REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JUNE 5, 2002

On motion of His Worship Mayor Murray, the Report of the Executive Policy Committee dated June 5, 2002, was considered clause by clause

Moved by His Worship Mayor Murray,
That the Consent Agenda, Clauses 1 and 2, be adopted.

Carried.

2002 North American Indigenous Games Reduction in Public Liability Insurance
File GC-8 (Vol. 6)

509 - 1. The Executive Policy Committee has been advised that any amendment to Clause 27.6 of the Multi-Party and Venue Agreement for the 2002 North American Indigenous Games must be approved by Council.

In 1999, Winnipeg was awarded the 2002 North American Indigenous Games by the NAIG Council. This award was based on a presentation made in December, 1997, by the Manitoba Aboriginal Sports and Recreation Council, the three (3) levels of government, Tourism Winnipeg, the Manitoba Metis Federation and the Assembly of Manitoba Chiefs.

On November 21, 2001, Council approved a Multi-Party and Venue Agreement for the 2002 North American Indigenous Games. Clause 27.6 states that the Host Society shall obtain and maintain all appropriate insurance coverage. The extent of the coverage is to be commensurate with the risks involved with public liability insurance of Fifty Million ($50,000,00) Dollars or such amount as may be otherwise agreed by the Funding Partners for each occurrence during the Games themselves.

Since September 11, 2001, the cost of insurance has substantially increased and the premiums required for $50 Million general liability coverage would cause the 2002 NAIG to have cost overruns to the budget by some $15,000.00.

The Risk Management Committee of 2002 NAIG reviewed at length the insurance programs and level of coverage currently carried. The Committee advised the 2002 NAIG that the limits of public liability insurance be in keeping with the complexity and magnitude of the Games.

In February, 2002, a letter was received from 2002 North American Indigenous Games Host Society (Winnipeg) Inc. requesting that the public liability insurance be reduced to $25 Million, noting that the original amount of $50 Million was based on other events such as the Pan Am Games.

The Federal and Provincial Governments as well as the Risk Management Division of the City of Winnipeg's Corporate Finance Department concur with the recommendation that the general liability insurance be changed from $50 Million to $25 Million.

The Executive Policy Committee recommends:

I. That an amendment to Clause 27.6 of the January 21, 2002, Funding Agreement for the 2002 North American Indigenous Games, reducing the insurance amount from $50 Million to $25 Million dollars, be approved.

II. That the Proper Officers of the City make the necessary arrangements in respect of the Multi-Party Agreement approved by Council on November 21, 2001.

Adopted by consent.

Report of The Executive Policy Committee dated June 5, 2002

Proposed Closing of Part of rue Lacombe West of Beaulieu Street
File DAC 1/99

510 - 2. The Executive Policy Committee has been advised that the street closure requires a by-law under Section 495 of The City of Winnipeg Act.

In November 1998, the Real Estate Division of the Planning, Property and Development Department received a request from Mr. Phillip Sexton to purchase the portion of rue Lacombe at the rear of his property. In February 1999, the Riel Community Committee approved the closing. In October 2000, the Standing Policy Committee on Property and Development approved the terms of the sale of the land.

Mr. Sexton has recently provided all of the documentation required to effect the transfer of the land, and it is now appropriate to close the street.

The street must be legally closed before it may be sold. Title to all public rights of way in Manitoba is vested in the name of the Province. The registration in the Winnipeg Land Titles Office of a closing by-law removes the public right of way status from the land and vests the ownership of the property in the City's name. The City is not entitled to dispose of the land until this has been done.

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

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

1. The proposed closing must have been addressed at a public meeting and received approval from the Committee before which the public meeting took place.
2. The proposed closing and sale must have been approved by the Director of Public Works.
3. The proposed closing must have been submitted to all affected City Departments and public utilities with no objections having been received.
4. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.
5. The terms and conditions of any easement agreements created by the proposed closing and sale must have been addressed.
6. The proposed closing must have been approved by the affected property owner(s).
7. The terms and conditions of any agreements concerning the proposed closing and sale must have been approved by the Director of the department that requested the closing and either the Standing Committee on Fiscal Issues, the Standing Policy Committee on Property and Development, or the Director of the Planning, Property and Development Department, as is appropriate.

All of these criteria have been met.

A Financial Impact Statement dated May 15, 2002, indicates that there will be no financial impact as all costs associated with the closing are the responsibility of the purchaser.

The Executive Policy Committee recommends:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the closing as outlined on Attachment "A", Misc. Plan No. 8129/1.

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

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

Adopted by consent.

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JUNE 12, 2002

On motion of His Worship Mayor Murray, the Report of the Executive Policy Committee dated, June 12, 2002, was considered was considered clause by clause.

Moved by His Worship Mayor Murray,
That the Consent Agenda, Clauses 1,2,3,4 and 5, be adopted.

Carried.

Norwood Grove Business Improvement Zone - Board of Director Appointments/Changes
File FL-7.6 (Vol. 3)

511 - 1. The Executive Policy Committee has been advised by the Norwood Grove Business Improvement Zone that, due to a recent resignation on the Board of Directors, the current board recommended a replacement at the May 14, 2002, meeting. In accordance with the provisions of Subsection 10, Section 11 of By-law No. 5649/91, the Board of Directors requests approval by Council of the following appointment:

Luigi Fracassi to replace Cindy VanElslander and complete her two-year term to the end of December 2003.

The Executive Policy Committee concurs with the recommendation of the Business Improvement Zone and recommends that Luigi Fracassi be appointed to replace Cindy VanElslander as a member of the Board of Directors of the Norwood Grove Business Improvement Zone and complete her two-year term to the end of December 2003.

Adopted by consent.

2002 Civic Election - Advance Polling Locations
File GK-2 (Vol. 26)

512 - 2. The Executive Policy Committee has been advised that pursuant to Section 89.3.1 of The City of Winnipeg Act, Council is required to enact a by-law prescribing the dates, times and locations of advance polling places.

Section 89.3.1 of The City of Winnipeg Act provides as follows:

"Advance polls and mail vote
89.3.1 For the purpose of accommodating electors at an election, the returning officer:

(a) shall open and keep open an advance polling place at City Hall, during regular office hours and such other hours as the council may prescribe by by-law, between the last day on which a candidate may withdraw under section 51 of The Local Authorities Election Act and the day before election day;

(b) shall open and keep open additional advance polling places at such central locations as the council may prescribe by by-law.

(i) on such days other than holidays as may be prescribed by the by-law, between the last day on which a candidate may withdraw under section 51 of The Local Authorities Election Act and the day before election day, and

(ii) during such hours as may be prescribed by the by-law, which shall include 5:00 to 9:00 p.m. on at least one day in the three days before the day preceding election day, and on any other of the three days on which the advance polls are prescribed under the by-law."

Report of the Executive Policy Committee dated June 12, 2002

For the 2002 Civic Election, the Returning Officer will again utilize automated voting systems to conduct Election Day and various Advance Poll locations.

In 1998, the City Hall Advance Poll was conducted from Monday to Friday, October 5 to October 26, during regular office hours and Thursday evenings. Voter turnout was 2,438 persons, an increase of four (4%) per cent as compared to 2,353 voters in 1995.

Additional Advance Polls were held in each of the five community areas, from October 19 to 24 inclusive, with 3,810 persons voting at these polls as compared to 2,546 voters in 1995 (an increase of thirty-three [33%] per cent).

In 1995 and 1998, in an attempt to facilitate voting opportunities for persons who may have ambulatory or transportation problems, polls were established at seniors locations identified in the "Age and Opportunity Winnipeg Seniors Housing Directory" with more than fifty (50) residents.

In 1998, the Special Advance Polls utilized the automated voting machines and operated weekdays within a two-week period prior to Election Day. 5,925 persons voted at 107 seniors locations. For 2002, the Returning Officer has contacted each of the residences and personal care facilities in the "Age and Opportunity Winnipeg Seniors Housing Directory", and recommends that polls be established at 144 locations. While 144 locations have been selected, in excess of 190 seniors' residences will be accommodated as a result of some polls serving more than one residence. The Seniors Advance Polls will be conducted on weekdays, in three-hour time slots, in the two-week time period prior to Election Day, and will utilize the automated voting technology.

A Vote by Mail campaign will also be utilized to facilitate voting at those seniors locations and personal care facilities not identified in the Age and Opportunity Winnipeg Seniors Housing Directory, and those seniors locations identified but with less than fifty (50) residents.

In addition, Special Hospital Polls will be conducted at nine (9) City hospital locations on Election Day utilizing a portable ballot box.

Funding for the operation of the Advance Polls is derived from the City Clerk's Department Elections Account.

The Executive Policy Committee recommends:

1. That Council enact a by-law with respect to Advance Polls for the 2002 Civic Election to provide for the establishment of Advance Polls for the dates, times and locations as identified in Attachment "A".

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

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

Adopted by consent.

Proposed Extension and Amendment of the CentreVenture Asset Agreement File EP-1.2.3 (Vol. 4)

513 - 3. On April 3, 2002, the Executive Policy Committee, requested, in part, that:

"The expansion of the boundaries of the CentreVenture Mandated Area, renewal of the Asset Agreement for an additional three years and revision of Category D to reflect similar intent to Category B lands be referred to the Standing Policy Committee on Property and Development for report back to the Executive Policy Committee for its meeting scheduled for April 17, 2002."

On April 4, 2002, the Standing Policy Committee on Property and Development instructed that the matter be referred to the Administration for review and report back to a special meeting at the call of the Chairperson.

Report of the Executive Policy Committee dated June 12, 2002

On April 15, 2002, the Standing Policy Committee on Property and Development considered a Report from the Planning, Property and Development Department dated April 11, 2002, and instructed the Department to review the proposal to extend the CentreVenture Asset Agreement and to report back in thirty (30) days.

On April 17, 2002, the Executive Policy Committee considered the Report of the Standing Policy Committee on Property and Development dated April 15, 2002, and laid the matter over for thirty (30) days.

On May 15, 2002, the Executive Policy Committee again considered the Report of the Standing Policy Committee on Property and Development dated April 15, 2002, and laid the matter over for an additional thirty (30) days.

The Planning, Property and Development Department has now reviewed the various issues and has met with CentreVenture.

Part A - Term of Agreement Extension

The Executive Policy Committee requested that consideration be given to extending the Asset Agreement for a further period of three (3) years.

In discussion with CentreVenture (hereinafter referred to as CV), the Department was advised that CV would prefer if the Agreement was extended by four (4) years so as to align with the termination dates of the "contribution and operating agreements", which have been extended for a four (4) year period. The Department supports CV's request for a four (4) year extension terminating on November 16, 2006, as such an extension would cause a complete alignment of all of the related Agreements.

Part B – Amendments to the Asset Agreement

The Department identified a number of issues in its report dated April 11, 2002, that warranted consideration for amendment in the Asset Agreement. These three (3) issues have now been discussed with CV. CV did not identify any other requests for amendments. The issues are as follows:

1. Grant of Access and Release and Indemnity Agreement

   This is a proposed Agreement which will enable CV to enter upon the city-owned lands and into the buildings for the limited purposes of inspecting, viewing, and enhancing the appearance of the properties, provided that the enhancements do not include any installations or alterations to the premises. This Agreement will allow CV to have ready access to the premises and will enable CV to both "show" the premises to prospective purchasers and allow CV's contractors to conduct minor enhancements to the premises.

   The Administration supports the creation of this form of Agreement, and accordingly, much time and effort has been spent in negotiating and documenting the terms of the said Agreement. At the date of the writing of the report, there is agreement on all but one term dealing with "indemnification". This matter was last discussed at a meeting held on May 22, 2002, which was attended by the respective solicitors and insurance professionals. The Administration is continuing to review the matter of indemnification.

   Both CV and the Administration are of the opinion that the terms of the Asset Agreement should be amended to provide for the inclusion of reference to this "access and indemnification" agreement, with the final Agreement to be added as a schedule to the Asset Agreement.

   The Department recommends that the Chief Administrative Officer be delegated the authority to approve the final terms of the proposed "Grant of Access and Release and Indemnity Agreement" and to amend the CentreVenture Asset Agreement accordingly.

2. Provision for CentreVenture to be Granted an Option to Lease City-owned Property

   The provision for leasing City-owned property needs to be developed for those instances where CentreVenture decides to lease rather than sell (such as riverbank property along Waterfront Drive, 590 Main Street and the Mountain Equipment development at 297/301 Portage Avenue).

Report of the Executive Policy Committee dated June 12, 2002

The Department would advise that the existing Asset Agreement does not specifically include terms which address instances where CV enters into leases of property with third parties. The Department has no difficulty with CV entering into leases, but is concerned that the City is not exposed to risk in the event that CV leases extend beyond its mandate.

CV has advised that, in its opinion, there will be no risk to the City in view of its By-laws and covenants as provided to the City.

The Legal Services Division has been consulted on this matter and has advised that the Asset Agreement could be amended to provide for the granting of a lease to CV for development purposes through subleasing arrangements. That way, the City would remain the registered owner. Legal Services has suggested that the solicitor for CV be invited to draft an amendment that reflects CV's needs.

The Department recommends that the Chief Administrative Officer be delegated the authority to approve the final terms relating to the grant of a lease to CV for development purposes, and to amend the CentreVenture Asset Agreement accordingly.

3. Provision for the City to Remove Properties From the Asset Agreement

The City may from time to time change its opinion as to the declaration as surplus of any property as listed in the Asset Agreement. For instance, this situation occurred at the northwest corner of Higgins Avenue and Main Street where part of certain lands optioned to CV were required by the City to effect a land exchange necessary to facilitate the acquisition of property for the Council approved Higgins Avenue Widening Capital Project.

The Department and CV both agree that the Asset Agreement should contain provisions to deal with this eventuality. The parties are of the view that Council should be able to delete properties from the Asset Agreement, but in recognition of the costs and lost opportunities to CV.

The Department suggests that where CV has proceeded to market or improve these lands, but where there is no expressed interest, then, CV should be able to at least recover its marketing and site improvement costs. Furthermore, where CV may have received an expression of interest, then the City may have some obligation to compensate CV accordingly. Council's consideration of each of these situations would be required.

The Department recommends that the Chief Administrative Officer be delegated the authority to approve the final terms to enable the City to delete properties from the CentreVenture Asset Agreement, and to amend the CentreVenture Asset Agreement accordingly.

Part C – Addition of Surplus Properties to the CentreVenture Asset Agreement – Two Expansion Areas

On April 24, 2002, Council approved the expansion of the CV mandated area.

The Planning, Property and Development Department has reviewed the City's property ownerships in the expansion areas. Attachments "B" and "C" (Misc. Plan Nos. 11529/1 and 11528/2) illustrate the easterly and westerly expansion areas and define the City-owned property within each area. In accordance with standard procedure, the Department circulated drawings showing these expansion areas to the various Departments for review and comment. The following is the result of the circulation.

1. Easterly Expansion Area – Misc. Plan No. 11529/1

The Community Services Department advises that it is concerned as to the retention of:

i. the lands required along the Red River for the North Winnipeg Parkway system.

ii. the lands adjacent to the Disraeli Freeway for the Henderson Highway Image Route Enhancement.

The Planning, Property and Development Department commented as follows:

i. The Department agrees that none of these riverbank lands should be optioned to CV.

Report of the Executive Policy Committee dated June 12, 2002

ii. On April 24, 2002, Council approved the expansion of CentreVenture's mandated area. The administration is now charged with the responsibility of bringing all downtown policy and zoning into alignment with the new CentreVenture boundaries as appropriate. As the Downtown Winnipeg Zoning By-law No. 4800/88 requires that any building or structure be approved by the Downtown Design Board (DDB) prior to Building Permits being issued, the Community Services Department's concern with regard to Image Route Enhancement will be addressed by the DDB.

- The Department advises that consideration has been given to retaining part of the Transfer Track right of way that runs along May Street to Higgins Avenue. The City does not have a continuous ownership following the bend in the Red River enabling completion of the parkway in its end location. Consequently, consideration could be given to retaining this section of the Transfer Track to connect to Higgins Avenue and then to Annabella Street as an interim north south connection.

  The riverbank lands east of May Street require significant riverbank stabilization efforts in order to facilitate the development of the North Winnipeg Parkway. The interim route for the North Winnipeg Parkway (until such time as all Point Douglas riverbank lands have been secured in the public's domain) is directly across Point Douglas using Annabella Street. Having regard for the condition of the riverbank at this location, the Department is planning to construct a wide streetscaped sidewalk along May Street as a part of the Waterfront Drive project. May Street at Higgins Avenue is an important vehicular and pedestrian entry onto Waterfront Drive, and will be developed accordingly.

  Therefore, the Department is of the opinion that with the exception of those lands required for the creation of Waterfront Drive, all of the residual former Transfer Track Lands can be declared surplus and added to Category “A” of the Asset Agreement.

- The Public Works and Water and Waste Departments are concerned with ensuring that their works are protected in the event of sale of these properties. That is, that any utility plant is protected by an easement agreement and that any land to be conveyed not include land that constitutes existing or perhaps proposed roadways.

2. Westerly Expansion Area – Misc. Plan No. 11528/2

a. The Public Works and Water and Waste Departments are concerned with ensuring that their works are protected in the event of sale of these properties. That is, that any utility plant is protected by an easement agreement and that any land to be conveyed not include land that constitutes existing or perhaps proposed roadways.

- The Department advises that the City-owned property at 311 Ross Avenue is not considered to be surplus for the following reasons:

  i. this property is utilized for the purposes of storage by both the Civic Accommodations Division and the City Clerks Department. Significant funds have been recently expended on this property.

  ii. this property will be considered (among many alternatives) as a future home for the Department.

- The Department advises that it has an interest in the parking lot and the adjacent vacant property at Ross Avenue and Paulin Street. Currently 113 staff and public park in a reserved stall parking arrangement. The existing parking lot and the proposed expanded parking lot together with operational changes at the Civic Centre Car Park, are considered important to addressing the increased, and increasing, demand in the City Hall area for parking.

  The existing parking lot is presently operating at capacity during daytime and is well patronized by members of the Winnipeg Police Service during evenings and other shifts. The Union representing the Police Service has expressed concern that their members not be displaced from convenient parking near the Public Safety Building.

Report of the Executive Policy Committee dated June 12, 2002

The Department is aware that there has been a prior suggestion that at least the vacant portion of the property could be used as a new residential development. The Department believes that this type of project would be favoured by the Province, and, that the Province is not committed to providing parking at this location for the benefit of the Red River College Project.

3. Planning, Property and Development Department Comment

A. In view of the foregoing, the Department recommends that the City-owned properties as shown on Attachment "B" (Misc. Plan No. 11529/1), with the exception of the riverbank properties and those parts of the former Transfer Track lands which are required for future City purposes, be declared as surplus to the City's requirements and that those properties be added to Category "A" of the CentreVenture Asset Agreement and that the Chief Administrative Officer be provided with the appropriate delegation of authorities.

B. The Department advises that the City-owned properties located at 311 Ross Avenue and the developed parking lot portion of the property at the northwest corner of Ross Avenue and Paulin Street cannot be considered surplus to the City's needs at this time. If CentreVenture should receive a bona fide offer on either of these properties, the implications to the City would have to be re-examined at that time.

Until such time as the matter of the intended development of the vacant property at Ross Avenue and Paulin Street is decided, the Department will not actively pursue the development of this property for surface parking.

In anticipation of future development proposals associated with those properties, the Department will be investigating the feasibility, the costs, and the timeframe associated with moving the existing parking patrons and storage requirements.

The Department recommends that the Chief Administrative Officer be delegated the authority to add this property to Category "A" of the CentreVenture Asset Agreement.

Part D – Addition of Properties to the CentreVenture Asset Agreement – Prior Mandated Area

The Department has identified the following properties, which can now be declared surplus and added to Category "A" of the Asset Agreement.

1. Parcels Surplus to Waterfront Drive

These properties are currently referenced as Category "D" in the CentreVenture Asset Agreement. The Agreement states:

"That for any identified Category "D" downtown property which is deemed surplus to capital projects, Executive Policy Committee recommend to Council, if and how the assets shall be made available to CentreVenture in the form of an Option."

Attachment "D" (Misc. Plan No. 11262/2) generally illustrates the lands, which will be surplus to the Waterfront Drive right-of-way between Lombard and Galt Avenues.

The Department is in the process of creating a subdivision and road opening plan for the purposes of initiating the road opening and subdivision approval processes. At this time, the precise dimensions of the surplus parcels are not determined. It is appropriate to now add these surplus parcels to the Asset Agreement.

With regard to the pricing of these lands, the Department recommends that the Purchase Price be established at One ($1.00) Dollar per parcel (in accordance with Clause 3.02 of the Agreement), for the following reasons:

Report of the Executive Policy Committee dated June 12, 2002

i. On September 5, 2001 Council approved the sale of one parcel of these surplus lands to facilitate the new office development at 85 Lombard Street. Council, in part, decided to distribute the sale proceeds from this transaction to CV "in keeping with the spirit of the Council approved CentreVenture Asset Agreement". The Department believes that Council's decision established a precedent in dealing with the remaining surplus parcels to Waterfront Drive;

ii. Although the City purchased the Transfer Track property at a total cost of $1,094,500.00, the majority of the surplus parcels are relatively small and are most valuable in the context of facilitating development with the adjacent land owners. In this regard, CV is actively working with these land owners in order to spur development in the short term. CV's goal is not necessarily to achieve the best sale price for these properties, but to facilitate appropriate development that will add to the vitality of the area, while providing immediate contributions to the City's tax base.

2. North of Higgins Avenue, West of Main Street

Attachment "E" illustrates a small residual holding that is not required by the City.

3. 661/663/665 Main Street

Attachment "F" illustrates the property. There is a two (2) storey masonry building which is in very poor condition. The building is listed on the Historical Buildings Inventory. This property had been acquired by tax sale.

4. South of Logan Avenue Between King and Main Streets

Attachment "G" illustrates a small residual holding that is not required by the City.

The Department advises that, in accordance with Clause 3.02 of the Asset Agreement, properties numbered 2, 3, and 4 may be optioned to CV at a price of $1.00 each.

Part E - Future Properties which May be Acquired By Tax Sale

The Asset Agreement also provides for the optioning to CV of properties acquired by the City through the tax sale process. The Department is not suggesting any variation of the Clauses that pertain to this type of asset.

For information purposes, as at the date of the report, the properties that were in the tax sale process in the two expansion areas are the Ready Foods property at 260 Princess Street and the Manitoba Cold Storage properties at 151 Higgins Street.

On June 11, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the report from the Director of Planning, Property and Development dated May 31, 2002, with the addition of the following to Recommendation No. 2D:

5. Declare the following properties surplus to the City's needs, namely:

a. Parcels Surplus to Waterfront Drive as outlined on Attachment "D" (Misc. Plan No. 11262/2);
b. North of Higgins Avenue, west of Main Street, as outlined on Attachment "E";
c. 661/663/665 Main Street, as outlined on Attachment "F"
d. South of Logan Avenue between King and Main Streets, as outlined on Attachment "G"

The financial impact statement is outlined on Attachment "A".

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and recommends:

I. That the CentreVenture Asset Agreement dated November 17, 1999, be extended by four (4) years with a termination date of November 16, 2006.

Report of the Executive Policy Committee dated June 12, 2002

II. That the Chief Administrative Officer be delegated the authority to:

A. Approve the final terms of the proposed "Grant of Access and Release and Indemnity Agreement" and to amend the CentreVenture Asset Agreement accordingly.

B. Approve the final terms relating to the grant of a lease to CentreVenture Development Corporation for development purposes, and to amend the CentreVenture Asset Agreement accordingly.

C. Approve the final terms to enable the City to delete properties from the CentreVenture Asset Agreement, and to amend the CentreVenture Asset Agreement accordingly.

D. i. Declare the City-owned property shown hatched on Attachment "C" (Misc. Plan No. 11528/2) surplus to the City's needs, and, to add this property to Category "A" of the CentreVenture Asset Agreement.

ii. Declare all of the balance of the City-owned properties as shown on Attachment "B" (Misc. Plan No. 11529/1), with the exception of the riverbank properties and those parts of the former Transfer Track lands which are required for future City purposes, as surplus to the City's needs, and, to add those properties to Category "A" of the CentreVenture Asset Agreement.

iii. Declare the following properties surplus to the City's needs, namely:

a. Parcels Surplus to Waterfront Drive as outlined on Attachment "D" (Misc. Plan No. 11262/2);
b. North of Higgins Avenue, west of Main Street, as outlined on Attachment "E";
c. 661/663/665 Main Street, as outlined on Attachment "F"
d. South of Logan Avenue between King and Main Streets, as outlined on Attachment "G"

and to add those properties to Category "A" of the CentreVenture Asset Agreement.

III. That the Purchase Price for the properties*:*

A. As referenced in recommendation D (i) and D (ii) be $1.00 each;
B. As referenced in Part D of this report be $1.00 each;

all in accord with Clause 3.02 of the CentreVenture Asset Agreement.

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

Copy of attachments referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

2002 CentreVenture Heritage Tax Credit Program

File EP-1.2.3 (Vol. 4)

514 - 4. On June 12, 2002, the Executive Policy Committee passed the following motion, namely:

WHEREAS on April 24, 2002, Council approved the 2002 CentreVenture Heritage Tax Credit Program, including the Program Criteria and Procedures;

AND WHEREAS these Criteria and Procedures were attached to By-law No. 8058/2002 (The CentreVenture 2002 Heritage Tax Credit By-law), which was passed by Council at its meeting held on May 27, 2002;

Report of the Executive Policy Committee dated June 12, 2002

AND WHEREAS the Program Criteria and Procedures provide that the applications under the Program must be submitted to CentreVenture on or before Thursday, June 27, 2002, and that successful applicants will be notified by August 15, 2002;

AND WHEREAS CentreVenture has requested that the deadlines be extended to Thursday, July 18, 2002 for the submission of applications, and to August 22, 2002 for the date of notification to successful applicants, in order to provide sufficient time for the applicants to prepare complete applications, including the required two quotes;

THEREFORE BE IT RESOLVED that the Executive Policy Committee recommends:

I. That the Program Criteria and Procedures for the CentreVenture 2002 Heritage Tax Credit Program be amended:

a) by amending the date that applications must be submitted to CentreVenture to Thursday, July 18, 2002; and

b) by amending the date that successful applicants under the Program will be notified to August 22, 2002.

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

and submits same to Council for approval.

Adopted by consent.

2005 Canadian Francophone Games for Youth

File GC-8 (Vol. 6)

515 - 5. On June 12, 2002, the Executive Policy Committee passed the following motion, namely:

WHEREAS the Canadian Francophone Games For Youth have approached The City of Winnipeg to make a bid for their 2005 Games;

AND WHEREAS the acquisition of the 2005 Canadian Francophone Games For Youth would result in significant economic and cultural benefits for Winnipeg;

THEREFORE BE IT RESOLVED that The City of Winnipeg officially submit a bid for the hosting of the 2005 Canadian Francophone Games For Youth;

and submits same to Council for approval.

Adopted by consent.

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED JUNE 19, 2002

On motion of His Worship Mayor Murray, the rule was suspended and the Report of the Executive Policy Committee, dated June 19, 2002, was considered clause by clause.

The Speaker called Councillor Eadie to the Chair and left the Chamber.

Expenditure from the Land Dedication Reserve Fund - Request for Funding to Pave the Outdoor Rink at Varsity View Community Centre - Assiniboia Community
File EP-2 (Vol. 29)

516 - 1. The Executive Policy Committee has been advised that on May 14, 2002, the Assiniboia Community Committee concurred in a request from the President, Varsity View Community Centre, requesting funding from the Assiniboia Land Dedication Fund to assist with the cost of paving an outdoor rink.

The Executive Policy Committee concurs with the above and recommends that funds in the amount of $50,000.00 be approved from the Assiniboia Land Dedication Reserve Fund for the project.

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

Carried.

Proposed Acquisition of Environmentally Sensitive Land Under Proposed Plan of Subdivision DASZ 19/2000 (Bois des Esprits) and Environmental Impact Study
File DASZ 19/2000

517 - 2. The Executive Policy Committee has been advised that Ladco Company Limited, the managing partner of a Joint Venture between Ladco and the Province of Manitoba, contacted the Real Estate Division of the Planning, Property and Development Department on August 23, 1999, requesting that the City identify how much of the approximately 80 acre tree stand it wishes to acquire under a proposed 305 acre residential development application and to agree to the price before the developer proceeds further with its development application.

The Planning, Property and Development Department is now advising the results of those discussions with Ladco and is seeking approval of a recommended City position on an approach to acquiring some of this property and the basis for the price to be paid.

In addition, due to the need to resolve the matter of the use of a portion of the tree stand for a proposed crossing of the Seine River, through retention of an independent local engineering consultant(s) to undertake a long term environmental and traffic impacts and an access assessment study, approval is required for an additional budget appropriation of $50,000.00.

A. Bois des Esprits Negotiations

By letter dated August 23, 1999, Grandin Park Development Ltd. (a joint venture between Ladco Co. and the Province of Manitoba) advised that it was preparing design concepts for the next phase of the Royalwood residential development. The developer recognized that approximately 80 acres of the 305 acres proposed for development had been given a Grade “A” designation by the Seine River Task Force.

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Of those 80 acres, approximately 33 acres lie within the City's waterway requirement, which is typically purchased pursuant to the terms of a development agreement on the recommendation of the Water and Waste Department pursuant to the authority granted by Council on January 19, 1983, when the recommendations of the Seine River Park Study report were adopted, which included an ongoing land acquisition program for all Seine River waterway lands. The developer could dedicate some of the remaining 47+/- acres based on normal land dedication requirements, and the City could also acquire some at a negotiated price. The developer, therefore, requested the City to determine its overall plans regarding this +/-80-acre tree stand.

Numerous meetings and discussions took place internally among Divisions as well as with the developer, regarding the amount of land that the City might wish to purchase as well as the basis for determining the proposed price, all of which would be subject to affordability and identifying the potential source of funding.

On November 29, 2000, the Administrative Coordinating Group (ACG) considered the developer's application under File No. DASZ 19/2000, and the Minutes of the ACG Meeting state that the Planning and Land Use Division favoured the acquisition by dedication and purchase of the entire tree stand, subject to affordability. Accordingly, further negotiations ensued between the developer and the Real Estate Division.

On November 20, 2001, the Standing Policy Committee on Property and Development passed the following motion:

> "That the Director of Planning, Property and Development be authorized to negotiate the acquisition of some or all of the 'Bois des Esprits' tree stand above the Waterway Requirement, as outlined on Misc. Plan No. 11303, and report back to the Standing Policy Committee on Property and Development."

An impasse had been reached; however, further negotiations with the developer and with the Province of Manitoba (a 38% partner in the joint venture with Ladco Company) were again facilitated, now under the leadership of the Chief Financial Officer.

B. Access to Royalwood Phase II

The matter of access into Royalwood Phase II by means of a Seine River crossing was originally contemplated during consideration of development application DASZ 32/83 by the former St. Boniface - St. Vital Community Committee in April, 1985, at which time the developer (Ladco) was directed to acquire land for the proposed collector street system between St. Anne's Road and the Seine River at the location opposite the then planned connection of Southglen Boulevard.

Ladco subsequently acquired the necessary property, but never proceeded with the proposed development.

In April, 1991, at the time of consideration of development application DASZ 5/90, the Community Committee adopted in principle a concept plan for the area bounded by Bishop Grandin Boulevard, Lagimodiere Boulevard, the south Perimeter Highway and the Seine River, which plan included a street crossing of the Seine River to St. Anne's Road opposite Southglen Boulevard.

Under the conditions contained in Development Agreement AG 5/90 for the First Phase of Royalwood, up to John Bruce Road, Ladco had been obligated to construct a vehicle crossing over the Seine River to either the intersection of St. Anne's Road and Southglen Boulevard or such other intersection with St. Anne's Road as determined by the City. The Developer had been required to construct the crossing prior to the connection of any street within the planned area to John Bruce Road, however, due to subsequent amendments to the agreement the Developer was permitted to fully develop the area without the crossing.

In late 2000 Ladco submitted development application DASZ 19/2000 for the Second Phase of Royalwood, which application included the crossing of the Seine River opposite Southglen Boulevard. The Administration and Ladco have been working through a number of issues with respect to this application and it has, therefore, not as of yet proceeded to a Public Hearing.

A. Bois des Esprits Negotiations

Misc. Plan No. 11303/3 illustrates the lands that are the subject of this report.

Tree Stand Below Waterway Requirement Line:

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It is City Policy, specifically the Council approved Seine River Greenway Study, that land within the flood basin of the Seine River be acquired for the purpose of flood protection and recreation. Thirty-three acres of "Bois des Esprits" can be acquired in this manner for an approximate cost of $495,000.00. Although funding for this specific acquisition has not been identified, the Five-Year Capital Forecast does include general funding of $150,000.00 per year for any Seine River waterway land acquisitions. The waterway lands were originally delineated in 1980 and are required to accommodate flow along the Seine River from a 100-year summer storm. The waterway lands are typically purchased at the time of subdivision under the terms and conditions of the Development Agreement as approved by Council.

Tree Stand Above Waterway Requirement Line:

The City of Winnipeg's Naturalist, Forester, and Environmental Coordinator were consulted in defining the quality of the tree stand and their feedback is the basis for the following discussion.

This portion of the tree stand, together with the portion lying below the waterway requirement, represents the largest and highest quality unmanaged river bottom forest left in Winnipeg. There are three categories in terms of quality of habitat:

Category One (1) comprises approximately 32 acres of relatively healthy trees and understory woody shrubs. Mature bur oak dominates the upland. Construction would destroy virtually all the oaks even if some were left for landscaping purposes. These 32 acres, (subject to final calculation based on a survey), are recommended for acquisition by the City. Because the developer, under the terms to be established for DASZ 19/2000, would dedicate 7.5 of these acres, 24.5 acres would need to be purchased at a price of $1.6M (rounded).

Category Two (2) comprises 2.7 acres in the vicinity of the proposed bridge crossing opposite Southglen Boulevard. The bur oaks are not as old (large) as in Category One. Also, the soils are moister and so the trees show growing stress and many are in a state of decline (are dying back). This land calculated at a consistent rate would be priced at $175,500.00.

Category Three (3) comprises 13.7 acres of primarily young to middle-aged aspens that are colonizing abandoned farmland. Within this category is a grouping of a unique clone of aspen unlike any other observed in Winnipeg. These should be preserved through vegetative propagation in a tree nursery, if they are not preserved as a small park. This land, calculated at a consistent rate, would be priced at $890,500.00.

Basis of Price:

Initially, the Department considered the price of any land to be purchased by the City should be strictly market value based, that is at a rate equal to the average market value of an acre within the 305-acre parent parcel. The developer, meanwhile, indicated that the joint venture was of the position that it required compensation for the cash flow it would forego as a result of a decision to sell the tree stand rather than developing the area in the ordinary course. The developer's initial position on compensation was in the order of $85,000.00 per acre (net present value of foregone cash flow), compared to the City's initial strictly market value based position in the $10,000.00 to $20,000.00 per acre range for unserviced land requiring rezoning and available for imminent development.

Following consultation with the Legal Services Division and with the Land Development Branch, the Real Estate Division determined there is merit in the developer's approach and then determined a method for calculating the net present value of the forgone cash flow due to not developing the tree stand. There has been considerable discussion between the developer and the Administration resulting in agreement as to the model to employ in determining price and as to the data to be used. However, there continues to be disagreement on several model input assumptions.

The administration's position is that $65,000.00 per acre should be the price for any of the land to be purchased while the developer's position is $75,000.00 per acre, subject to further discussion with its joint venture partner, the Province of Manitoba. The developer also professes that it is expert in this matter, provides its arguments and indicates that the developer is still demanding $75,000.00 per acre.

Community Considerations:

The Save Our Seine River Inc. (SOS) is a long-term stewardship advocacy group for the protection and preservation of the Seine River. They have taken an aggressive stand on preservation of Bois des Esprits. SOS appears to want to preserve the entire 81.4 acres of tree stand land, which would include the aforesaid Categories Two and Three (13.7 and 2.7 acres, respectively). This would represent approximately 27 per cent of the gross area of the subdivision.

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However, an additional 10.392-acre active recreational site (shown on Misc. Plan No. 11303/3) would form part of the dedication requirement, thus, approximately 30 per cent of the gross area of the subdivision would be acquired for public use if the entire tree stand were preserved.

The issue is to determine how much land the City can afford to purchase. At a proposed price of $65,000.00 per acre, the 24.5-acre Category One land (32 acres minus 7.5 of which are to be dedicated) would cost in the neighbourhood of $1.6M, subject to legal land survey, plus finance charges and closing costs. Should Categories Two and Three be added (2.7 plus 13.7 acres), the cost would increase by approximately an additional $1.1M.

The Administration considers that the S.O.S. and/or its affiliate organizations should be encouraged to consider other alternatives for the acquisition of either some or all of the remaining tree stand lands. The Department has met with representatives of the S.O.S and on May 31, 2002, with representatives of the Evergreen Foundation relative to the matter of encouraging them to undertake a fundraising campaign for completion before December 31, 2002. These groups advised that they have a strong interest in pursuing this project.

Province of Manitoba Position:

Bois des Esprits is located within an area owned by Grandin Park Development Ltd, a partnership between the Province of Manitoba (38 per cent) and Ladco Company Ltd. (62 per cent). Both the City and SOS have approached the Province on several occasions in an effort to obtain a financial commitment to support preservation of the tree stand. Further negotiations with the Province are required. It is also important to note that in addition to the revenue and cost sharing between the partners, Ladco advises that it receives a management fee of 5 per cent on the gross revenues. Cost-sharing arrangements for public land acquisition between the Province and the City will, therefore, also need to reflect Ladco's management fee. Ladco itself is approaching the Province to discuss this and other possible alternatives in terms of arriving at a final determination of the amounts and forms of compensation that the City could make to the respective partners in the joint venture.

Planning and Land Use Position:

The administration's position reflects the advice of the City Naturalist and the City Forester. The administration favours acquisition of the Category One tree stand lands as a priority, subject to affordability. More importantly, the Planning, Property and Development Department is concerned that the purchase of a single acre at a price in the order of magnitude being discussed could be seen to set a precedent that would compromise the City's ability to fund future acquisitions of public open space/sensitive lands from private owners pursuant to the objectives of Plan Winnipeg and other Council policies.

The City has begun work on developing the Sensitive Lands Plan called for in Plan Winnipeg 2020 Vision. This plan will designate natural areas that are environmentally sensitive and/or significant and provide measures for the possible acquisition, preservation, protection, and maintenance of these lands. The current sensitive lands inventory appears to indicate 164 habitats covering approximately 2,000 acres in need of protection. Most of these natural areas appear to be in locations where development is not yet imminent, however, they may be before the City has an opportunity to acquire them. This Sensitive Lands Plan will not be completed in time to affect the Bois des Esprits acquisition, but the Bois des Esprits acquisition may affect the Sensitive Lands Plan.

Alternatives Considered:

In certain circumstances a developer might be prepared to agree to dedicate appreciably more than the normal 10 per cent standard for open space land dedication. This could occur if, for example, a developer recognized a direct benefit resulting from the additional dedication and/or if there were compensating considerations among the other terms and conditions of development approval. In this instance, the developer has indicated that it anticipates no measurable benefits for dedicating additional land, beyond the 33 acres to be sold to the City for the Seine River waterway requirement plus the 7.5 acres of passive parkland to be dedicated. The bridge location yet to be approved, (Southglen Boulevard versus Warde Avenue versus John Bruce Road) could, perhaps, still have a bearing on the developer's willingness to provide additional dedication, however, this possibility seems remote. The waiving of development application fees has been included in the potential funding sources discussed elsewhere in this report.

The Real Estate Division has reviewed analogous cases and has consulted with the Legal Services Division as to the basis upon which the City could negotiate acquisition of additional land beyond the normal dedication requirements under an application for a subdivision and rezoning. On the facts of the matter, the City would be in a similar position to defending compensation under expropriation were the City to make approval of DASZ 19/2000 conditional upon the developer selling the approximately 39.5 acres to the City at a price to be negotiated. In such a case the tribunal

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could decide to agree with the developer's position, plus award costs. Therefore, in order to control the cost, it would be prudent to establish the amount of land to be acquired and the price in advance. This is, in fact, the wish of the developer and the reason for initiating discussions on this point in August, 1999.

Summary Statement:

After much discussion and consideration, the Administration had reached an initial conclusion that the City's position should be to acquire only the 24.5 acre Category One (1) lands based on a rate of $65,000.00 per acre, which equates to a price of approximately $1.6M (subject to survey), plus finance and closing costs. In addition to this, the right-of-way for the proposed Southglen Bridge crossing (through the Category Two land should it ultimately be determined that this is the optimum location for the bridge) would be dedicated by the developer and the City may be required to purchase the residual Category Two land.

The City's total investment in preserving 65 acres of this 81.4 acre tree stand (or 79.9 per cent, which includes 7.5 acres to be dedicated) would then be:

A)	Tree stand below waterway requirement line =	33 acres for	$	495,000.00
B)	Category One (1) lands =	24.5 acres for		$1,600,000.00
C)	Category One (1) lands to be dedicated =	7.5 acres		for nil.
	Total:	65 acres		$2,095,000.00

Upon reflection, an alternate recommendation was conceived, that is, to commit $1M towards the acquisition of the tree stand and in addition, to match dollar for dollar all other alternative funding sources to a maximum of $0.6M (City contribution) for funding the said proposed acquisition, all based on a price of $65,000.00 per acre. Among other things, this approach encourages other interested parties to join with the City to try to acquire as much of the tree stand as possible.

B. Access to Royalwood Phase II

The potential acquisition of either part or all of the Bois des Esprits tree stand is only one of two major issues regarding the proposed development under DASZ 19/2000. The second issue is the requirement for vehicular access from St. Anne's Road over the Seine River to the proposed Royalwood Phase II residential subdivision. The developer and City administration both believed the most appropriate location for this bridge was in the area near the south limit of the tree stand, opposite the Southglen Boulevard intersection with St. Anne's Road. The developer acquired the land between St. Anne's Rd. and the Seine River in 1989 for this anticipated future need. SOS opposes this location because it will require the destruction of approximately 2 acres of the Bois des Esprits tree stand (lying within the Category Two lands).

It should be noted that some of this Category "2" tree stand was bulldozed by the developer in the early Spring of 2002. The City's Environmental Coordinator also advises that environmentalists have identified ecological studies that indicate that a bridge would negatively impact the ecological health of the river corridor, including wildlife and plant species. The degree of impact is in question based on the bridge design and location. They are of the view that a bridge at this location interrupts the "connectivity" of the parkland along the Seine River. In order to provide a "second opinion" on the matter, this issue could benefit from an independent assessment of the long term environmental and traffic impacts and the access requirements to Royalwood Phase II by a local engineering consulting firm(s) with experience in transportation planning and environmental impact. The consultant's report would speak to matters of traffic impact, environmental impact of Seine River crossing options, neighbourhood traffic impacts and sustainability, and consistency with Plan Winnipeg. The estimated budget requirement for this assignment is $50,000.00 and would require an additional budget appropriation.

The assessment would be undertaken under the direction of the Planning, Property and Development Department with input from other Departments as required. S.O.S. would be invited to participate as part of the "study team".

C. Potential Sources of Funding/Compensation:

Beginning with the premise that the price payable by the City for the balance of the "Category One" lands (24.5 acres) will be $65,000.00 per acre, or $1.6M total (plus financing and real estate transaction closing costs), $366,000.00 can be in the form of waiving the subdivision administration fees. This would leave $1.234M, of which Ladco's share (62 per cent) would be $765,000.00. The General Unspecified Purposes Account could potentially fund $325,000.00 of that amount.

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As to the subdivision administration fees, the developer argues that it would not be equitable to pay these fees on the additional land that the City may purchase and additionally, because these fees are often paid in installments, it is the present value of these fees that should form part of the purchase price.

There also appears to be approximately $400,000.00 in uncommitted funds in the Riel Community's Land Dedication Reserve Account.

The Province of Manitoba's share (38 per cent) would be $469,000.00.

There is no available funding source to which the City's financial contribution can be charged. Accordingly, the Administration has consulted with Ladco and the Province and has identified the following alternatives to finance and facilitate this land acquisition project:

A) Cash Payment

In view of the fact that there is no available funding source, Council can approve an additional appropriation in the amount of $1.65M plus incidental administrative and other costs to close the proposed transaction. The additional appropriation can be adjusted downwards to reflect available money in the General Unspecified Purposes Account and the Riel Community Land Dedication Reserve Account and to reflect any waiver of development fees.

Ladco clearly favours either a cash payment or deferred payment together with interest. Perhaps it may be possible to negotiate a payment schedule, which of course, would require the payment of interest on the unpaid balances.

B) Land Exchange

There are available real property assets which could be offered in exchange in payment of all or part of the price payable. These assets include residential, industrial and agricultural lands.

There appears to be an opportunity to deal with each of the two partners in this Joint Venture, Ladco and the Province, separately. There are several city-owned residential subdivision sites in the Riel Community, which would, in the Department's opinion, lend themselves to exchange with Ladco. These sites are located at the west end of Sterling Avenue and on rue du Monastere.

There are also several sites in the Riel Community, which lend themselves to exchange with the Province. For instance, the Province has advised that it would consider a land exchange involving City-owned properties lying to the south of Bishop Grandin Boulevard and west of Waverley Street and, if necessary, can include certain inner City properties that would be useful in implementing a bi-lateral housing initiative. This requires further consultation with the Province.

Ladco has advised that it may be interested in these lands provided that there is no undue delay in conveyance of those assets and further provided that the City is prepared to recognize the present worth of those assets relative to their most likely date of sale/development.

The developer is concerned with the likely duration and the difficulty inherent in any process to "swap" lands.

The Department has been withholding the two residential subdivision sites from the market in order for possible use in a land exchange, however, does not support holding these sites for an indefinite period of time. Should this alternative be desirable, then the Department suggests that Ladco be offered a first opportunity to purchase these City-owned sites within a specified period of time and at a price which is acceptable to the City, failing which, the City would proceed to market the properties.

Should either of these sites be acceptable to Ladco, then the Department will submit a further report to the Standing Policy Committee on Property and Development recommending the transfer of title, at which time the Committee will be advised as to the specific financial implications resulting therefrom and related to the non-recovery of costs expended in the development of these two subdivisions, and; the matter of the commitment of the net sales proceeds arising out of the sale of the rue du Monastere property towards the construction of a future pedestrian bridge intended to cross the La Salle River in the adjacent park.

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The Executive Policy Committee recommends:

I. That the Director of the Planning, Property and Development Department be instructed to:

a) Advise the developer that the City's financial contribution for acquisition of such portions of the tree stand lands above the waterway requirement as total available funding will permit will be based on a price of $65,000.00 per acre.

b) Encourage the Save Our Seine River Inc. (SOS) to launch a "time-limited" fundraising campaign to December 31, 2002, and to consider approaching various alternative sources of support such as the Evergreen Foundation, the developer, the Province of Manitoba and the community at large toward funding an acquisition of as much as possible of all three categories of the tree stand lands.

c) Advise the S.O.S. that the City, subject to Council approval, is prepared to commit $1M towards the acquisition of the tree stand and in addition, is prepared to match dollar for dollar all other alternative sources to a maximum of $0.6M (City contribution) for funding the said proposed acquisition, all based on a price of $65,000.00 per acre.

d) Identify and to report back as to the sources of funding and method of payment to use in acquiring the lands.

e) Obtain an independent assessment on the long-term traffic and environmental impacts of the three alternative bridge locations to access the proposed Royalwood Phase II residential development, and, pending the opinion of this independent assessment, ensure that the lands now readily available for bridge construction be preserved accordingly.

II. That, subject to recommendation I.e) above, an additional appropriation of $50,000.00 be provided in order to obtain the independent assessment.

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

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

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

Carried.

Councillor De Smedt asked to be recorded as having voted against Clause 2 in accordance with Rule 50.7 of the Procedure By-law.

Appointments to Board of Directors - Destination Winnipeg
Files EP-2 (Vol. 29) and GC-7 (Vol. 31)

518 - 3. On June 19, 2002, the Executive Policy Committee passed the following motion, namely:

WHEREAS City Council passed A Homegrown Economic Development Strategy for Winnipeg in June 2001, outlining new, integrated approaches and goals to focus and support Winnipeg's economic development efforts;

AND WHEREAS City Council approved a recommendation that Economic Development Winnipeg and Tourism Winnipeg amalgamate their operations into one agency, Destination Winnipeg, in April 2002;

AND WHEREAS City Council resolved that the Mayor and the Premier nominate the Chair and Board of Directors and that the Mayor submit the nominees to City Council for its approval;

AND WHEREAS City Council resolved that the current Board Members of Economic Development Winnipeg and Tourism Winnipeg remain until such time as their amalgamation is complete;

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THEREFORE BE IT RESOLVED THAT:

I. That the Executive Policy Committee endorse the following nominees for the first Destination Winnipeg Chair and Board of Directors for City Council's approval:

Ms. Irene Merie – Chair
Mr. Gennaro (Jerry) Cianflone
Mr. Jim Compton
Mr. Terry Cristall
Dr. Naranjan S. Dhalla
Mr. Normand Gousseau
Mr. Max Johnson
Dr. Joanne Keselman
Mr. Dale Paterson
Mr. Bob Silver

II. That the Destination Winnipeg Chair's and Board of Directors' appointments be for one year and be renewable;

III. That the Destination Winnipeg Chair's and Board of Directors' appointments take effect at such time as the amalgamation of Economic Development Winnipeg and Tourism Winnipeg is complete;

IV. That Clause I.8. of the Executive Policy Committee Report EP-2 (Vol. 28) adopted by Council on April 24, 2002, reading:

Provided that the Province of Manitoba shall have equal responsibility, City Council agrees to indemnify the Chair and members of the Board of Directors for any liability arising from their respective appointments and any acts done in good faith in the performance of their duties.

be amended to read:

City Council agrees to indemnify the Chair and members of the Board of Directors of Destination Winnipeg for any liability arising from their respective appointments and any acts done in good faith in the performance of their duties.

V. That Clause II. of the Executive Policy Committee Report EP-2 (Vol. 28) adopted by Council on April 24, 2002, reading:

Provided that the Province of Manitoba shall have equal responsibility, City Council agrees to indemnify the Board Members of Economic Development Winnipeg and Tourism Winnipeg for any liability arising from their respective appointments and any acts done in good faith in performance of their duties during the transition period.

be amended to remove *Provided that the Province of Manitoba shall have equal responsibility,*

and submits same to Council for approval.

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

Carried.

Manitoba Hydro Proposal to Purchase Winnipeg Hydro
File H (Vol. 10) [c/r HG (Vol. 4)]

519 - 4. On June 19, 2002, the Executive Policy Committee passed the following motion, namely:

WHEREAS Council at its meeting held on February 27, 2002, adopted a recommendation from the Executive Policy Committee authorizing the Chief Administrative Officer to finalize all formal agreements and documents required for the sale of the whole of the assets, businesses and undertakings of the City of Winnipeg with respect to its Winnipeg

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Hydro operations pursuant to the proposals made by Manitoba Hydro dated February 7 and 19, 2002, ("the Proposals");

AND WHEREAS the Proposals anticipated the closing of such sale on or before June 27, 2002;

AND WHEREAS delays have arisen in securing final documents and accompanying provincial legislation thereby preventing the City from meeting such closing date;

THEREFORE BE IT RESOLVED that the decision of Council made February 27, 2002, be amended by changing the date for closing of the sale of Winnipeg Hydro from a date on or before June 27, 2002, to a date on or before July 31, 2002;

and submits same to Council for approval.

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

Carried.

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

520 - On motion of His Worship Mayor Murray, the following by-laws were read a first, second and third time, the rule being suspended for the third reading of each by-law, and were passed and ordered to be signed and sealed, namely:

By-law No. 8071/2002, a by-law of The City of Winnipeg to close rue Lacombe west of Beaulieu Street. File DAC 1/99

By-law No. 8080/2002, a by-law of The City of Winnipeg to amend By-law No. 7983/2002, being The Vacant Dwellings By-law. Files EX (Vol. 14) and GF-1 (Vol. 20)

By-law No. 8081/2002, a by-law of The City of Winnipeg to amend The CentreVenture 2002 Heritage Tax Credit By-law No. 8058/2002. File EP-1.2.3 (Vol. 4)

On motion of His Worship Mayor Murray, By-law No. 8075/2002, a by-law of The City of Winnipeg respecting advance polls for the 2002 election, was read a first time. File GK-2 (Vol. 26)

His Worship Mayor Murray moved that this constitute the first reading of By-law No. 8075/2002, which motion was carried.

In amendment,

Moved by Councillor Eadie,
Seconded by Councillor Steeves,

THAT By-law No. 8075/2002 be amended by adding the following:

1. (a) The Returning Officer may add additional advance poll locations during the election campaign period at places, times and dates as may be deemed necessary by the Returning Officer from time to time.

3. Short Title: This by-law shall be known as the "Advance Polls - 2002 By-law".

Carried.

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

His Worship Mayor Murray moved that this constitute the second reading of By-law No. 8075/2002, as amended, which motion was carried.

On motion of His Worship Mayor Murray, the rule was suspended and By-law No. 8075/2002, as amended, was read a third time, and was passed and ordered to be signed and sealed.

Council recessed at 12:00 noon, and reconvened at 1:39 p.m., the Speaker in the Chair, same members present.

EXECUTIVE POLICY COMMITTEE

QUESTION PERIOD

521 - Councillor Steek questioned if His Worship Mayor Murray had made a commitment to return an additional Patrol Car to Division 11, to which His Worship responded that he had not, and noted that the senior management of the Winnipeg Police Service Department assigns the vehicles and resources.

Councillor Steek questioned if His Worship was aware that over the last 60 days there had been a minimum of 50 incidents reported to the Winnipeg Police Service Department by their own membership about assaults, verbal threats, damaged vehicles, fire bombings and generally intimidating actions from the gang community in the City.

His Worship responded that he was not aware but indicated that he would be meeting with the Police Chief later in the week and was confident that a discussion on the matter would ensue at that time.

Councillor Smith questioned if His Worship had been advised, approximately two month ago, that Mr. Graves had decided to pull out of the True North project, that the project required new money to proceed and if he had been so informed, why he did not inform Council of these facts.

His Worship noted that Mr. Graves had not withdrawn but had reduced his contributions. He added that the information was given to him on a privileged, confidential basis that dealt with the internal relationships between the owners and that there was a timeframe in which the parties involved had committed to make the information public.

Councillor Smith questioned that if the City were a partner in the deal, then should not the elected members of Council have been informed of the significant reduction in Mr. Graves investment.

His Worship stated that he was not in a position to speak for the business partnership, noting that the City was making a singular contribution to the building, similar to the relationship established with many of the downtown area projects, and that the City was as such not a partner in the business deal. His Worship encouraged Councillors to meet with the proponents, adding that Mr. Chipman and Mr. Millican had indicated on numerous occasions that they would speak candidly on a one to one basis with Councillors about the business deal.

Councillor Lazarenko questioned why the motion from the May 22, 2002 Council meeting dealing with the status of reports going to Standing Committee Members was referred to the Administration.

His Worship replied that the Chief Administrative Officer had offered to take the lead on the initiative and to look at the best practices in other municipalities.

Councillor Lazarenko requested His Worship to tell Council why when a Standing Committee Chairperson obtains report information, the other members of the same committee do not get the same information.

His Worship responded that his suggestion would be to convene a Council seminar, with a presentation by the Chief Administrative Officer, on the reporting and management options inasmuch as the issue had been raised numerous times. He added that the City was moving to a more self-service system for Councillors, such as the Report Information System, and noted that the reports were on-line for Councillors to obtain and ascertain which Director authored them for follow-up.

Executive Policy Committee - Question Period (continued)

Councillor Lazarenko requested His Worship to follow-up on the status of the Sex Trade Committee report, to which his Worship replied in the affirmative.

Councillor Steek inquired about the status of the report on the potential for the implementation of alarms and associated tax credit, to which His Worship took the question under advisement.

Councillor Steek requested His Worship to confirm that, approximately a year and a half to two years ago, the Division 11 vehicle was moved to Division 4 and questioned why.

His Worship advised that the additional car was requested in Transcona due to an issue that arose and, after a lengthy process with consultation which included the area Councillor, the Union Executive and the senior management team, a decision was made to move the car to Transcona.

Councillor Steek questioned if His Worship was aware that last summer there were approximately 24 gang related shootings in the City and inquired if the Vice-President of the Police Association had forewarned him about the type of summer anticipated this year, to which he took the question under advisement.

The Speaker called the Deputy Speaker, Councillor Lazarenko to the Chair to participate in the debate.