rights and Freedoms, it was adopted in 1982. This has to do with taxpayer's rights in the City a need to update our by-laws to reflect I think what's occurring across this country, and that is a reflection of a need for government to show more accountability with regards to its taxation methods and processes, and with regards to any introduction of new taxes. The balanced budget legislation Taxpayer Protection legislation that exists in the Province of Manitoba, a lot of those ideas could be adopted in by-law for this Council. I would welcome that. I think it would be an opportunity this could be something that could be debated and discussed through this committee, and I would encourage councillors to support the creation of this special committee that would consider all these ideas but not limited to them. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor Wyatt. Councillor Lazarenko.

Councillor Lazarenko: Thank you Mr. Speaker. Round two.

I have noticed that the Acting Mayor is beginning to wield a lot of power in these chambers. After he spoke only two of us voted against the recommendation with Executive Policy Committee. This is another one, that this be filed.

Mr. Speaker, I don't know what it takes for council to be convinced and even some of my colleagues that supported us before, are voting against this now. What happened?

The former mayor is gone and still that power is here. It's still here. The power is here ready to be clutched and to be controlled and say look, you don't stand up to vote and you Councillor De Smedt are one that went along with them. I'm just gesturing for the moment.

Mr. Speaker, being the seconder for this motion in all reality, the question has to be put to us and say look, how far can we go to give the rights of the people that are paying for all the services in the City of Winnipeg including our salaries. It took someone like Asper's, David Asper to challenge this. And they won. How many more will follow and take that route and challenge?

When we talk about the rights and asking for greater participation to the taxpayers

of Winnipeg. Giving them that right to meet, discuss, make recommendations, give us suggestions which is a better way of dealing with our finances to the satisfaction of the taxpayers of the City of Winnipeg which corporation we are trustees of.

It seems like we don't want anyone to provide us and give us guidance to make it better for all including the thousands of people that are working for us, our civil servants.

When you talk about the assessment challenges Mr. Speaker like I had spoke previously the amount of money that we had to pay out. If we would have had a body in place such as that, I can guarantee you that in itself may have never happened.

Money by-laws, referendum what I introduced a number of times a number of years ago, didn't fly and we used to have that until the year 1968. When the new NDP administration came into power 1969, they eliminated that because they said no one is going to be telling us elected people how to run our business but we want you to tell us six months before the elections. We have an election going on now by-election for Mayor and there will be some by-elections for council and you hear what's being said now. A reversal. I'll do this, I'll do that, I'll do that, and I'll do exactly what you want over and over again. People forget Mr. Speaker. That's one thing within the human race, we forget. Politicians know that they can play the game for about three and a half years, and then six months before election, cool it. We are providing entertainment to the citizens of Winnipeg whoever is watching this on television right now. We're providing that entertainment. I'm doing that right now too. So are you Councillor Gerbasi. What happens? We give them what they want. Make a lot of noise, say this. When it comes into reality into the real issues, we have to get people to come here as a delegation and say look, this is what we want. Where are there rights, tell me beside ourselves. We just talked about the school divisions, the school trustees.

When you have someone that would be put into place such as Councillor Wyatt's motion, and I didn't hesitate to be a seconder of it, asking that each council member to appoint consisting of members of each community committee, this takes in all the community committees at-large that would be dealing with the residents that they represent, their constituents to see which is a better method, ideas they may have. We don't have to have someone like David Asper will take this to the courts and tell us, look we were wrong and win.
Mr. Asper was one that had said, I got a call from him thanking me for being a seconder to that motion. It's only right.

Mr. Speaker I don't want to take up too much time because the Acting Mayor already is giving me kind of look, and I don't want to lose what I've got left here yet. Sorry Jae I'm just having fun. I'm so used to having other people in here everybody was watching to see what direction they'll be going to make sure that they vote the right way.

I want council colleagues vote the way you think is right but there is nothing wrong. Give this an opportunity to work. Let this go to each community committee. I may not want to sit as a member of the Lord Selkirk-West Kildonan Community Committee, I don't know if you would Mr. Speaker want to sit, maybe Councillor Pagtakhan would like to sit on that and meet with the residents and taxpayers of the Lord Selkirk-West Kildonan Community Committee. We've got all kinds of people. We've got businesses; we've got corporations that have their businesses in Inkster Industrial Park that pay millions of dollars in property taxes. Even homeowners some of them why is it they keep saying they have the challenges through the assessments to say that my assessment is wrong, I shouldn't be paying that much. It all boils down to one thing. Is that the taxes that they are paying are the taxes that we pass them each and every year. Then it goes down the line for collection.

So Mr. Speaker, putting all aside, I would ask that members of Council, let's give this a try, there's nothing wrong with it.

There'll be no additional costs. It will open the avenues of people that will be able to participate and be part of our system what we call the City of Winnipeg taxpayers.

Mr. Speaker: Thank you Councillor Lazarenko. Councillor Steeves.

Councillor Steeves: Thank you Mr. Speaker. I will be supporting the directions of Executive Policy Committee, which might come as no surprise to anybody.

I would like to state for the record just a lot of the reasoning behind this, maybe just a little bit of reasoning behind it just so people are 100% clear.

I don't think anybody was against the idea the taxpayers have the right to be consulted and all that type of thing. I think the suggestion was made that perhaps there wasn't enough meat behind this motion. The suggestion was distinctly made as a matter of fact that perhaps this was just a knee-jerk motion as a result of an article being ran in the paper.

Something like this as it was suggested at the committee requires huge amounts of administrative time and obviously committees have to be set up. This over the course of the last I believe it was all contained within the one meeting where the request was made by my friend from Transcona to set up a committee with administrative report to do abundant research apparently with respect to setting up a committee to look at a taxpayers bill of rights, that was one part of what we were looking at.

Another part of what we were looking at was to set up some sort of administrative team to look at the CN crossing and how we're going to deal with that, and so we could involve the lawyers to begin negotiations with that process all going. Of course the wit matter continued with that consultation process of which the Public Works Department has already invested hours and hours and hours of time and we had to sort of go back and redo that process now so we have to continue spending administrative time on that. Of course now that the issue with respect to school taxes and perhaps more administrative time and more research being done.

It should be stated, a suggestion was made that perhaps much of this information was available with respect to all of these motions and all of these ideas long prior to these motions being made. Perhaps if I could lend a little bit of advice or offer some helpful advice, it might be helpful in the future if some of this groundwork and some of this research was done prior to. Because I think with a few short calls to the Administration, a lot of this could have been done. We wouldn't be in a position of unfortunately having to constantly rebut these motions and turn it to an adversarial I guess scenario that is not I think the will of anybody here. A lot of these problems could be addressed through much more efficient and streamlined means Mr. Speaker. Those are my comments.

Mr. Speaker: Thank you Councillor Steeves. Councillor De Smedt.

Councillor De Smedt: Thank you Mr. Speaker. I'd like to thank Councillor Steeves for wrapping that up quite well.

I don't think we should be concerned in tasking our administration in terms of doing important work. I think the genesis of perhaps this motion that we're looking at; it was not just a knee-jerk reaction to things that were happening perhaps in the Councillors minds that proposed it.

You know, we're really reacting to what's going on to our citizens out there, and people are saying, they need something like this. I think the language in this motion and the resolution is not perfect, we know that. It is regrettable that it appears to be in an adversarial mode and that it really had been in the remit of EPC to use their judgement and wisdom to say okay, let's re-jig this. And maybe they could have held off for a while, given some instructions to the Administration to say look, what are we trying to get at here? The fact of the matter that we don't have property rights in the Canadian Constitution is a significant point because

we're talking about taxpayer's bill of rights. I think the language is wrong.

I think what we're certainly trying to look at is to respond into a transparency issue that we would like to have. While I'm not entirely happy with what I'm seeing as the original proposal here in this motion, I want to support it in principle, what we were trying to get at. And so I think it would be instructive in the future if I can ask Councillor Steeves to take that as a matter of guidance so that he doesn't appear to be adversarial, that I think it was within the remit of EPC to say, okay, let's look at the genuine concern behind this, and what was really meant here. Perhaps expand it, change the language and then consult with the people that produced the motion. Maybe there was some give and take we could have laid it over and had some further discussion.

I obviously don't want to put people on wild goose chases; we ought not to do that. We are representative of what the people are asking for. They're saying, I think there's something here that you should have probably looked at to have some sort of transparency and clarity on issues respecting our taxpayer's issues.

With that said, I understand that I could be in two camps. I could quickly say, EPC you're right, I mean that's kind of a knee-jerk thing. You're just forcing more work. On the other hand, go to the root of what's being said here. People are saying, you need something like this and perhaps what should have happened here is really referred it back and had some discussion on it and a little bit more clarity from the Administration of really what was meant.

I will support it in this context. But I fully understand as well the other side of the house. Thank you very much Mr. Speaker.

Mr. Speaker: Thank you Councillor DeSmedt. Mr. Mayor.

Deputy Mayor Eadie: Mr. Speaker, I thank my colleagues for their contribution to this discussion. I don't think much has changed. I noticed in Councillor Wyatt's remarks that he made a considerable reference to assessment and the Act and all of that. As I mentioned I think in my opening comments, all of these issues are not within our jurisdiction. We hopefully will have input at some point whenever the Provincial Government decides to make any of these changes.

I remind my colleagues that in the March budget debate here we did approve, and it was approved unanimously by this council, we did approve a recommendation that the Province of Manitoba move to a single assessment authority, hopefully for the 2005 fiscal year. It might be if they decide to act on that that other issues dealing with assessment which we have absolutely no jurisdiction over might get resolved, and that's the way we should tackle it. We already have a policy and we can certainly go forward to the Province and will go forward to the Province to try to get them to act on those kinds of things.

Councillor Wyatt mentioned new deal discussions and all of that. I'll remind again colleagues that when former Mayor Murray tabled the original new deal discussion package it had a wide range of fees and charges and possible taxation items in it. When it when to the town hall discussions, and I think anybody who was at any of those meetings would know that hundreds and hundreds of people came to those things, the public expressed their points of view on those many items, and at the end of the day Mr. Speaker this council just one month ago passed a new deal package that has none of those elements in it because the public expressed that they didn't want to see anymore additional taxes, they wanted instead the City to go after the Federal Government and the Provincial Government to get back more of the taxes that they pay to them, and share more of those revenues back. So there's an example of how the openness of those town hall meetings and that particular debate reflected a policy that has been accepted generally by the citizens of Winnipeg after considerable public consultation. We didn't need a taxpayer's bill of rights to do that.

As to balance budget law Mr. Speaker, that's already the law. It's been the case in Manitoba for 135 years. This city government has never passed a budget that was not balanced. We've been living with that much longer than any federal or provincial government in the land. We don't need a taxpayer's bill of rights for that it's already enshrined in legislation, which we have been living with constantly for over a century.

What is really considered here and I appreciate Councillor De Smedt's remarks, this is always the problem when motions get flung out like this. If the language was wrong it should have been done right in the first place. I can say from Councillor Wyatt's presentation at Executive Committee, he provided no more clarity when he spoke to his motion at EPC than what this motion provides now. We were very clear I think, we know where it came from. Somebody read a newspaper article and bang we have a motion.

What this really is Mr. Speaker, is to create a committee to do busy work and at great cost and with no results. We've recommended that it be filed. There are other avenues that we will be going forward on with regard to assessment. I've already outlined where we will be dealing with the Province because Council has struck a policy. Whoever the Mayor is next month and Executive Committee will be carrying forward with that to whoever is going to be the Minster of Intergovernmental Affairs at the Provincial Government. We're handling many of those things. As I said in my opening remarks we have a very open system and a system that is accessible to the public when it comes to budgetary matters and we're not going to change that one iota.

Mr. Speaker: Thank you Mr. Mayor. Question on the clause. Recorded vote has been requested. All in favour of the clause please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Deputy Mayor Eadie, Councillors Clement, Gerbasi, Lubosch, Pagtakhan, Smith, Steeves, Thomas, Mr. Speaker Councillor O'Shaughnessy.

Nays

Councillors De Smedt, Wyatt, Lazarenko.

City Clerk: The vote Mr. Speaker, Yeas 9, Nays 3.

Mr. Speaker: The clause is passed. And you are making headway Councillor Wyatt.

Before we go onto Item No. 5 I would point out to councillors, the City Clerk has sent out an e-mail regarding our June meeting, if those who would like to access it. Some of you have replied but most haven't yet. Before we deal with Motion No. 5.

Moving onto Item No. 4.

Item No. 4 – CentreVenture 2004
Gail Parvin Hammerquist Allocation
File G-3.1.6

Mr. Speaker: Mr. Mayor

Deputy Mayor Eadie: Mr. Speaker I'll move the clause. I don't know what concerns might be.

Mr. Speaker: Councillor Smith.

Councillor Smith: Mr. Speaker, I rise in strong support of this clause. I think it's not necessary to talk about the value of the Gail Parvin Hammerquist Fund. It's pretty clear; we've had this in existence in the results in restoring historical buildings has been significant.

I rise and speak specifically on the Section B. An allocation of $22,600 for the Waddell Fountain in Central Park.

This report doesn't state when the Waddell Fountain stopped functioning. I don't remember it ever working. The fact is, this fountain was given to the City of Winnipeg by Mr. Waddell in honour of his late wife. We should have maintained it. They've got all the parts there. I think

this is a significant step to revitalizing Central Park. Central Park used to get gatherings of thousands and thousands of people for events. This is a start of looking at how we can restore Central Park to its former glory, and I suggest to you that this is really worthwhile, and it's too bad we didn't do it years and years early than this.

Mr. Speaker: Thank you Councillor Smith. Question. All in favour of the clause? Contrary? Carried unanimously.

Moving onto the Report of the Executive Policy Committee dated May 12, 2004.

REPORT OF THE EXECUTIVE POLICY COMMITTEE DATED MAY 12, 2004

Mr. Speaker: Mr. Mayor

Deputy Mayor Eadie: Mr. Speaker, I'm pleased to move that the Report of May 12, 2004, be received. With the exception of Item No. 2 I'd move the balance be adopted by consent.

Mr. Speaker: One and ten. Items 3 through 9 both inclusive, by consent. All in favour? Contrary? Carried.

Items 1, 2 and 10 to be debated. Item No. 1.

**Item No. 1 – Proposal for the Re-establishment of the Winnipeg Police Commission
File GF-2**

Deputy Mayor Eadie: Mr. Speaker I'll move the Executive Policy Committee recommendation for Item No. 1 with respect to a police commission.

I regret that it's taken such a long time to report back to Council on this particular item. I will give a little bit of the history of this, not everybody was here back in the '80s, but I was here when we had a Winnipeg Police Commission and it proved to be not a very pleasant experience.

At the end of the day Mr. Speaker, a police commission just simply turned out to be a group of busy bodies trying to second-guess the professionals in the police department. With the end result that it really wasn't a positive experience.

In 1986 the City Council of the day voted to dissolve the Winnipeg Police Commission as well because just prior to that the Provincial Government brought forward the Law Enforcement Review Agency which took upon itself all of the powers of investigation of police or alleged police misconduct, and all of those kinds of things which at one time had been within the purview of a police commission.

I remember it was the view of the council of that day and the Mayor and Council of that day that there was no need to maintain another layer when we had this broad provincial agency who had the authority and law to investigate all complaints of police departments.

When we had a police commission by the way, it had no power over the budget. The budgets of the police department were handled by the designated standing committee of the day just as we have it today.

In the intervening years and I'll speak just personally, but in the intervening years Mr. Speaker I've seen no need to bring back a police commission. We have a process now within our city that works. We don't even have the legislative authority anymore Mr. Speaker to create a police commission even if we wanted to. City of Winnipeg Act was changed in 1986 or '87 and all references to the authority of council to even create a police commission were removed. They were removed I don't think with any discussion with us but they were removed. I've seen no need to go back and deal with that one again.

Our police department reports to a standing policy committee of council, is designated under our organizational by-law. The budgets of the police department are reviewed by the appropriate standing committee of council as designated under our organizational by-law. The Chief and the department

follow rules and procedures that are dictated to them by various acts of parliament, the Criminal Code and other sorts of things. There's no value added in the creation of a group to oversee the Police Department when that process is in place.

As well, it came to our attention that the Minister of Justice intends to review the whole aspect of governance when it comes to police services. As a city I think we should be involved in that process. We have the largest municipal police force in Manitoba, and as a city we should be involved in the review of the governance process, and we should be leading that particular parade and working in conjunction with the Provincial Government to make sure that whatever processes and whatever external oversight is eventually developed or imposed on us, is something that we can live with and work with. That's why we're recommending here that we be an active participant, the Administration develop a discussion paper and we communicate to the Minister of Justice that we don't want this happening without the input of the largest city in Manitoba and the largest police force in Manitoba. We think those matters can be covered.

That's why we're recommending what we are recommending, and as well for all the other reasons, particularly in view of the fact that even if council wanted to create a police commission, it doesn't have the power to do so any longer and hasn't had that power for nearly 20 years. We're recommending that the motion that was referred by Council last year be filed, and instead Council adopt the recommendations that are here and being proposed by Executive Committee.

Mr. Speaker: Thank you Mr. Mayor. Councillor Wyatt followed by Councillor Smith.

Councillor Wyatt: Thank you. I rise to move an amendment Mr. Speaker, to the recommendations, Item No. 2, moved by myself, seconded by Councillor Lazarenko. To add onto the end of Item No. 2 and report back to Council within 90 days with final recommendations.

Mr. Speaker: Seconder is not in the Chamber. It's in order, the Clerk will you read the amendment please.

Ms. Clerk: Amend Recommendation No. 2 by adding at the end thereof the words "and report back to Council within 90 days with a final recommendation".

And amend No. 3 by adding at the end thereof, "and report back to Council within 90 days".

Mr. Speaker: I rule that's definitely in order.

Speaking to your amendment.

Councillor Wyatt: Other than to say that it's taken 15 months from the point of the original motion being referred from Council for a report to come back. Very basic report with no specific recommendations, no detail on comparisons of other cities and other police commissions in the country. I welcome the fact that it's recommending a discussion paper on best practices. With regards to governance and external oversight with respect to police services, and engaging in discussions with the Province of Manitoba, point number three, engaging discussions with the Province of Manitoba regarding governance prior to the Province's review of the Provincial Police Act.

All I'm moving here Mr. Speaker, seconded by Councillor Lazarenko, is that there be some time line on this so we have an idea when this is going to come back. In light of the fact that it's taken 15 months for this report to come forward. Thank you Mr. Speaker.

Mr. Speaker: Thank you. Councillor Smith.

Councillor Smith: Mr. Speaker, this clause is one that I'm not very supportive of because I don't think it says much.

In the report it said this. The Commission requested that it be granted additional powers, or be disbanded. And it was disbanded. This report doesn't tell what

additional powers they wanted. I would like to know that. It seems to me that these flimsy reports should not be accepted. Thank you.

Mr. Speaker: Thank you Councillor Smith. Councillor Lazarenko.

Councillor Lazarenko: Thank you Mr. Speaker. I was going to keep quiet on this; maybe we'll get more votes.

I was speaking with our Chief Administrative Officer, Annitta Stenning, talked about this motion that's here before us.

The Administration had no alternative but to proceed in this direction to have the table talks open between ourselves and the Province of Manitoba. To have a dialogue that would be something concrete. We're the only city besides Quebec not having a police commission. It's not to say that it's not needed, we need one because the Police Association are in favour. The Chief of Police said he was in favour, he said he would welcome it. We have to have this report back within 90 days. I'm seconder for Councillor Wyatt's motion. Ninety day time to have that dialogue dealt with and have a positive recommendation to the floor of council hopefully right to the first week in September.

Mr. Speaker, I know that it's frustrating but this has been a long road, it's not the first time that this motion has been brought forward of establishing a police commission for the City of Winnipeg. It's not to say that we had one before, until it was dissolved back in 1985 or '86, I think I was one of the last serving members on it. There's a need for it Mr. Speaker.

Mr. Speaker: Councillor Gerbasi followed by Councillor De Smedt.

Councillor Gerbasi: Thank you Mr. Speaker. Regarding the amendment. I'm not supportive of the amendment because it's asking us to report back and it's not really that clear, and I also don't have it in front of me. From what I think it's saying, is that we report again in another 90 days. Well I don't really expect that the Provincial process is going to be quick enough to be ready to report back in 90 days, I wouldn't imagine. This discussion paper would be developed and then would be involved in discussions with the Province, which is what EPC is recommending. EPC isn't actually recommending we have another report from the Administration of the nature that would make sense with that amendment.

I guess I'm a little confused by the amendment because it's really just saying, come back in 90 days. First of all I don't think they'd be ready and I'm not quite sure what he's wanting back in 90 days.

What this is recommending is that a discussion paper be developed to discuss with the Province because they're the ones that have control over this issue. They're the ones that are going to make changes to our system and our governance structure. We want to be at that table when those discussions are had. But those are the kinds of discussions that the Province certainly isn't going to have out in the public arena just from a report we pass here. Those kinds of discussions there could be other ways Councillors could have input into that. I'm not sure that the best approach is to just have a council report in three months when we want to go over and discuss it in a delicate intergovernmental issue.

I don't know that this amendment is all that way thought out. If it was it might have been here a little sooner so we could actually read it at that time we're debating it. Which is a little bit difficult to do. It really does put us on the spot, I think it's being handed out now and I'm already half way through my time.

I think Councillors if they're going to bring things forward on issues as important as this, they should put a little more thought into it and bring it out ahead of time so that we can have a more fair discussion on it.

I won't be supporting the amendment, and I think that this is a very reasonable approach in terms of I will be supporting

the recommendations that we develop a discussion paper so the City will be ready to discuss this with the Province as they move ahead in their process of revisiting the Provincial Police Act which they're going to do, and I think we really want to have a say in that, and we need to be ready for that. That's what we're directing our administration to do is to be ready to have a say in that process of rewriting our police act which governs what we do and controls everything that we do, and I think we want to have a say in that. That's what we're recommending, and I support that. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor Gerbasi. Councillor De Smedt.

Councillor De Smedt: Thank you very much Mr. Speaker. I will also not be supporting the amendment. Let me just say that in this particular instance going back to my previous observations on the other motion, that here is a case where EPC has brought forth a reasonable understanding of what the problem is and how we should get it to a floor of council or before it comes to the floor of council, discussion amongst all members of council. I commend EPC in this particular case of coming forth with I think a very rational recommendation. This is a very important subject, I mean we could easily fall on the page of saying, I want to be seen as supporting in the police so I want a police commission, blah blah blah and it looks good.

I think from the practicality what we have to do on a very important item, I'm going to go on the good faith that was being presented here by EPC that it's an important matter, you need a discussion paper outline the parameters, sit and discuss with the Province and then come back to members of Council in a seminar and discuss these issues so that we can find a page that we can land on. I think it's reasonable.

In this particular case I will be supporting the EPC amendments. I think it was a practical kind of suggestion on their behalf to come back to inform council members of how we should proceed with probably one of the most important topics that we may have to deal with in the next six months. It's a little impractical to come back I think in 90 days considering a summer session and other things that may happen.

I'm going to go on the good faith of the leadership of our members of the Executive Policy Committee that they will come back in as prompt a fashion as they can to discuss with all members of Council this very important subject. Thank you.

Mr. Speaker: Thank you Councillor DeSmedt. Councillor Thomas.

Councillor Thomas: Thank you. I want to call Council's attention to the fact that this asks for something in which we don't have the power to do right now. Whether we used to do it or not it's basically we do not have the power to establish a police commission.

But, we can research the best practices throughout Canada as Executive Policy Committee has suggested that we do. If this is something that we feel that we need, we can come back and have a discussion by having a council seminar on whether it's something that we want to pursue, but we would have to ask the Legislature for that authority.

I think it's important that we do a thorough research rather than a quick research, so I'm concerned about the amendments for 90 days, and I really wouldn't be supportive of that. We're going into the summer; we have a lot of staff that are going to be leaving on their various vacations. We're not going to be meeting at all during August. I would like to give our staff the opportunity to do a good research on how this is handled throughout the Country.

We have LERA. What do other people have in other provinces, how do they handle it, what's the comparison. I think we need a lot of answers before we can decide what we want and how we want it to relate and I really don't want a quick answer, I want a good answer. Thank you.

Mr. Speaker: Thank you Councillor Thomas. Councillor Wyatt did you wish to sum up on your amendment.

Councillor Wyatt: Thank you Mr. Speaker. I think simply put; it's an amendment that is very straightforward. I hear Councillors saying they wish they had more notice. Well it's pretty straightforward saying 90 days. Let's get back some recommendations here so we know where we stand with regards to the discussion paper. I think it's reasonable. I think we need to have some sort of clarification on time lines with regards to when this will be coming back otherwise it took 15 months for this first initial request for information report regarding police commission, and who knows how long this will take.

Let's have a 90-day recommendation; I think it's reasonable, fair, and definitely appropriate. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor Wyatt. Mr. Mayor.

Deputy Mayor Eadie: Mr. Speaker, closing debate on the main clause.

Councillor Smith did ask a question with respect to what additional powers might have been looked at for if a police commission was going to continue, and I can't find reference to that in the council minutes of February 26, 1986, and I don't honestly recall. I think the Executive Committee of the day considered a number of matters and came forward with a recommendation that the police commission as it was at that time be dissolved, and that was a decision that Council endorsed.

I don't have that in the minutes that I had. There might be some detail elsewhere but I don't have it with me.

With regard to the main clause Mr. Speaker. I just simply want to indicate and I think the report indicates that this whole provincial review is not a short two or three month process. The Minister of Justice has indicated, it's probably going to be a two or three-year process.

As I said in my opening remarks, we want to be involved in that process, and we want to hopefully make sure that at the end of that process that the result is done right. I'm not interested in trying to rush some sort of a 90-day provision to write a detailed discussion paper. I think Chief Ewatski should take the time that's needed and when he finds out what the parameters of this are going to be and put forward a well-reasoned and well thought out discussion paper that certainly members of council can see and endorse or not on a going forward basis.

I would ask my colleagues to support the EPC recommendation here today Mr. Speaker and give our administration the opportunity and the time they need to develop the process that's going to follow from here.

Mr. Speaker: Thank you Mr. Mayor. Question on the amendment. All those in favour of the amendment? Opposed? Recorded vote.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillors Smith, Wyatt, Lazarenko.

Nays

Deputy Mayor Eadie, Councillors Clement, De Smedt, Gerbasi, Lubosch, Pagtakhan, Steeves, Thomas, Mr. Speaker Councillor O'Shaughnessy.

City Clerk: The vote Mr. Speaker, Yeas 3, Nays 9.

Mr. Speaker: Amendment is defeated.

All in favour of the clause? Opposed? Carried.

Item No. 2.

Item No. 2 – Civic Elections - Contribution Rebate Program File GK-2

Deputy Mayor Eadie: Mr. Speaker I want to take a moment to introduce this particular clause which came as a reference motion to Executive Committee from Council a couple of months ago.

We've had the power as a city for a number of years to provide tax rebates or other rebates for election contributions to municipal campaigns. Over the last number of years we've tried and we've often focussed on the tax rebate side of it, and we haven't been able to find a process that is fair to all taxpayers, because there are many citizens of the City who are residents but don't pay property taxes.

In recent years the City of Toronto has passed election contribution rebate legislation, which focuses on a cash rebate of contributions to municipal election campaigns based on a formula. They've now used it through two municipal general elections in the City of Toronto with considerable success.

Thanks to our City Clerk, Richard Kachur and Doug Buhr in the Law Department, we've studied the Toronto legislation and we think it can work here for municipal elections in Winnipeg and that's what I'm recommending that Council pass today.

It does provide for municipal elections in the City of Winnipeg for a cash rebate of contributions. Anything under $25 would not be subject to a rebate. The total rebate that any individual could receive no matter how much they might donate to various candidates would be $1,000. The rebate is capped at a $1,000. And you'll see in the legislation that there is a formula here, I'm not going to repeat it now, but there is a formula in here indicating the type of rebate based on certain contributions.

We've copied that from the City of Toronto because we've been told through their two elections that formula has worked well. Of course it can always be reviewed at any time by council, this is our legislation and we can do that.

We are proposing that this new legislation come into effect on January 1, 2005. It simply would not be possible to implement this now in the current by-election process we're going through. There is a lot of regulatory work that has to be done by administrative staff before we can actually implement the terms of this legislation. We're recommending that with council's concurrence that the new by-law come into effect on January 1, 2005, so it would be in place for any by-elections that might occur subsequent to that, and will certainly be in place for the next general election in 2006.

Estimated cost to provide these contributions Mr. Speaker, it's estimated based on the experience of the last general election here in Winnipeg, approximately $250,000. That number could fluctuate depending on the nature of the elections, but that's the best estimate we can put forward now. If this legislation is passed that funding will be included in subsequent current budgets when we deal with the general election process.

I'm moving this Mr. Speaker and I hope all members of council will endorse this new legislation.

Mr. Speaker: Councillor Thomas followed by Councillor Steeves.

Councillor Thomas: Thank you. I would like to congratulate Acting Mayor Eadie in his capacity of Secretary of Governments Reform for working hard to bring this forward.

I know many of us have been anxiously awaiting for this for a long time, and Acting Mayor Eadie has worked hard to bring this forward. This has been a concern by the constituents in my area a low-income area who receive a rebate when they contribute federally and they contribute provincially. All of us know how difficult it is for all candidates to raise funds because there hasn't been in the past in our area at least although there has been in other municipalities, the

access to this kind of rebate, and I would applaud him on his efforts. I think people of all incomes will appreciate the opportunity to receive this. I know in my area, which is a low-income area that they very much appreciate the assistance that would be handed out through this. I congratulate him and I think he deserves the applause of not only all of council but of anybody who's seeking election at the civic level, it will make it more of a level playing field with regard to raising funds to put in their campaigns. Even my opposition thanks.

Mr. Speaker: Thank you Councillor Thomas. Councillor Steeves.

Councillor Steeves: Thank you Mr. Speaker. I too rise in support of this very very important motion and this very very important idea, and I think it has to be emphasized. It is exceedingly difficult for new candidates who are just coming into the civic fold to raise money. I think we've all probably experienced that at one time or another. This is I think much more important than maybe people are giving this credence to.
This will allow people who have not been part of the democratic process to participate much much more easily, and I think this is really a great thing for the City of Winnipeg. I do congratulate Councillor Eadie for bringing this forward so quickly. I think I'm going to be pleased to support it.

Through the process I had a couple of concerns and I'll just put them on the record, so as we go through the process we want to keep an eye on a couple of things.

The first thing of course in terms of our estimation guides to the rebates back to the folks who have made donations.

My guess is that in all probability I think Mr. Kachur's taken this into account, is that the amount of money that you're going to see spent on civic campaigns is going to rise drastically as a result of this new policy. So we have to be prepared I think that our numbers reflect that increased expenditure, and I understand we've done that. I think that's very very important.

The other issue that I have which was not enough to waiver my support, was that we will be as a city unlike the City of Toronto we will be offering rebates to folks outside of the City of Winnipeg. My understanding is that in Toronto they offer only rebates to people within the City of Toronto if I understand correctly. I'm not 100% sure, that's my understanding. Maybe the Acting Mayor can respond to that. May have to keep our eye on that.

I do recall last election there were some lobby groups from outside of the Province who wish to play a role in our election here in the City of Winnipeg. That may or may not be appropriate and I think we'll have to watch, and this council is going to have to steward itself accordingly and make sure that we make a decision ongoing or whoever the elected councillors are, make a decision ongoing as to how we think it's reasonable to steward that possibility as we move through this process. There might be some legitimate concerns that potentially this election could be unduly affected by outside of Manitoba lobbying groups.

Those would be my comments. It is interesting as you go through this process the things that you learn Mr. Speaker. I was not aware until Councillor Eadie and Mr. Kachur pointed out to me that anybody in the Province of Manitoba is eligible to run for the mayor of the City of Winnipeg. That was news to me. Who knows who'll we'll see before June 1. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor. Councillor Gerbasi.

Councillor Gerbasi: A quick comment. I think there's always been a bit of a problem with finding a mechanism for this and I guess that's why we haven't had it. Other levels of government that all have significant rebates to people that contribute to their political campaigns. We have property taxes, and not everybody pays property taxes. Renters and so on.

Mr. Speaker: Renters do pay property tax.

Councillor Gerbasi: Indirectly though. If you were to set up a mechanism with a rebate it wouldn't directly work for all of our citizens.

I congratulate as well, congratulate Councillor Eadie for coming up with a mechanism that works. The reason this is so important just to be brief here because it's pretty much already been said.

Many of us count on donations from individual citizens struggling along and it's pretty hard to explain to them that they get a significant rebate when they donate to a provincial or federal candidate and they don't get anything at all 100% of what they give they give with nothing back for our level of government, and I think it's almost an insult to our level of government that we aren't considered the same, we're not even considered a level government. I don't see why we should be treated so differently. It's really the citizens who don't have the opportunity to participate based on their income. They don't have that. Unless they have money to burn they can't participate in the process.

I also think for new candidates, I remember I had to raise all my funds when I first ran in '98 from you know little ladies down the street putting in $10, $20. It's pretty hard to raise $20,000 that way. I think what this will do is make our political system more accessible for our competition as well. I don't see how it gives us an advantage as incumbents. This gives everybody a chance to actually participate including the citizens that want to support a candidate but it's not affordable to be involved just in this level of government and not the other levels of government for some reason.

I'm glad we found this mechanism and I will be supporting it. Thank you.

Mr. Speaker: Thank you Councillor. Councillor Smith.

Councillor Smith: Mr. Speaker a question just occurred to me. What about the school board elections? They have a bigger area. Way bigger than any of our wards. I just would like clarification; this doesn't deal with them whatsoever hey.

Mr. Speaker: Thank you Councillor Smith. Deputy Mayor Eadie.

Deputy Mayor Eadie: Mr. Speaker, yes it's true, just to answer the last question first. School boards and school trustee elections are governed elsewhere. This legislation doesn't cover that. They are covered by the Public Schools Act and we can't legislate this kind of thing for them. I don't know if school boards can legislate it but it certainly isn't within our jurisdiction to do this.

Councillor Steeves made some comments about who can donate. This legislation that we're talking about now doesn't cover that, there is another by-law that we have which is the Election Expenses and Contribution By-law which provides parameters under the Charter.

I certainly hope before 2006 to also go through that particular legislation because I think there are some parts of it that need some fine tuning and modernization, that certainly may fall into it. The current by-law that we're talking about now it's not within the parameters of that by-law.

I appreciate the other comments that have been made Mr. Speaker. I repeat that congratulations should go to Richard Kachur our City Clerk, and to Doug Buhr our law department and their staff who really did a lot of the leg work to try and pull together the research for this. I can't take credit for that and I'm not going to take credit for it. I simply am happy that we finally have been able to solve the problem that for years we haven't be able to find a resolution to it, we though was equitable and fair. I commend this by-law for council's consideration.

Mr. Speaker: All in favour? Contrary? Carried. I'd like to be recorded in opposition to the clause.

Item No. 10.

Item No. 10 – New Urban Development Agreement for Winnipeg File FR-3

Mr. Speaker: Mr. Mayor

Deputy Mayor Eadie: Mr. Speaker, moving Item No. 10, this one has been a long time in the negotiation process. I think it started over a year and a half ago, and this is something that former Mayor Murray was actively involved in as Mayor of the City, along with the chief political representatives of both the Federal and Provincial Governments to try and cobble together a tri-level agreement on urban development in the City of Winnipeg.

Those negotiations concluded shortly before Mayor Murray resigned office, and it's up to this council to either concur or not concur in this. We're moving this forward on behalf of Executive Committee. We were unanimous in recommending this clause for council's approval, and if approved the City Government will be signing an agreement with the Federal and Provincial Governments on this plan.

The agreement I think you'll see in the clause but it does focus on four specific programs. There's Aboriginal Participation Program. Building Sustainable Neighbourhoods. Downtown Renewal. And Supporting Technology and Innovation. Over the course of this particular agreement if it's implemented, we will be working in partnership with the other governments to put all of our resources together in a new urban development arrangement for the City that focuses on those particular elements.

Mr. Speaker, we could go it alone. And we know that we could go it alone but it's far better to have partners in this case because we can share those expenses and probably get a bigger bang for the dollars that are involved.

We're convinced that this agreement should be passed by City Council today, and that the City should be a participant in this program over the next five years.

We are looking at our participation in various programs as I said earlier, we had planned in our five year process to get involved in we would be doing it on our own. With the other governments joining us as partners we think we can accomplish a lot more. I recommend this for approval by my colleagues today.

Mr. Speaker: Councillor Pagtakhan.

Councillor Pagtakhan: Thank you very much Mr. Speaker. Mr. Mayor summed it up very well. I just want to say that I rise in support of the new urban development agreement for Winnipeg and I also noticed in the gallery today we have very many of our community champions here. We have Jim Silver, Betty (not audible), many others, I see David Northcott, Sister Bernadette is here, Diane (not audible) many others that I don't know their names, but I know their faces.

Congratulations to all of you for your hard work and your diligence in this. I know that as city we're fully supportive of this agreement and I hope that we'll get support from all my council colleagues here, in support of this great and victorious agreement for the City and urban cities. Thank you very much.

Mr. Speaker: Thank you Councillor Pagtakhan. Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker. I'd like to echo the congratulations of Councillor Pagtakhan to the community folks and say hello to them, and thank them for their patience because I know it's been a long wait for them, and there's been a lot of concern.

I think the City, we've always been there, most of the things in this agreement are things that we made commitments to and certainly never had the intention of stopping those commitments.

We're here today, and this is happening today. I do want to thank them for their patience and sometimes it's from the outside it can look, it's kind of frightening if you're questioning that commitment.

I can tell you that I believe our commitment on this council right now is certainly here for that.

I think it's a really good agreement for us in that the things that we already do are reflected in it, and there is some additional commitment in this report that we need to do in our next year's budget to see it to fruition. With the Aboriginal, the Municipal Aboriginal Pathways that Councillor Vandal and I co-authored this supports that, and the other levels of government will be in with that, and that's how it was always envisioned. We had unanimous support for that policy from council. The map strategy is now part of council policy. It's embedded in what the Administration is doing. It's not just sort of an idea or a report sitting on a shelf, every department is working through the aspects of the strategy that apply to them and it's going to happen. I think it would be tough work for whatever new mayor we get and wants to dismantle it to do that. Hopefully that won't happen because that commitment is here now in place. It's really important to state that that there's a commitment to that in our council policy, and it would take a lot of work to do, and I think it would be over a lot of dead bodies if anyone tried to dismantle that.

I think it's extremely important that this council continue it's commitment to inner-city revitalization, to housing, to neighbourhood renewal, to downtown renewal and all the things that we've been doing in the last five or six years. It's hard not to be thoughtful about those things, in the current uncertainly we have now with and we'll see where the new leadership will be on that. I think we've seen a difference in five or six years, we've seen a commitment. Downtown renaissance is real. The neighbourhood housing that we're seeing is real. I'm totally committed to see that continue, and I trust that the rest of council will be as well, and I urge you all to support this today. I thank the folks in the community that are, it may talk about a three level partnership but they're the other partner in this because none of the neighbourhood revitalization will be happening without all the groups and all they're pushing us and pushing all the levels of government to be awake to the realities of our community and try and do something about it. So I thank them.

Mr. Speaker: Thank you Councillor. Councillor Clement.

Councillor Clement: Thank you Mr. Speaker. First of all I rise to support the urban development agreement, and I support it wholeheartedly. I'm not directly related to the downtown in terms of where I get elected, but I can't recall any reasonable initiative in the downtown that I haven't supported as a City Councillor. I'm going to continue that with this one.

The reason I rise to speak however is that I found some of the process a little bit frustrating and I think it's incumbent for somebody to say it and put it on the public record. This is a tripartite agreement. Notwithstanding that there is really no business plan for running this office, we are voting on putting $1.25 million into running that office as are the other two levels of government. Taking a giant leap of faith that all of that will roll out appropriately and I'm sure that somebody will do their best to make that happen. I can tell you that the business plan because I asked is nonexistent for that.

The other part of this that I found a little frustrating is that there was at least the perception that the City of Winnipeg was for some reason tardy in its work in this regard, and in fact it's just the opposite Mr. Speaker. We're dealing with a tripartite agreement that's roughly $75 million and that's $25 million of one time money from the Federal Government, and $25 million of one-time money from the Provincial Government, and our money is there every year, and it has already been there every year, and it will continue to be there every year because of the programs that we were already putting money into were important for our city. In many cases we're involved in programs in the central part of the City that most other cities are not. I commend the former mayor for that particularly with one of the housing programs that is unique to the City of Winnipeg in our downtown area.

Why I say this, and talk about the money and the investment is because there was a perception that in my view was being put out there by members of other levels

of government that we're there, we've got our money on the table. It's that big bad city councillors and city administration that's holding this up. In actual fact, that's complete and utter nonsense. The fact is that we in four out of five categories are spending hundreds of thousands of dollars, in fact millions of dollars more in a couple of areas more than what we were required to be under this program. We already had it on the table, we were already doing it. Our money is real, and our money is current money not capital money, that's what I consider provincial and federal money to be as capital because it disappears. Their money in five years is gone and in year six our money is still on the table Mr. Speaker. I can't emphasize that enough. I believe that there's a lot of programs out there that require enhancements and initiatives that have to be specialized because there are differences depending on where you live in the City, and we all understand that. I think we have been at the forefront of this. I think we've been leading the way not being tardy whatsoever in the initiatives that are currently in place, and more that will ultimately flow out of this chamber over the years.

I thought it was incumbent for somebody to say that so that everybody actually understands how this works. They were long negotiations and they're intricate. We don't have the kind of money that the other two levels have got either. We're way ahead of them on these issues Mr. Speaker.

Mr. Speaker: Thank you Councillor Clement. Councillor Smith.

Councillor Smith: Mr. Speaker, I rise enthusiastically supporting this clause.

This clause is a $75 million agreement, and that's the same as the two other agreements that we've had. There's a significant difference with this agreement. The other two agreements gave a geographical area. In this agreement, any pockets throughout the City will be able to be helped.

I'm a little critical in the sense that we've only got contribution $25 million from the City. I think it should be greater because of inflation and because of a greater role. This is worthwhile, especially when you look at the Winnipeg Development Agreement. I mean $75 million; we've got $77 million in private sector funding added to that sum. It means a lot. When you see some of these developments taking place and the neighbourhoods changing, restoring a sense of worth for people in their neighbourhood, it's incredible. I look at the Spence Neighbourhood area and I see what's been done by three levels of government.

It's a people concern is why I'm supporting this clause. It's worthwhile and hopefully unanimously do it. I'd like to at this point thank all the people that came out because we need to see you out here occasionally supporting things. I'd like to especially thank Carol Neufeld from the Administration side for all her work on this. This is a tremendous clause and I hope we support it unanimously.

Mr. Speaker: Thank you Councillor Smith. Councillor Wyatt.

Councillor Wyatt: I'd like to echo Councillor Smith's comments Mr. Speaker. There's no doubt that in our city today, whether we like it or not, we have some of the poorest neighbourhoods in all of Canada literally right outside our doors here. I believe that this document, this new urban development agreement will at least try to tackle some of the challenges in those communities.

There's no doubt, and I refer to the document itself, it talks about the challenges we're facing today in the City, and I think this document is well written and hits it head on. I would like to thank our administration for the work done on the matter.

I'd like to quote part of the document Mr. Speaker because I think it's worth quoting. "Winnipeg's Aboriginal people have inadequate housing and live in poor social conditions and poverty, as well Aboriginal residents of Winnipeg have lower standards of living by approximately 10% than their counterparts living off reserve in rural Manitoba."

It goes on to talk about Mr. Speaker the fact that the population of Canadians of Aboriginal descent growing in the City of Winnipeg is growing faster than the rate of other population groups in our city. As well, the rate of growth amongst young people of Aboriginal descent are growing even faster than the rates of non Aboriginal population.

The key to the development and growth of our city Mr. Speaker is no doubt hinged on the success of us being able to challenge and to overcome the systematic poverty and the systematic racism that stills exists in our society, and still exists in our city. To overcome those things we need to reach out and bring communities together. This document here does this today. It's a step in the right direction. It will not solve all our problems but it will be a step in the direction to bring people together of all backgrounds and all parts of the City.

I welcome that part of the document Mr. Speaker, as referred by Councillor Smith the fact that there's no geographic area specified, that's the entire city reflects the fact that the City is changing. Indeed in parts of my community of Transcona, I now have boarded up homes in the older neighbourhoods, some of these neighbourhoods now are the same age as a lot of the older neighbourhoods around the inner city. It recognizes that, and recognizes the need to start addressing those concerns Mr. Speaker.

Mr. Speaker, we have a challenge to start to work together to achieve the problems of poverty in the neighbourhoods around our city.

There's just one thing I want to add Mr. Speaker, the monies being spent will be funneled as quickly as possible into the communities that we won't be tied up in bureaucratic nightmares and red tape. The sooner the money gets out into the communities the better. That it will not be used to create new bureaucracies and red tape, rather be used to support existing non governmental organizations, NGOs in the City that are already doing work successfully delivering programs and services to communities that need these services. I support this Mr. Speaker, and I welcome this, and I hope that this is just the first step in other steps that need to be taken. Thank you.

Mr. Speaker: Thank you Councillor Wyatt. Councillor Lubosch.

Councillor Lubosch: Thank you Mr. Speaker. I agree with all that's been said this morning with respect to this motion. But I did want to bring forward one very important point. A departure in the way this funding is going to be applied from the way many tripartite funding arrangements and agreements have been applied in the past.

It's true that three levels of government funding for capital projects is something that we've relied on and benefited from in Winnipeg. Whether it's building entertainment centres or new bridges or buildings or facilities, the hard bricks and mortar kind of infrastructure is important to our city.

This program makes a significant and distinctive departure from that type of development. This program focuses on community economic development, which if you want to use the term infrastructure applies more to the human infrastructure in our community. It is the kind of program that is going to help people enable themselves to do better ultimately for themselves, for their communities, for their neighbourhoods. I think this is a significant departure from how we've done things many times in the past. It's been very attractive for politicians to support capital programs where ribbons are cut and fancy speeches are made, where new bridges are opened, and new roadways are built and new buildings are provided, but ultimately these types of infrastructure, these types of programs do little in the long term for improving the living conditions of people.

In Winnipeg and in Manitoba we still have the wolf basically standing at our door. The wolf that is poverty, that is poor health by those people who are in poverty and it's these kinds of programs Mr. Speaker that allow people like the people that are here today who've been working

very hard to combat poverty in our city and in our neighbourhoods and our Province, it's these kinds of programs that allow them to have the resources to be able to roll up their sleeves and engage other people in working toward a better society ultimately and a better state of affairs for the people in our city.

I'm hoping that this kind of program is just the beginning, that this is just the beginning of a new genesis, of a new understanding of how money and resources can be used to improve the human condition in our city. I'm very pleased that all of city council is so supportive. It's going to be the kind of program that's going to acquire ongoing nurturance. It's not going to be something that is going to bring us to a new dawn and a new era overnight, but it's the beginning of a realization that we're not going to get any farther along in this journey until we start rolling up our sleeves, until we start tackling some of the tough problems that poverty, that social inequity, that leaving so many people in our city out of the game if you want to look at it that way, has created. This is going to get more people into the game, and more people to participate in our city and in our province, and ultimately we're all going to be better for it.

I'm very very enthusiastic about this new community economic development program, and I urge all members of council to support it. I urge our community to embrace it. Thank you.

Mr. Speaker: Thank you Councillor Lubosch. Councillor Thomas.

Councillor Thomas: Thank you. I'd like to congratulate all who have worked for bringing this to us today. With the support of such advocates as former St. Boniface Councillor, Dan Vandal, advocates within the Administration such as Caroline Neufeld and the many others, if I just listed all the names I would take a half an hour so I won't. The many others who have worked hard to achieve this. I really applaud all the work that it's taken to bring a tripartite agreement here today.

I'd like to acknowledge the many citizens who have come here today to show their support.
It's quite nice actually. We don't often see people coming down here to applaud us for our work. It's really heartwarming to see you come out here and give us a little yea team. Thank you for doing this.

We're doing some things that we've done in past agreements and we're adding to it. Just to point out that when previous federal and provincial governments had walked away from housing that we were the ones that brought them back to the table and started the negotiations. Now, even though we were one of the first ones to bring them on line, they've now got agreements with other communities with regard to housing programs across the country.

I'm hoping that the component that we have for Aboriginal participation will also serve to be such a model for other parts of the country.

Building sustainable neighbourhoods is so important because it's the people and the base of the support that you have in the communities that makes a healthy city. Supporting technology and innovation how we get people together and linked is so important. The technology and innovation, the learning curve, getting people united through that is so great.

Downtown renewal as you're aware we've started this ourselves. It's nice to see the other two levels of government on board and joining with us on that, and that they support this as a priority for them as well, and we're really excited to get here today and to have this agreement in place again. I thank all of you for coming down here and showing your support for us.

Mr. Speaker: Thank you Councillor Thomas. Mayor Eadie.

Deputy Mayor Eadie: Mr. Speaker, I think it's all been said so just call the question.

Mr. Speaker: All in favour of the clause? Contrary? Carried.

EPC motions. Motion No. 1, moved by Mayor Eadie, seconded by Councillor Pagtakhan. All in favour? Contrary? Carried.

Motion No. 1
Moved by Deputy Mayor Eadie
Seconded by Councillor Pagtakhan

WHEREAS on March 24, 2004, Council appointed Councillor Pagtakhan, Point Douglas Ward to the Standing Policy Committee on Downtown Development as the Councillor elected by Council from a ward whereby a portion of the ward lies within the area of jurisdiction of The Downtown Winnipeg Zoning By-law;

AND WHEREAS Councillor Pagtakhan is now a member of the Standing Policy Committee by virtue of his appointment as the Chairperson of the Standing Policy Committee on Property and Development;

THEREFORE BE IT RESOLVED THAT Councillor Gerbasi, Fort Rouge-East Fort Garry Ward, be appointed as the one member elected by Council to serve on the Standing Policy Committee on Downtown Development for balance 2004.

Motion No. 2, moved by Mayor Eadie, seconded by Councillor Gerbasi. All in favour? Contrary? Carried.

Motion No. 2
Moved by Deputy Mayor Eadie
Seconded by Councillor Gerbasi

WHEREAS section 7 of the *City Organization By-law* (By-law No. 7100/97) states that:

> *7. The Standing Policy Committee on Public Works, the Standing Policy Committee on Protection and Community Services and the Standing Policy Committee on Property and Development shall each be composed of a Chairperson appointed by the Mayor and three other members elected by Council.*

AND WHEREAS on November 5, 2003, Council appointed Councillor Pagtakhan as a member of the Standing Policy Committee on Property and Development,

AND WHEREAS on May 12, 2004, Deputy Mayor Vandal appointed Councillor Pagtakhan as the Chairperson of the Standing Policy Committee on Property and Development,

THEREFORE BE IT RESOLVED that the Standing Policy Committee on Property and Development be made up of the following members:

Councillor Pagtakhan, Chairperson
Councillor De Smedt
Councillor Eadie
Councillor O'Shaughnessy

Motion No. 3, moved by Councillor Gerbasi, seconded by Mayor Eadie. All in favour? Contrary? Carried.

Motion No. 3
Moved by Councillor Gerbasi
Seconded by Deputy Mayor Eadie

WHEREAS the Winnipeg Humane Society is a "one of a kind" institution in the City of Winnipeg with a history spanning over a century;

AND WHEREAS the Winnipeg Humane Society has outgrown its current shelter and is in need of a larger facility to accommodate a larger spay/neuter clinic, more animals and a multi-purpose room for community and educational presentations;

AND WHEREAS the Winnipeg Humane Society has commenced a Capital Campaign and is applying for infrastructure funding under the Canada-

Manitoba Infrastructure Program for the Proposed Expansion Project;

AND WHEREAS a resolution in support of the Winnipeg Humane Society application is required by the Infrastructure Secretariat from City Council;

THEREFORE BE IT RESOLVED THAT the City of Winnipeg hereby indicates its support of the Winnipeg Humane Society Proposed Expansion Project and application to the Canada-Manitoba Infrastructure Program and further wishes the Winnipeg Humane Society every success in achieving their goal. It is understood that the City of Winnipeg will not be a contributing funding partner in this Infrastructure project.

Motion No. 4, moved by Mayor Eadie, second by Councillor Steeves. All in favour? Contrary? Carried.

Motion No. 4
Moved by Deputy Mayor Eadie
Seconded by Councillor Steeves

WHEREAS the City of Winnipeg has experienced significant rain and rapid snowmelt, which has resulted in isolated areas of damage to real and personal property within the City;

AND WHEREAS in order for the Manitoba Emergency Measures Organization to consider any requests for disaster assistance, a resolution must be passed by the municipality;

THEREFORE BE IT RESOLVED that the City of Winnipeg requests the Province of Manitoba to provide disaster financial assistance to property and land owners, in accordance with their established policy.

Mr. Mayor.

Deputy Mayor Eadie: Just on Motion No. 5 Mr. Speaker. I'm asking that it be withdrawn.

Mr. Speaker: There's no agreement among councillors so we'll just leave the original date. No date seems to be any better than any other.

Motion No. 7 would be automatic referral. Notice has been called on Motion Nos. 7 and 8. They will be on the next agenda.

By-laws.

EXECUTIVE POLICY COMMITTEE CONSIDERATION OF BY-LAWS

Deputy Mayor Eadie: I'll move that by-laws numbered 78/2004, 85/2004, 91/2004 and 92/2004, be read a first time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-laws numbered 78/2004, 85/2004, 91/2004 and 92/2004.

Deputy Mayor Eadie: I'll move that by-laws numbered 78/2004, 85/2004, 91/2004 and 92/2004, be read a second time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-laws numbered 78/2004, 85/2004, 91/2004 and 92/2004.

Deputy Mayor Eadie: I'll move that the rule be suspended, and that by-laws numbered 78/2004, 85/2004, 91/2004 and 92/2004, be read a third time, and that the same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

Question period. None.

Standing Policy Committee of Downtown Development, Report of May 6, 2004, Mayor Eadie.

REPORT OF THE STANDING POLICY COMMITTEE ON DOWNTOWN DEVELOPMENT DATED MAY 6, 2004

Deputy Mayor Eadie: Mr. Speaker on behalf of that that committee I'll move that the Report of May 6 be received and Items 1 through 3 be adopted by consent.

Mr. Speaker: All in favour? Contrary? Carried.

Motions, none. By-laws, none. Questions? None.

Moving on, Standing Policy Committee on Protection and Community Services, dated May 3, 2004.

REPORT OF THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES DATED MAY 3, 2004

Councillor Gerbasi: Mr. Speaker I just have the one clause, which we heard from the Harrow School. I guess I'll just move it as recommended by Executive Policy Committee.

Mr. Speaker: All in favour? Contrary? Carried.

Motions, none. By-laws, none. Questions, none.

Standing Policy Committee on Public Works, dated May 4, 2004.

REPORT OF THE STANDING POLICY COMMITTEE ON PUBLIC WORKS DATED MAY 4, 2004

Councillor Steeves: I'm pleased to move the Report and adoption of consent agenda items 1, 2 and 4. Item No. 3 will be referred back to Public Works.

Mr. Speaker: All in favour? Contrary? Carried.

Councillor Steeves moves referral back of Item No. 3. All in favour? Contrary? Carried.

Motions, the motion of Councillor Steeves, second by Mayor Eadie. Taken as read. Election day parking. All in favour? Contrary? Carried.

By-laws.

STANDING POLICY COMMITTEE ON PUBLIC WORKS CONSIDERATION OF BY-LAWS

Councillor Steeves: I'll move that By-law No. 87/2004 be read a first time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-law No. 87/2004.

Councillor Steeves: I'll move that By-law No. 87/2004, be read a second time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-law No. 87/2004.

Councillor Steeves: I'll move that the rule be suspended and that By-law No. 87/2004, be read a third time, and that the same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

Questions, none.

Do we have Fiscal Issues? There's no report. No questions.

Property and Development, Report of April 27, 2004. Councillor Pagtakhan.

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT DATED APRIL 27, 2004

Councillor Pagtakhan: It's my pleasure to introduce the Report and move adoption of consent agenda items 1 through 25.

Mr. Speaker: 4 and 23. All in favour of clauses 1 to 3 and 5 to 22, and 24 and 25 as consent? Contrary? Carried.

Item No. 4.

Item No. 4 – Amendment to Council Policy – Sale of City-owned Property File FI-2.1

Councillor Pagtakhan: I'll wait and see what the Councillor from Transcona has to say about it.

Councillor Wyatt: Thank you Mr. Speaker. I rise on this. I don't know if many councillors have had a chance to look at this. This is a change in policy that's been recommended. It was moved out of the Assiniboia Community Committee. It's saying, "therefore be it resolved that the expedient disposal of lands surplus to the City's needs, policy C024 of July 18, 1979, be amended to read, consult with ward councillors opposed to consult with community committee."

I'm going to move Mr. Speaker that the matter be referred back to Property and Development.

Mr. Speaker: State very very briefly why.

Councillor Wyatt: We need a clarification on what consult with ward councillors means. What's the process there with regards to consult with ward councillor?

Councillor Pagtakhan: This was endorsed by the Assiniboia Community Committee. Maybe a representative can speak on that.

Mr. Speaker: No, they can't speak to it. You're the only one who gets because it's your motion.

Councillor Pagtakhan: Consult with the ward councillor seems pretty evident. Consult with the ward councillor means consult with the ward councillor. We should support that clause.

Mr. Speaker: Question on the motion to refer. All in favour? Contrary? Defeated.

Councillor Wyatt now to speak on the item.

Councillor Wyatt: Mr. Speaker, the reason why I say this is because the process is very clear with regards when a matter is being referred to community committee.

The reason why I say this is, I've already had in the last year two items coming out of Property and Development involving the disposal of declaring land surplus, the city land surplus in my ward which were not going to be referred, and that I had to basically request it. One item was and the latest item, which I requested off the agenda 23, was not even though I appeared at Property and Development and asked it to be referred to community committee at this last meeting.

Mr. Speaker the issue of declaring land surplus, I think is important issue; it involves our assets, the assets of the City of Winnipeg. I would add that I think there's not only the benefit of transparency with regards to the existing process, but also an issue of doing due diligence on the part of a city councillor and to ensure that a city councillor is aware of all the issues involved with that piece of land.

The benefit of a community committee meeting, I don't know what consult with ward councillor means. If it means picking up a telephone and saying, what do you think of this. Or does it mean there's a formal report coming forward to councillor, the councillor has to sign off on. What does this mean, consult with councillor?

I know consult with community committee means; the item has to go to community committee agenda. There's a date of the community committee meeting. The agenda is published for the public to read. The report usually with a report coming forward requesting lands to be declared surplus is usually reasons given by the Administration why the land should be declared surplus. Why this is coming forward at this time, and the benefits to the City. There's a discussion about it usually in the report. Then there's an opportunity at the community committee for the councillor to be able to speak to the item, be able to give arguments in favour or against declaring the item surplus, and recommendations therein

with regards to that land to be referred back to the Property Committee. The matter then is voted on by community committee and is recorded in the minutes of community committee as well as any comments the councillor wishes to make on the record.

I think with that Mr. Speaker there comes with a certain level of protection for the community, protection for the councillor, protection to ensure that there's transparency in the process and openness.

With going to an informal system like this of consulting the councillor without any kind of explanation of what that consultation process will mean, how that consultation will work. What does this really mean. In light of the fact clearly there's been kind of a laisser-faire kind of attitude regarding declaring land surplus already, in the last year alone, two issues that have already occurred which I've had to in the last instance pull it off the council floor, which I'm going to be recommending on Item No. 23. And to be referred to community committee.

The other thing that's coming forward is, rather than declaring the lands surplus we're getting issues now where reports are coming forward through property and development where Item A of the report is yes, declare this land surplus, Item B, is oh by the way we have an offer and this is what it is, it has to go through.

We don't even have an opportunity to decide Mr. Speaker whether or not we want those lands to be declared surplus to the City or not.

I think there has to be a clear process here Mr. Speaker. I may welcome the opportunity to change this to consult with the ward councillor, but I do not have any kind of clear protocols before us here of what that really means.

Again, maybe it's another example of a motion poorly worded and not thought out clearly as was quoted by my colleagues earlier this morning.

Clearly a poorly worded motion that was not thought out clearly, was not given much thought and done in haste.

I reckon also Mr. Speaker that I'm always wary when we're always moving powers and the jurisdiction of issues that are normally dealt with at community committee away from community committee, and I know there's a move afoot to a certain degree that there are some who would love to see us abolish community committees, I for one am not one of them. I think community committees are fantastic, they serve a role, they serve a purpose and they're important to our democratic process. The more we move away from the jurisdiction of community committee, the less transparent we are and the less community orientated I would argue. It's a chance for our Councillors especially new Councillors to become familiar with the system and to get issues discussed at a community level and onto the agenda of the higher committees.

Mr. Speaker, I strongly encourage council to think twice about this amendment. I would welcome if there's a way to address this through consultation procedures or some sort of protocol a little more in-depth for our administration to report. Coming from the councillor who always argues that we always have to have a report. Where is the administrative report here? There's not an administrative report, there's just a motion coming forward we're now going to adopt this as policy without any kind of understanding of the history, of the old council policy of C024 of July 18, 1979. There's no report, there's no administrative work on this, this is just a wing nut idea coming forward flying in our face with regards to a motion here. No logical arguments being put forward with what does consult with councillor mean. Does that mean the councillor gets a phone call on a Friday afternoon at 4:30 from the head of Property and Development saying, oh by the way, we want to sell some land, we want to declare some land surplus. Where is the documentation? Where is the arguments here Mr. Speaker with regards to why this is a better process. I don't see anything

here other than the fact this is some kind of idea coming out of Assiniboia Community Committee.

I won't be supporting this Mr. Speaker. I can't. I would encourage councillors not to make this mistake today because this would be a mistake without the kind of due diligence that should be done on this issue. Thank you.

Mr. Speaker: We're going to have Mayor Eadie, followed by Councillors De Smedt, Steeves and Lubosch.

Deputy Mayor Eadie: Mr. Speaker let me try to edify my friend from bombast about this.

I don't know what he's been doing for the last two and a half years where the policy reads, consult with community committee, but all we're doing is changing a couple of words here, at least recommending it. Rather than consult with community committees, consult with the ward councillor in the same process.

Mr. Speaker, what we're talking about here not by and large are small almost underdeveloped pieces of land, some properties in residential areas taken by tax sale. Some odd shaped pieces of land that an adjoining property owner is looking to add onto their holdings. We're not talking about sensitive lands, which have a whole lot other process in the Charter. That's all it means Mr. Speaker.

I know from my own experience I get an e-mail or I get a letter from somebody in land development indicating do I have any problem with declaring a piece of land we've taken as tax sale surplus. Always the answer is no. It's going to be used for residential development or in some other cases it's going to be an odd shaped figure of property you can't do anything else with except add it to the adjacent property owners holdings, and that's all it is.

I get communicated in writing and all my colleagues do as far as I'm aware, it waits for four or five or six weeks to go to a community committee meeting where everybody says yeah sure what's the problem, when they could have been dealt with weeks earlier just simply by a communication with the area councillor, do you have a concern with this, if not we'll go ahead. If you do then we'll work it out and deal with through it through a more formal process.

That's all it is Mr. Speaker. There's no subterfuge here, it does put some onus on the area councillor who one assumes knows the district, and on lands where most people don't care a fig about except the people who want to buy a property that's been taken in tax sale or again one of those odd shaped properties that is of no value for development purposes but is of some value to an adjacent landowner who might want to add it to their particular holdings.

That's all it is quite simply Mr. Speaker. Nothing untoward about it. The communications are always in writing back and forth; it's very easy to do that. If a land was really sensitive a councillor could still say I want to have it dealt with at my community committee. No problem with the Administration, certainly no problem with me. What this does is shorten a lot of unnecessary time wasting on many of these lands which really have no other value except to somebody who lives right next door.

That's the purpose Mr. Speaker, is to shorten the process. Let the area councillor have the opportunity to say yea or nay, we don't need to tie up other agendas with this unless there's an issue or unless there's some community concern. Quite simple Mr. Speaker.

Mr. Speaker: Councillor De Smedt.

Councillor De Smedt: Quickly Mr. Speaker. The community committee of sobered choice in the City responded with this motion.

Let me just say to my colleague. I would just like to say that Councillor Eadie has hit the nail on the head. The Administration, the CAO who is here representing administration is in our confidence. I fully believe that when we get some information and consultation

from the Administration that you can take that as an activity that you can discern if there are any issues of concern and if you don't believe Councillor from Transcona that the item is going to be resolved to your satisfaction by a phone call or e-mail consultation, that really you have the opportunity with your colleagues in community committee to pass a motion to bring the subject forward for discussion. If you want to have a public hearing on it.

I just think that this was done with the intent of not trying to by-pass anybody or circumvent clarity or transparency for the public that you can chop on that as they say, you can put your authority to a sale and disposal of lands. If you don't like it, please take the action that's appropriate to your authority as a councillor and bring a motion at community committee to have the subject discussed. I think that would satisfy everybody.

By and large there is no intent to try and by-pass public discussion or transparency on this particular issue. I support what came out of Assiniboia Community Committee.

Mr. Speaker: Thank you Councillor DeSmedt. Councillor Steeves.

Councillor Steeves: I actually had a legitimate point that I wanted to raise. It will take two seconds.

Two very important things just briefly Mr. Speaker. The first is, the hour is getting late in this meeting. My colleague from Transcona has not yet mentioned Gandhi. His streak is in peril of coming to an end, and I hope we can deal with a very important issue prior to the adjournment.

The second thing of course on the issue of consult with the ward councillor. The concern I would voice to Councillor Wyatt although I know his concerns are bona fide. You want to be very very careful I think in terms of consultation and in terms of nailing yourself down to an absolute process.

The fact is, on consultations sometimes need a little more time, sometimes you don't need time, you don't want to be beholden to a five step process if all you need is one meeting.

Conversely you don't want to be beholden to a one step process, if you need five meetings. That would be my comments Mr. Speaker.

Mr. Speaker: Councillor Pagtakhan did you wish to sum up on this. Call the question. All in favour? Recorded vote has been called for. All in favour please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Deputy Mayor Eadie, Councillors Angus, Clement, De Smedt, Gerbasi, Lubosch, Pagtakhan, Smith, Steeves, Thomas, Lazarenko, Mr. Speaker Councillor O'Shaughnessy.

Nays

Councillor Wyatt.

City Clerk: The vote Mr. Speaker, Yeas 12, Nays 1.

Mr. Speaker: The clause is carried.

Clause 23.

Item No. 23 – Sale/Exchange of Lands West side of Ravelstone Avenue West, North of Almey Avenue, with 3801233 Manitoba Ltd.
File FI-2.4(33)

Mr. Speaker: Councillor Pagtakhan

Councillor Pagtakhan: Thank you Mr. Speaker. As before I'll wait to see what the Councillor from Transcona has to say about it.

Mr. Speaker: The Honorable Councillor from Transcona.

Councillor Wyatt: Thank you Mr. Speaker. I'd just like to simply move to refer back to Property and Development. This is declaring land surplus. Community Committee did not have a

chance to consider this item. Under City policy which was still in effect, Council Policy C024, and so I'm requesting that it be referred back to the Standing Committee since it's involving a piece of land in my ward.

Mr. Speaker: Councillor Pagtakhan did you wish to speak against the referral.

Councillor Pagtakhan: Thank you Mr. Speaker. Mr. Speaker I don't have a problem with Councillor Wyatt's initial request.

Mr. Speaker: All in favour of referral? Opposed? Carried.

Item is referred.

Motions, none. By-laws, third reading only. Councillor Pagtakhan.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT CONSIDERATION OF BY-LAWS

Councillor Pagtakhan: I'll move that by-law No. 35/2004 as amended, be read a third time, and that the same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

By-laws.

Councillor Pagtakhan: I'll move that the following by-laws be read a first, by-laws numbered 79/2004, 80/2004, 81/2004, 82/2004, 83/2004, 84/2004, 86/2004, 88/2004, 89/2004 and 90/2004.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-laws numbered 79/2004, 80/2004, 81/2004, 82/2004, 83/2004, 84/2004, 86/2004, 88/2004, 89/2004 and 90/2004.

Councillor Pagtakhan: Mr. Speaker, I'll move that by-laws numbered 79/2004 to 84/2004, both inclusive, 86/2004, 88/2004 to 90/2004, both inclusive be read a second time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-laws numbered 79/2004 to 84/2004, both inclusive, 86/2004, 88/2004 to 90/2004, both inclusive.

Councillor Pagtakhan: I'll move that the rule be suspended and that by-laws numbered 79/2004 to 84/2004, both inclusive, 86/2004, 88/2004 to 90/2004, both inclusive, be read a third time and that the same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

Questions, none.

Councillor Wyatt moves adjournment. Roll Call.

ROLL CALL

Clerk: Mr. Speaker, Councillor O'Shaughnessy, Deputy Mayor Eadie, Councillors Angus, Clement, De Smedt, Gerbasi, Lubosch, Pagtakhan, Smith, Steeves, Thomas, Wyatt and Lazarenko.

Before we leave, congratulations to Meagan on her impending duplication.

COUNCIL ADJOURNED AT 11:51 A.M.