Agenda – Council – September 26, 2024

Report – Executive Policy Committee – September 17, 2024

Item No. 7 Donation of the 10 Commandments Monument at Assiniboine Park to the Fraternal Order of Eagles No. 23

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 17, 2024, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and submitted the following to Council:

1. That the Chief Administrative Officer (CAO) be delegated authority to work with the Assiniboine Park Conservancy, and other groups acceptable to the CAO, to find an appropriate and publicly accessible location, including relocation within the Assiniboine Park, for the installation of the 10 Commandments Monument:

    A. In determining the appropriate location, the CAO will consider the original intention of the donor as well as views of other groups in the community.

2. That the authority be delegated to the Chief Administrative Officer, in consultation with the Assiniboine Park Conservancy, to negotiate and approve a Donation Agreement, if applicable, and Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

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

Agenda – Council – September 26, 2024

Report – Executive Policy Committee – September 17, 2024

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 17, 2024, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Delete Recommendations 1-4 in their entirety and replace with the following:

  "1. That the Chief Administrative Officer (CAO) be delegated authority to work with the Assiniboine Park Conservancy, and other groups acceptable to the CAO, to find an appropriate and publicly accessible location, including relocation within the Assiniboine Park, for the installation of the 10 Commandments Monument.

     A. In determining the appropriate location, the CAO will consider the original intention of the donor as well as views of other groups in the community.

  2. That the authority be delegated to the Chief Administrative Officer, in consultation with the Assiniboine Park Conservancy, to negotiate and approve a Donation Agreement, if applicable, and Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

  3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing."

and submitted the matter to Council.

Ed Hume submitted a presentation and petition in opposition to the matter.

ADMINISTRATIVE REPORT

Title: Donation of the 10 Commandments Monument at Assiniboine Park to the Fraternal Order of Eagles No. 23

Critical Path: Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
A. Reisacher	S. Armbruster	T. Graham	S. Armbruster, Interim CAO

EXECUTIVE SUMMARY

The Fraternal Order of Eagles ("FOE") gifted a 10 Commandments Monument to the City in 1965. It was placed in Assiniboine Park, but has been in storage since 2017. The FOE has requested the gift be returned so that it can be placed on private property in Winnipeg.

The FOE and Assiniboine Park Conservancy will share the costs and details of the relocation.

As the Monument is a City asset, Council's approval is required for the donation.

RECOMMENDATIONS

1. That the donation of the Assiniboine Park 10 Commandments Monument to the Fraternal Order of Eagles Aerie No. 23 be approved.

2. That the City enter into, execute, and deliver a Donation Agreement with the Fraternal Order of Eagles Aerie No. 23 and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

3. That the authority be delegated to the Chief Administrative Officer to negotiate and approve the Donation Agreement and the Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

4. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

As the 10 Commandments Monument is a City asset, Council's approval is required for the donation.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no financial implications to the approval of the recommendations of this report. The FOE and APC will coordinate the logistics of the relocation and share the costs.

HISTORY/DISCUSSION

In 1965, the Fraternal Order of Eagles (FOE) Winnipeg Aerie #23 gifted a Ten Commandments monument ("the Monument") to the City of Winnipeg. The gift was part of a broader effort by the FOE to erect 10 Commandments monuments across the United States and Canada (initially, in part, to promote the 1956 film "The Ten Commandments"). Winnipeg's monument was placed in Assiniboine Park.

In 2017, the Monument was removed by the Assiniboine Park Conservancy (APC) and placed in storage to allow for the construction of The Leaf, a new indoor horticultural attraction built on the site. The Leaf opened to the public in 2022.

The APC considered the status of the Monument and whether it should be reinstalled in another location within Assiniboine Park. After careful review, the APC submitted a request through the Welcoming Winnipeg process to permanently remove the Monument and find another party willing to receive it. In 2024, while the request was under consideration, the FOE contacted APC to formally request the return of the Monument.

The APC supports this request and intends to return the Monument to the FOE.

The FOE and APC will coordinate the costs and logistics of relocating the Monument to a privately-owned location within Winnipeg; the formal authority to return the gift, however, lies with Council. As per section 2.02 of the Lease and Funding Agreement between the City and the APC, park asset ownership at the time of the agreement remains with the City of Winnipeg. Therefore, APC does not have the authority to return the Monument on their own and Council approval is required.

FINANCIAL IMPACT

Financial Impact Statement **Date:** August 20, 2024

Project Name:
Donation of the 10 Commandments Monument at Assiniboine Park to the Fraternal Order of Eagles No. 23

COMMENTS:

There are no financial implications associated with the recommendations in this report. The FOE and APC will coordinate the logistics of the relocation and share the costs.

Randy Bernard

Randy Bernard, CPA, CMA
Manager of Finance & Administration (Campus)
Corporate Finance Department

CONSULTATION

This Report has been prepared in consultation with:

- City Clerk's Department
- Indigenous Relations Division
- Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

N/A

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Climate Action Plan (CAP), and it was determined that the CAP is not applicable to this specific report.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Poverty Reduction Strategy (PRS) and its Goals and Objectives, and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department: Office of the Chief Administrative Officer
Division: N/A
Prepared by: A. Reisacher
Date: August 13, 2024
File No: N/A

Attachments: N/A