

**REPORT OF THE
EXECUTIVE POLICY COMMITTEE**

DATED APRIL 7, 1999

On motion of His Worship Mayor Murray, the Report of the Executive Policy Committee, dated April 7, 1999, was considered clause by clause.

Moved by His Worship Mayor Murray,

That the Consent Agenda, Clauses 1,2,3,4, and 5, be adopted.

467 - Councillors Angus and Golden asked to be recorded as having voted against Clause 1, in accordance with Rule 50.7 of the Procedure By-law.

Councillor Eadie requested that Clause 2 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,3,4 and 5 was put and declared carried.

**Implementation of the Court of Appeal
Decision in the Municipal Board of
Manitoba and the Assessor for the City of
Winnipeg v. Liv Furgale et al (Wellington
Crescent Property owners)**

File AA-3 (Vol. 8)

468 - 1. The Executive Policy Committee has been advised of the following salient facts with respect to the above, namely:

1. The Municipal Board of Manitoba in its Interim Order No. A-97-062, found that nine subject properties on Wellington Crescent and certain other 1994 assessments identified in that Order might be erroneous. The Board, as required by The Municipal Assessment Act, gave the City Assessor notice of its findings.
2. In Interim Order A-97-062, the Board was of the opinion that a reassessment was appropriate for the nine properties under appeal and for all those properties located on the north side of Wellington Crescent between the intersection of Academy Road on the east and 1125 Wellington Crescent on the west. The total number of properties affected was 38.
3. The Board provided an opportunity for the City Assessor to make a submission to the Board respecting the reassessment and in its Order No. A-97-292, directed the City Assessor to re-do the residential assessments of only those 38 properties.
4. Board Order No. A-97-292 provided direction wherein the years for which the re-done assessments applied for tax purposes were 1994, 1995, 1996 and 1997.
5. On January 16, 1998, the City Assessor delivered the ordered reassessment such that 19 properties had an assessment increase, 11 were decreased and 8 properties were unchanged.
6. On February 2 and 3, 1998, the Tax Branch issued demands for increased taxes to the current and previous owners of the affected 19 properties and issued credit adjustments for the 11 properties with assessment decreases.
7. For those 11 properties with a credit adjustment, cheques were issued to the then current owners of 10 of the properties and to 1 previous owner of one property. One property had an arrear balance in excess of the credit amount. This property had the credit applied to the outstanding arrear balance and a cheque was not issued.
8. On February 19, 1998, an application was filed in the Court of Queen's Bench requesting the court to quash the Board's order to re-do the assessments. The motions court judge refused the application.

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9. On June 3, 1998, the Court of Queen's Bench decision was appealed to the Court of Appeal and on January 18, 1999, the Court ruled in favour of the applicants. The Board's order to re-do the assessments was quashed.
10. Legal Services is of the opinion that with Municipal Board Order No. A-97-292 being over-turned, the Board is now required to issue a new order for the original nine appellants. The Board has not yet indicated how they intend to deal with this original appeal, i.e. a full hearing with submission of new evidence. Regardless of the procedures used, a new order is required.

The Municipal Board Order No. A-97-292 to re-do assessments for 38 properties on Wellington Crescent and to have those assessments apply retroactively to previous years tax rolls was without precedent. The order resulted in the 1994 to 1997 assessments and tax rolls being revised such that 30 properties had a change in the amount of taxes payable for the affected years. Eight properties were unaffected by the order as their assessments were confirmed. The complete breakdown of the numbers of properties affected by the order are as follows:

# of properties with a tax increase	# of properties with a tax decrease	# of properties with no change	Total
19	11	8	

Of the nine properties who were part of the original appeal, the results of the re-doing of the assessments are as follows:

# of properties with a tax increase	# of properties with a tax decrease	# of properties with no change	Total
6	3	0	

The City complied with the Board order and revised the 1994 to 1997 tax rolls with the following results:

- Of the 19 properties with tax increases, 6 were part of the original appeal. Tax bills were mailed to the then current and previous owners of the 19 properties wherein a total tax amount of \$140,090.58 was demanded. As of February, 1999, payments have been received from 10 properties representing a total payment of \$45,866.37. Of the 6 properties who were part of the original appeal, payment has been received from 4 of the properties representing a total payment of \$25,426.02.
- Of the 11 properties with tax decreases, 3 were part of the original appeal. The total amount credited to the 11 properties was \$41,042.59; cheques were issued for \$37,318.28 whereas \$3,724.31 was applied to outstanding tax arrears. One property did not receive a cheque as the outstanding tax arrears was greater than the credit amount. For the 3 properties who were part of the original appeal, cheques were issued for a total amount of \$9,434.18.

There are several matters requiring attention due to the over-turning of the Board order. Generally, the 38 properties can be grouped into three categories and are affected as follows:

1. The first group are those 13 properties who had a tax increase and who were not part of the original appeal. According to legislation, the City must 'un-do' the previous tax demand resulting from the 1994 reassessment and revert to the former amount of taxes payable for these properties. For those properties where an amount was paid to the City based on the reassessment, this amount, plus interest, will be remitted to the owners of record. For those properties where no payment was made, the tax demand based on the reassessment will be removed from the tax roll.
2. The second group are those 8 properties with tax decreases and who were not part of the original appeal. With the un-doing of the reassessment, legislation requires the City to issue demands for recovery of the amount credited. These demands will be made to the owner who benefited from the reassessment credit. As there have been no ownership changes to this group of properties, this demand will be made to the current owners.

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It should be noted that making such tax demands is a common occurrence. Generally, when the Board of Revision reduces an assessment a tax refund is issued. If the Municipal Board then reverses the order and increases the assessment back to the original value, a demand for the return of the refund is made. However, what is unique in the Wellington Crescent circumstance is that this group of properties did not make an initial appeal to the Board. They became party to the reassessment order strictly because of the geographical boundaries selected by the Board in their re-do order.

3. The third group of properties are the original 9 properties appealed to the Municipal Board. The over-turning of Board order A-97-292 now requires the Board to consider the original 9 property appeals. The Board will be required to issue an order regarding these properties and either confirm, increase or decrease the 1994 to 1997 assessments pursuant to The Municipal Assessment Act. It is expected the Board will expedite this matter and issue an order as soon as practical. Until this order is received, there will be no adjustment to the tax roll.

The principal issue requiring attention by Council deals with the second group of properties identified above. That is, unless Council approves a form of tax relief to offset the amount of taxes being demanded as a result of un-doing the reassessment, the current owners will become liable for the demanded amount.

Council has two legislative provisions available should they decide tax relief be provided to this group;

- A grant may be given pursuant to Section 138 of The City of Winnipeg Act (CWA);

“The city may, by resolution of the council, make grants of money

(a) to any charitable or philanthropic institution....

(b) toward the capital cost of hospitals to be constructed....

(c) for aiding athletic or aquatic sports; and

(d) for any other purpose that, in the opinion of the council, may be in the interests or to the advantage of the city or the inhabitants of the city.”

- The taxes may be cancelled or remitted pursuant to Section 242 of The City of Winnipeg Act;

“Except for local improvement charges, the council may, by by-law, cancel in whole or in part any taxes or any debt or monies owing to the City.”

Generally, Council has utilized the grant provisions of the CWA when dealing with tax relief matters and avoided using by-laws to cancel property taxes. The adoption of a by-law pursuant to Section 242 has been used only in very rare circumstances and only for the purpose of correcting an error in the tax roll. Such an error was not made for the affected properties on Wellington Crescent as appropriate procedures were followed when implementing the effect of the Board ordered reassessment. For this reason, it is recommended the grant provisions pursuant to Section 138 is the appropriate tool for providing tax relief to the affected properties.

Should Council determine tax relief is warranted, caution must be taken to have the relief applicable to only those 8 properties who were not part of the original Municipal Board appeal. The remaining 3 properties will have their 1994 to 1997 taxes affected by the results of the new Board decision, when rendered. If this order results in a lowering of the assessments to that as determined in the reassessment, the effect would be confirmation of the applied credit and no further tax adjustment would be necessary.

Due to the unique circumstances of this case, it is recommended Council provide tax relief for the affected 8 properties. Pursuant to Section 138 CWA, a grant of \$ 31,608.41 should be provided to effectively cancel the tax demand resulting from the un-doing of the Board ordered reassessment. If Council concurs, the next step is to direct administration to prepare the necessary grant to effect the cancellation.

FINANCIAL IMPACT

A listing of the 11 properties that received a credit from the reassessment are as follows:

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Property #	Amount Refunded
1	\$ 2,171.02
2	\$ 3,256.57
3	\$ 3,453.99
4	\$ 3,720.24
5	\$ 3,947.41
6	\$ 4,835.49
7	\$ 5,032.92
8	\$ 5,190.77
Sub Total	\$ 31,608.41
9*	\$ 592.13
10*	\$ 1,440.78
11*	\$ 7,401.27
Sub Total	\$ 9,434.18
TOTAL	\$ 41,042.59

* These three properties were part of the original Municipal Board Appeal and are not recommended for cancellation of taxes.

Unless Council provides for tax relief for the Wellington Crescent property owners who had assessment reductions resulting from a re-doing of assessments as ordered by the Manitoba Municipal Board, the Court of Appeal decision which over-turned said order will result in the City making a demand for the tax amounts previously refunded to the owners.

Tax relief can be provided by either a grant pursuant to Section 138 of the City of Winnipeg Act, or adoption of a by-law for the cancellation of taxes owing pursuant to Section 242. Either form of tax relief requires City Council's approval.

The Executive Policy Committee recommends:

- I. That Council give favourable consideration for tax relief resulting from implementation of the January 18, 1999 Court of Appeal decision affecting properties on Wellington Crescent, and that a grant of \$31,608.41 be provided pursuant to Section 138 of The City of Winnipeg Act wherein:
 - A. Only those eight properties not part of the original appeal to the Manitoba Municipal Board who are now subject to taxes for amounts previously credited, be provided the grant; and
 - B. The grant amount be inclusive of school and municipal taxes.
- II. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Adopted by consent.

(See Minute No. 467 for opposition recorded by Councillors Angus and Golden)

Report of the Executive Policy Committee dated April 7, 1999

**Amendment to the Policy on Purchasing
Procedures and the Disposal of Surplus
Supplies** **File FP (Vol. 5)**

469 - 2. The Executive Policy Committee has been advised that The City of Winnipeg Policy on Purchasing Procedures and the Disposal of Surplus Supplies, was approved by Council on February 10, 1988.

Since that time, the Materials Management Division (formerly the Purchasing Department) has been interpreting Section 8 - Delegation of Authority to Award Contracts, as requiring Council approval of an award of contract if the contract created an absolute commitment for the City to pay the Contractor and there are not sufficient monies therefor in a budget approved by Council. This requirement has become more significant as an issue because the administration has, over the years, increased the use of term contracts for the supply of goods and services.

There are in excess of 600 contracts of this nature currently in place, based on the current interpretation of the Policy.

The City of Winnipeg Policy on Purchasing Procedures and the Disposal of Surplus Supplies requires Council approval for the award of some contracts. Amongst other reasons, Council approval is required for the award of a contract if there are not "sufficient monies therefor in a budget approved by Council".

Term contracts provide a number of benefits including:

- (a) a reduction in the total number of transactions, and the related administrative cost and effort, necessary to purchase the requirements of the City;
- (b) increased security of supply;
- (c) improved forecasts of costs;
- (d) lower costs from volume discounts;
- (e) increased feasibility of contracts for which contractors incur significant entry or exit costs;

and it is not feasible for the City to operate efficiently without them.

The administration requests this amendment to approve of an award of contract where the contract does not create such a commitment, e.g., if a contract:

- (a) provided that goods or services would be ordered only when required and only in the quantities ordered by the City; or
- (b) in the case of a continuous supply of goods or services, provided that the City could interrupt or discontinue the supply without cost if no longer required or if sufficient funds ceased to be available; or
- (c) only created a unilateral option for the City to order goods or services if and when sufficient funds became available.

Council's authority will not in any way be usurped since the administration will only order goods or services under the contract if and when Council approves a budget either for the express purpose of such purchases, or for a project or program which implicitly requires such purchases.

The recommended amendment should read:

- 8. b) The Chief Administrative Officer shall be the authority having jurisdiction to award a contract where the following criteria are met:
 - i) the purchase is solicited as an Invitation to Tender, a Request for Proposals, a single source purchase, an emergency purchase or is a cooperative purchasing agreement; or
 - ii) the purchase is solicited as a Request for Quotations, but does not meet all the criteria set out in 8 (a); and
 - iii) the consideration is to be paid by the City pursuant to the contract and does not exceed \$1,000,000; and
 - iv) there are sufficient monies therefor in a budget approved by Council; and

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- v) the amount of the contract does not exceed the budgetary provision therefor by more than 10%, and there are funds available to offset the overexpenditure; or
- vi) the contract to be entered into contains a provision that the City is only obligated to order the goods or services or a portion thereof on the following conditions:
 - (a) when required by the City, and only in quantities required by the City; or
 - (b) upon approval of monies in a budget therefor by Council; and
 - (c) the consideration is to be paid by the City pursuant to the contract and does not exceed \$5,000,000; and
 - (d) the term of the contract does not exceed 5 years.

There is no financial impact if the amendment is accepted. If the amendment is not accepted, the time spent by City staff is not calculable as it will be the aggregate increase in time spent by City staff in several departments, and by members of Council and its committees, to process an increased number of Recommendation of Award Reports.

Council has the authority to approve an amendment to The City of Winnipeg Policy on Purchasing Procedures and the Disposal of Surplus Supplies.

The Executive Policy Committee recommends:

- I. That Council approve an amendment to Section 8. of By-Law No. 4796/88, The City of Winnipeg Policy on Purchasing Procedures and the Disposal of Surplus Supplies, to delegate to the Chief Administrative Officer the ability to approve an award of contract proposed for a term greater than one year where the contract does not create an absolute commitment for future budgets.
- II. That Council direct the City Solicitor/Manager of Legal Services and the Manager of Materials to prepare the necessary amendment to By-law No. 4796/88.
- III. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

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

In amendment,

Moved by Councillor Eadie,
Seconded by Councillor Thomas,

WHEREAS on April 7, 1999, the Executive Policy Committee concurred in an Administrative Report dated March 10, 1999 from the Chief Financial Officer relative to amending the City of Winnipeg Policy No. C261 as outlined in Clause 2 of the Report of the Executive Policy Committee dated April 7, 1999;

AND WHEREAS the aforementioned administrative report is inaccurate in its reference to By-law No. 4796/88 as said by-law was repealed by Council on January 27, 1999;

THEREFORE BE IT RESOLVED that the recommendations contained within Clause 2 of the Report of the Executive Policy Committee dated April 7, 1999 be deleted and replaced with the following:

- I. That Council approve an amendment to Section 8. of the City of Winnipeg Policy No. C261, The City of Winnipeg Policy on Purchasing Procedures and the Disposal of Surplus Supplies, to delegate to the Chief Administrative Officer the ability to approve an award of contract proposed for a term greater than one year where the contract does not create an absolute commitment for future budgets.
- II. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Report of the Executive Policy Committee dated April 7, 1999

In amendment to the amendment,

Moved by Councillor Timm-Rudolph,
Seconded by His Worship Mayor Murray,

That the clause be amended by requiring the CAO to report quarterly to Standing Committee on Fiscal Issues, all awards of contract proposed by this change.

The amendment to the amendment was put and declared carried.

The amendment, as amended, was put and declared carried.

The motion for the adoption of the clause, as amended, was put and declared carried.

Councillor Smith asked to be recorded as having voted against the clause, as amended, in accordance with Rule 50.7 of the Procedure By-law.

**Annual Report to Minister of Urban
Affairs regarding compliance with Part 3 of
The City of Winnipeg Act - "Official
Languages of Municipal Services"
File GL-5.7 (Vol. 6)**

470 - 3. Part 3 of The City of Winnipeg Act (87.13) requires that:

"The council shall annually, not later than four months after the end of the fiscal year of the city, make a report in English and French to the minister respecting the compliance by the city with its obligations under this Part and that report shall include particulars of any complaints under this Part filed with the ombudsman and the disposition of each of those complaints."

In June 1992, the Province of Manitoba passed Bill 78 amending Part 3 of The City of Winnipeg Act. Part 3 was proclaimed effective May 1, 1994. As required under the new law, a French Language Services Coordinator was appointed in September, 1993.

On April 24, 1994, Council passed By-law No. 6402/94 for the provision of municipal services in both official languages. The City's five-year implementation plan (1994-1998) for delivery of French language services is outlined on Schedule "A".

On July 12, 1995, Council adopted By-law No. 6661/95, amending Schedule "A" to reflect the City's new organizational structure. Service delivery was not affected by changes to the by-law.

Appendix "A" indicates the extent of the City's compliance with the Act to date. A letter from the Société franco-manitobaine (SFM) with their views on the City's progress is outlined on Appendix "B".

There is no financial impact.

The Executive Policy Committee recommends:

- I. That Council receive the report as information and refer it to the Minister of Urban Affairs by the end of April 1999, in accordance with Part 3 of *The City of Winnipeg Act*.
- II. That the Proper Officers of the City be authorized to do all things necessary to effect 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.

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**Expenditure from Land Dedication
Reserve Fund - Marj Edey Park - Phase V
Proposed 1999 Site Development -
Assiniboia Community Committee
File EP-2 (Vol. 25)**

471 - 4. The Executive Policy Committee has been advised that the Assiniboia Community Committee has concurred in the allocation of \$358,604.00 from the Assiniboia Land Dedication Reserve Fund for the development of three soccer fields, expansion of the existing parking lot, and construction of a southwest gravel parking lot, tennis courts, and toboggan slide.

The Executive Policy Committee concurs with the above and recommends that funds in the amount of \$358,604.00 be approved from the Assiniboia Land Dedication Reserve Fund for the project.

Adopted by consent.

**Expenditure from Land Dedication
Reserve Fund - St. James Centennial Pool -
Assiniboia Community Committee
File EP-2 (Vol. 25)**

472 - 5. The Executive Policy Committee has been advised that the Assiniboia Community Committee has concurred in the allocation of \$14,000.00 from the Assiniboia Land Dedication Reserve Fund for renovations to the flooring surface in the weight lifting area at the St. James Centennial Pool.

The Executive Policy Committee concurs with the above and recommends that funds in the amount of \$14,000.00 be approved from the Assiniboia Land Dedication Reserve Fund for the project.

Adopted by consent.

**REPORT OF THE
EXECUTIVE POLICY COMMITTEE**

DATED APRIL 14, 1999

On motion of His Worship Mayor Murray, the Report of the Executive Policy Committee dated April 14, 1999, was considered.

Moved by His Worship Mayor Murray,

That the Consent Agenda, Clause 1, be adopted.

Carried.

**Development of a Competitive Model
File GG (Vol. 6)**

473 - 1. On June 24, 1998 Council ruled automatic referral of the following motion to the Executive Policy Committee, under Rule 16.1 of the Procedure By-law No. 5400/90:

*Moved by Councillor Lazarenko,
Seconded by Councillor Golden,*

WHEREAS the City of Winnipeg wishes to improve municipal services, increase efficiency and reduce the cost of local government;

AND WHEREAS, in 1991, the City of Indianapolis established the Office of Enterprise Development which introduced a system of private and public sector competition for the delivery of municipal services;

AND WHEREAS, by 1993, this system of managed competition had saved Indianapolis approximately \$100M, with equal or improved service quality;

AND WHEREAS Indianapolis City staff proposals win approximately one-third of the competitions, still with average savings of more than 25%;

AND WHEREAS City staff proposals developed with union involvement win four out of five competitions bid;

AND WHEREAS, in 1995, the Ford Foundation recognized union innovation when it presented its 1995 American Government Award jointly to the union and the City;

THEREFORE BE IT RESOLVED THAT Council direct the Administration to enquire into the Indianapolis competitive model with a view toward its application in Winnipeg.

On July 8, 1998, the Executive Policy Committee referred the motion to the Chief Administrative Officer for report back providing the required amendments and/or policy changes that would be necessary to implement the Indianapolis Competitive Model in the City of Winnipeg.

On September 9, 1998, Council granted an extension of time of 60 days inasmuch as the report has not been received to date.

On November 25, 1998, Council granted an additional extension of time of 90 days for consideration of the matter.

On December 9, 1998, the Executive Policy Committee considered a report from the Chief Financial Officer dated November 30, 1998.

On December 16, 1998, Council adopted Clause 12 of the Report of the Executive Policy Committee dated December 9, 1998 concurring in the recommendations contained therein, namely:

- I. That the matter of a Competitive Model for Service Delivery be referred to the Joint CUPE-Council Committee for consideration and report back in 120 days.

Report of the Executive Policy Committee dated April 14, 1999

- II. That the Joint Committee be mandated to conduct further research into the Indianapolis model specifically with a view to the development of a framework and policy for a similar City of Winnipeg model. This would include an examination of costing parameters and techniques, performance measurement, employment and compensation policies, bid preparation and evaluation processes and approval mechanisms and processes.

At that time the Administration had also been requested to report back on the implementation of a public participation process.

Inasmuch as the Joint CUPE - Council Committee has not met to date, and therefore has not submitted a report for consideration, the Executive Policy Committee recommends that an extension of time of 90 days be approved for consideration of this matter in accordance with rule 16.4 of the Procedure By-law No. 5400/90.

Adopted by consent.

**REPORT OF THE
EXECUTIVE POLICY COMMITTEE**

DATED APRIL 21, 1999

On motion of His Worship Mayor Murray, the Report of the Executive Policy Committee dated April 21, 1999, was considered clause by clause.

Moved by His Worship Mayor Murray,

That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8,9,10 and 11, be adopted.

Councillor Timm-Rudolph requested that Clauses 4 and 8 be pulled from the Consent agenda.

Councillor Gerbasi requested that Clause 5 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,2,3,6,7,9,10 and 11 was put and declared carried.

**Winnipeg Development Agreement
Program 13A - Buildings Preservation:
Criteria and Application Procedures for
Phase II File FR-3.2 (PA 13) (Vol. 2)**

474 - 1. The Executive Policy Committee has been advised that on March 10, 1995 the Winnipeg Development Agreement was established between the Government of Canada, the Government of Manitoba, and the City of Winnipeg that included Program 13A which would provide \$5.5 million funding for the preservation and innovative re-use of Winnipeg's older buildings and heritage buildings. The intent of the program is to use existing buildings to their fullest capacity by adapting those which may be vacant or under utilized.

On August 4, 1995 a Program Authorization (P.A.) was approved for Program 13A that enables the City's Historical Buildings Committee to prepare a report to be submitted to the Committee on Planning and Community Services that would outline various options to revitalize Winnipeg's heritage buildings. The P.A. established that City Council would ultimately make the decision on which projects will be funded and the extent of funding.

On June 19, 1996 City Council adopted a report that established the criteria and application procedures for Phase I of the Program 13A - Building Preservation which ends in April 1999.

Phase I Activity (1997-1998)

Capital grants totalling approximately \$3.455 million were allocated to building conservation projects from two funds during the first phase of Program 13A.

Exchange District Grants for projects in the historically designated bank/warehouse area of downtown Winnipeg accounted for 40% of the total. The other 60% went to projects elsewhere in the city through Heritage Conservation Grants. The single largest commitment assisted the work needed to stabilize and preserve the Hotel Fort Garry.

Concurrent with the implementation of Phase I of Program 13A, the City of Winnipeg introduced the following complementary initiatives:

- The Gail Parvin Hammerquist Fund to provide capital, research, and economic development grants for eligible heritage projects.
- The Heritage Conservation Tax Credit, a pilot program that on the approval of City Council offers municipal tax credits that can be used over a 10-year period to recoup up to 50% of the net private investment made in strategic capital projects to preserve and reuse designated structures.

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- The Downtown Heritage Conservation Tax Credit, another pilot program that offers up to \$250,000 in municipal tax credits for approved capital work on 10 designated buildings in downtown Winnipeg, five of which must meet a vacancy rate criterion.

Proposed Changes for Phase II (1999-2001)

Approximately \$1.685 million is to be distributed during the second phase of Program 13A. Winnipeg City Council has determined that \$485,000 will be allocated for further work on the Hotel Fort Garry. It is anticipated that grants from the remaining \$1.2 million will be awarded to eligible projects in the first half of 1999 following a public call for proposals. All WDA project commitments must be approved by March 31, 2000.

Phase II will continue to be a capital program that supports the physical work needed to repair, preserve, and reuse designated heritage structures. It will employ most of the criteria and administrative procedures introduced in Phase I. Key changes are outlined below:

- To establish a Downtown Grants subprogram in place of the Exchange District Grants. The subprogram's geographical boundaries will be expanded to coincide with those defined in the Downtown Winnipeg Zoning By-Law No. 4800/88.
- To establish the following priorities for the proposed Downtown Grants subprogram:
 - The Exchange District;
 - Residential conversion projects;
 - Tenant improvements to vacant spaces.
- To revise the scope of eligible work so that the proposed Downtown Grants subprogram includes and/or gives higher priority to:
 - The measures needed to meet Manitoba Building and Fire Code standards or their equivalents; and
 - Work to install new or repair existing elevators.
- To clarify that all grant recipients must resolve outstanding property tax, business tax, utility, and other similar liabilities prior to executing a legal (heritage) agreement with the City for their Program 13A projects.
- To limit all grant recipients to a project completion deadline of one year following the execution of their legal (heritage) agreements with the City. No provision will be made in Phase II for the administrative extension of deadlines. All WDA funds must be expended by September 30, 2001.

These proposals, if approved, will result in a Phase II budget that supports the following subprograms:

a) Downtown Grants

Open to applications from owners and tenants for eligible work on designated structures within the geographic boundaries defined by the Downtown Winnipeg Zoning By-Law No. 4800/88. Priority will be given to:

- Projects in the Exchange District
- Residential conversions.
- Tenant improvements to vacant spaces.

b) Heritage Conservation Grants

Open to applications from owners and tenants for eligible work on designated structures located in all areas of Winnipeg other than the downtown.

Priority will be given to structures at risk of significant deterioration unless steps are taken to meet basic public health and safety requirements, ensure physical integrity, and/or prevent the loss of heritage features (e.g., original cornices).

WDA funds have been budgeted for in prior years, therefore no additional borrowing authority is required.

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On February 26, 1997 City Council delegated the authority to oversee the Winnipeg Development Agreement to the Executive Policy Committee.

The Executive Policy Committee recommends:

- I. That "Winnipeg Development Agreement Program 13A - Buildings Preservation: Criteria and Application Procedures for Phase II" be approved.
- II. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Adopted by consent.

**Task Force on Inner Winnipeg
Neighbourhood Redevelopment**
File EX (Vol. 13)

475 - 2. On March 17, 1999, the Executive Policy Committee laid over Clause 1 of the Report of the Standing Policy Committee on Property and Development dated February 19, 1999, with respect to a Task Force on Inner Winnipeg Neighbourhood Redevelopment.

In accordance with Section 61.5 of the Procedure By-law No. 5400/94 as amended, the Executive Policy Committee recommends that Council grant an extension of time of 30 days for further consideration of this matter.

Adopted by consent.

**Winnipeg Water Treatment Plant - Public
Consultation** File WS-7 (Vol. 3)

476 - 3. On February 17, 1999, the Executive Policy Committee laid over Clause 3 of the Report of the Standing Policy Committee on Public Works dated February 1, 1999, with respect to the Winnipeg Water Treatment Plant - Public Consultation, and referred same to the Chief Administrative Officer for report back indicating the financial impact on the treatment plant proposal resulting from the increased water rates.

On March 24, 1999, Council granted an extension of time of 30 days for consideration of this matter.

In accordance with Section 61.5 of the Procedure By-law No. 5400/94 as amended, the Executive Policy Committee recommends that Council grant a further extension of time of 30 days for consideration of this matter.

Adopted by consent.

Hired Hourly Dump Trucks
File SC (Vol. 3)

477 - 4. On February 17, 1999, the Executive Policy Committee laid over Clause 1 of the Report of the Standing Policy Committee on Public Works dated February 15, 1999, with respect to Hired Hourly Dump Trucks, and referred same to the Administration for further review and report back on what legal responsibilities the City has to the trucking industry and to provide a definition of a coherent system.

On March 24, 1999, Council granted an extension of time of 30 days for consideration of this matter.

Report of the Executive Policy Committee dated April 21, 1999

In accordance with Section 61.5 of the Procedure By-law No. 5400/94 as amended, the Executive Policy Committee recommends that Council grant a further extension of time of 30 days for consideration of this matter.

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

Carried.

Committee for Safety
File GF-2.7.1 (Vol. 1)

478 - 5. On April 21, 1999, the Executive Policy Committee passed the following motion, namely:

WHEREAS the issue of safety has been identified as a Council priority;

AND WHEREAS personal and community safety have been and continue to be identified by citizens as a critical ongoing concern;

AND WHEREAS a group of approximately 20 citizens involved with safety concerns within their communities have been meeting and have recommended that a committee be formed to address city-wide safety issues;

THEREFORE BE IT RESOLVED that:

- I. *Council create the Committee for Safety mandated to support, assist, stimulate and mobilize the work of the community on safety concerns.*
- II. *The Committee for Safety be chaired by Councillor Gerbasi and comprised of eight community members with renewable terms as follows (future appointments to be 3 year terms), and a representative of crime prevention from the Province, and the Mayor:*

<i>Deborah Kiiskeen'Tum</i>	<i>(2 year term)</i>	<i>Barbara Palace</i>	<i>(3 year term)</i>
<i>David Jopling</i>	<i>(2 year term)</i>	<i>Linda Williams</i>	<i>(3 year term)</i>
<i>Ruth Laveman</i>	<i>(2 year term)</i>	<i>Judy Fijal</i>	<i>(3 year term)</i>
<i>Glen Cochrane</i>	<i>(2 year term)</i>	<i>George Jarvis</i>	<i>(3 year term)</i>

- III. *The terms of reference for the Committee for Safety be as follows:*

SUPPORT

The Committee will assist existing and newly developing community groups and organizations in their safety work and initiatives, while respecting the diversity of approaches from within communities and neighbourhoods. The Committee for Safety will build on the gifts and capacities inherent within each community and neighbourhood and foster the development of social capital.

PUBLIC EDUCATION AND AWARENESS

The Committee will take leadership in the existing network of safety groups and avoid duplication. It will identify gaps, and make safety information, models, tools, and approaches known to existing and newly developing safety groups.

RESEARCH AND DEVELOPMENT

The Committee will actively seek out best practices models and potential funding information (from existing safety groups, universities, the Internet, and any other sources) and bring these ideas forward to the community. It will assist community groups in finding ways to apply this information (knowledge) to their own situations.

BRIDGE

The Committee will assist community and neighbourhood safety groups to access and share information. The Committee will act as a bridge between Council and community as well as amongst community groups themselves, fostering communication, cooperation and networking and creating inter-agency/sectoral partnerships.

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The Committee will bring forth recommendations to Council as warranted, and offer advisory input into process, policy and programs regarding safety.

WORKING GROUPS

The Committee will create working groups, as required, to address specific issues and act as an extension of the Committee. Working group members will include individuals and representatives of organizations with relevant experience and expertise drawn from the community, city administration and Members of Council.

COOPERATE WITH OTHER LEVELS OF GOVERNMENT

The Committee will work cooperatively with related federal and provincial efforts to avoid duplication and to maximize effectiveness.

EVALUATION

The Committee will monitor and evaluate effectiveness by setting benchmarks, determining measurable goals and objectives, developing tools, and revisiting its terms of reference.

ACCOUNTABILITY

Reporting to Council through Executive Policy Committee, the Committee will be accountable to Council and community groups, incorporating a high degree of community involvement.

- IV. The Committee will utilize support from the administration as required and operate with a budget of \$65,000 per annum, (on a pro-rated basis for 1999), to be found within the existing 1999 budget and reviewed annually thereafter.*
- V. The Committee will retain the services of a coordinator on a contract basis, similar to the Winnipeg Arts Advisory Council and the Access Advisory Committee coordinators' contracts.*

and submits same to Council for approval.

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

The Speaker called the Deputy Speaker, Councillor Lazarenko, to the Chair and left the Chamber.

The motion for the adoption of the clause was put and declared carried.

**Task Force on the Implementation of
French Language Services
File GL-5.7 (Vol. 6)**

- 479 -** 6. On April 21, 1999, the Executive Policy Committee passed the following motion, namely:

WHEREAS Part III of The City of Winnipeg Act makes specific provisions for the City of Winnipeg to provide French language services;

AND WHEREAS at its meeting of April 24, 1994, Council passed By-law No. 6402/94, further amended by By-law No. 6661/95, regarding the provision of French language services;

AND WHEREAS The City of Winnipeg Act also requires that Council report annually to the Minister of Urban Affairs on the City's compliance with its French language services obligations;

AND WHEREAS today, at its meeting of April 7, 1999, Executive Policy Committee received as information the City's 1998 annual report on the City's compliance with its French language services obligations, which report outlined the progress-to-date, as well as the areas for improvement required to ensure that the City meets its obligations;

Report of the Executive Policy Committee dated April 21, 1999

THEREFORE BE IT RESOLVED that Executive Policy Committee create a Mayor's Task Force on the Implementation of French Language Services, chaired by the Councillor for St. Boniface Ward, and comprised of, but not limited to, the following: the Mayor's Representative on Francophone Initiatives, the French Language Services Coordinator, a representative from the Société franco-manitobaine, and a member of the Franco-Manitoban community to be named by the Société franco-manitobaine, to undertake the following:

- (i) to conduct a review of the City's French language services, including a review of the City's five-year implementation plan (Schedule "A" of By-law No. 6402/94, as amended), and an analysis of the City's current level of compliance with Part III of The City of Winnipeg Act;*
- (ii) to ensure the City of Winnipeg is adequately pursuing the implementation of French language services in accordance with the Act;*
- (iii) to consult with the various stakeholders, including employee unions and associations, other levels of government, as well as the Francophone community; and*
- (iv) to advise on policy development with respect to French language services, including policy development in the areas of designated bilingual positions, active offer of service and standards of fluency.*

and submits same to Council for approval.

For the information of Council, the Task Force will meet at the Call of the Chair and will report to Executive Policy Committee on an ad hoc basis in order to inform members of the current level of compliance with The City of Winnipeg Act and advise on French language service initiatives/improvements. It is intended that the Task Force be in place until such time as it is deemed that the City of Winnipeg is in full compliance with part III of The City of Winnipeg Act. A budget of \$1000 has been identified for incidental costs related to convening of meetings.

Adopted by consent.

Site Access Plan for Access to the Forks
File FR-4.1 (Vol. 4)

480 - 7. On October 22, 1997, Council ruled automatic referral of the following motion to the Executive Policy Committee, under Rule 16.1 of the Procedure By-law No. 5400/90:

*Moved by Councillor Murray,
 Seconded by Councillor Vandal,*

WHEREAS development at the Forks is creating greater demand for transit and vehicle access to the site;

AND WHEREAS CentrePlan is working with the Forks and North Portage Partnership, the Exchange and Downtown Business Improvement Zone groups and the responsible civic departments to develop a downtown transportation plan;

THEREFORE BE IT RESOLVED THAT Council request a site access plan for the Forks to be developed through CentrePlan including consideration of transit, vehicle, "fixed link", cycling and pedestrian access.

On November 12, 1997, the Executive Policy Committee referred the matter to the Standing Policy Committee on Property and Development.

On November 25, 1997, the Standing Committee on Property and Development referred the matter to the Administration for review in consultation with the CentrePlan Committee.

On December 17, 1997, Council granted an extension of time of 60 days to further consider this matter.

On February 25, 1998, and April 29, 1998 Council granted an additional extension of time of 60 days to further consider the matter.

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On June 17, 1998, Council granted an additional extension of time of 60 days, inasmuch as CentrePlan is currently finalizing a digital layout of the downtown, with new and proposed projects imposed on an aerial map and will be available for presentation to Executive Policy Committee in early July, 1998. This layout will then be the basis for all future CentrePlan efforts, including a site access plan for The Forks.

On September 29, 1998, Council granted an additional extension of time of 60 days, inasmuch as the matter requires further consideration.

On November 25, 1998, Council granted an additional extension of time of 90 days, inasmuch as the matter requires further consideration.

On February 24, 1999, Council granted an additional extension of time of 60 days, inasmuch as the matter requires further consideration.

Inasmuch as the matter requires further consideration and coordination of discussions on the Provencher Bridge, the Executive Policy Committee recommends that a further extension of time of 90 days be approved to consider this matter in accordance with rule 16.4 of the Procedure By-law No. 5400/90.

Adopted by consent.

**Amendment to the Organizational By-law
No. 7100/97 File GL-5.6 (Vol. 9)**

481 - 8. On April 21, 1999, the Executive Policy Committee passed the following motion, namely:

WHEREAS Council at its meeting of October 29, 1997 adopted Clause 1 of the Report of the Executive Policy Committee dated October 24, 1997, "George B. Cuff - Organizational Review and Performance Assessment Report dated October 22, 1997";

AND WHEREAS Council at this meeting passed By-law No. 7100/97, the Organizational By-law, which provided for a new organizational structure predicated on a Chief Administrative Officer model;

AND WHEREAS Section 16 of By-law No. 7100/97 provides for a Mayor's Secretariat;

AND WHEREAS Section 32 of By-law No. 7100/97 provides for an EPC Secretariat;

THEREFORE BE IT RESOLVED that By-law No. 7100/97 be amended by deleting Section 32 and replacing Section 16 as follows:

EPC SECRETARIAT

16. There shall be a group of professional staff, known as the EPC Secretariat, with capabilities in the areas of fiscal, policy and strategic analysis, corporate communications and such other areas as the Mayor and Executive Policy Committee determine are required to assist the Executive Policy Committee and the Office of the Mayor.

and submits same to Council for approval.

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

Carried.

Councillor Timm-Rudolph asked to be recorded as having voted against the clause, in accordance with Rule 50.7 of the Procedure By-law.

Report of the Executive Policy Committee dated April 21, 1999

**Appointments to the St. Boniface Museum
Board**
File PR-9.3 (Vol. 5) c/r GC-7 (Vol. 29)

482 - 9. On June 19, 1996, Council adopted Clause 6 of the Report of the Committee on Protection, Parks and Culture dated June 3, 1996, recommending amendments to the St. Boniface Museum By-law.

Council, at its organizational meeting held on November 12, 1998, referred the appointment of eight (8) citizen members to the St. Boniface Museum Board to the Selection Committee.

On January 20, 1999, the Executive Policy Committee referred the appointments to Councillor Vandal for consideration of membership and report back.

On April 21, 1999, the Executive Policy Committee passed the following motion, namely:

WHEREAS on January 20, 1999, the Executive Policy Committee considered citizen appointments to various Boards and Commissions;

AND WHEREAS the matter of appointment of members to the St. Boniface Museum Board was referred to Councillor Vandal for consideration and report back;

NOW THEREFORE BE IT RESOLVED that the following be appointed to the St. Boniface Museum Board, for the balance of a 2 year term to expire December 31, 1999, namely:

*Lynne Champagne
Luc Cote
Ed Humphrey
Alfred Monnin*

and the following for a 2 year term to expire December 31, 2000, namely:

*Guy Prefontaine
Sylvie Ross
Gilbert St. Amant
Gary Tessier*

and submits these appointments to Council for adoption.

Adopted by consent.

**Appointment of Citizen Members to the
Convention Centre Corporation**
File G-1 (Vol. 8)(c/r GC-7)

483 - 10. The Convention Centre Corporation Amendment Act (Bill 9) which received Royal Assent in 1994 amended the composition of the Board, their terms of office and provided for staggered terms of appointment.

Council, at its organizational meeting held on November 12, 1998, referred the appointment of citizen members to the Selection Committee.

On January 20, 1999, the Executive Policy Committee laid over consideration of the matter.

The Executive Policy Committee has considered the matter including the communication dated October 29, 1998 from the President, Winnipeg Convention Centre and recommends the re-appointment of Donald Beemer, Joe Collerone and Jim Spencer for a 2 year term expiring December 31, 2000.

Adopted by consent.

Report of the Executive Policy Committee dated April 21, 1999

**Appointments to The Forks/North Portage
Partnership
File FR 4.1 (Vol. 4) c/r GC-7 (Vol. 29)**

484 - 11. Council, at its organizational meeting held on November 12, 1998, referred to the Executive Policy Committee, the appointment of one (1) municipal representative to The Forks/North Portage Partnership whose term expired on May 26, 1998.

On January 20, 1999, the Executive Policy Committee laid over consideration of the matter.

For the information of Council an additional vacancy will occur on The Forks/North Portage Partnership with the expiry of another board member's term on May 26, 1999.

The Executive Policy Committee has reviewed the matter and recommends the following appointments to The Forks/North Portage Partnership, namely:

Brad Hughes	for the balance of a 3 year term to expire on May 26, 2001
Elaine Cowan	for a 3 year term to expire May 26, 2002.

Adopted by consent

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by Councillor Lazarenko,
Seconded by Councillor Golden,

485 - WHEREAS businesses operating in the City of Winnipeg contribute to the City economy through the generation of jobs, goods and services and through payment of various taxes including City business tax and property tax;

AND WHEREAS it is in the best interest of the City of Winnipeg to develop and maintain a healthy business community;

AND WHEREAS, in July 1981, City Council adopted a policy of giving preference to Winnipeg suppliers over suppliers in other cities, to firms doing business in Manitoba over those located in other provinces and to Canadian suppliers over out-of-country sources, when price, quality, delivery and suitability are equal; and also a policy of special consideration in cases where the lowest tender is not Winnipeg based but the second lowest tender is Winnipeg based;

AND WHEREAS, subsequently in February 1988, Council rescinded the 1981 policy in favour of a "Policy on Purchasing Procedures and the Disposal of Surplus Supplies" which continued special consideration in cases where the second lowest tender is Winnipeg based;

AND WHEREAS, in March 1989, Council rescinded its local preference policy after receiving advice from the provincial Minister of Industry, Trade and Tourism against setting up trade barriers which might prompt retaliation from other provinces and the Minister's assurance that all provinces would work toward a business climate that can function without barriers to trade;

THEREFORE BE IT RESOLVED that, in the light of current economic realities, Council ask the Administration to re-examine the matter of the development of a local preference policy with respect to tendering.

Automatic Referral to Executive Policy
Committee in accordance with Rule 16.1
of the Procedure By-law

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

486 - On motion of His Worship Mayor Murray, By-law No. 7435/99, a by-law of The City of Winnipeg to amend By-law No. 7100/97, being The City Organization By-law, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed. File GL-5.6 (Vol. 9)

On motion of His Worship Mayor Murray, the rule was suspended and By-law No. 7442/99, a by-law of The City of Winnipeg to enter into an Agreement with Alexander Beda and Lucy Jessie Beda to redeem certain property from Tax Sale by instalments in accordance with Section 255 of The City of Winnipeg Act, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed. File FL-2.4 (Vol. 14)

EXECUTIVE POLICY COMMITTEE

QUESTION PERIOD

487 - Councillor Timm Rudolph advised that a year ago, funds from the Winnipeg Development Agreement were allocated to fix the Transcona Kinsmen Pool, but a portion of the funds were seconded to another area without political direction and questioned how this happened.

His Worship Mayor Murray took the question under advisement.

Councillor Steek requested clarification on the selection process for potential CentreVenture members.

His Worship advised that with the support of Executive Policy Committee and Council, the call for members would be advertised. His Worship also hoped that members of Council would nominate people they knew in the community by sending letters to Gail Stephens, CAO, or himself and he noted that the Selection Committee would be used to select members.

Councillor Timm-Rudolph noted that an additional police car for the Transcona area had not yet come to be implemented and requested a follow up on the issue.

His Worship noted that it was his understanding that there was an additional full-time dedicated car in Transcona and advised that he would check into the matter. Councillor Vandal further advised that he would personally follow up with the Chief of Police with regard to the matter.

Councillor Clement requested clarification on the cost of CentreVenture and from what sources the funding would come from.

His Worship stated that there was approximately \$8.3 million of the total allocation of \$25 million unexpended, which includes past years' budgets not being utilized. He advised that he and the CAO are recommending to take \$3 million from the \$8.3 million as the City's share and use it as an endowment fund so that other levels of government and the private sector would also create an ongoing endowment fund. He noted the fund wouldn't necessarily be for grants, but one which would make loans, collect interest and become a share equity fund. He also advised that a report will be going to Executive Policy Committee shortly.

Councillor Clement referred to a newspaper article which made reference to an arena being built on the south side of the Convention Centre. He noted that he could not find any reference to an arena in the CentreVenture report and questioned where this vision came from.

His Worship confirmed that there was no mention of an arena in the CentreVenture report.

The Speaker returned to the Chamber and resumed the Chair.