REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED OCTOBER 24, 1997

On motion of Her Worship Mayor Thompson, the Report of the Executive Policy Committee, dated October 24, 1997, was considered.

George B. Cuff - Organizational Review and Performance Assessment Report dated October 22, 1997 File GL-5.6 (Vol. 8)

1126 - 1. Council at its meeting of March 20, 1997, adopted Clause 1 of the Report of the Executive Policy Committee dated March 17, 1997, regarding the 1997 and 1998 Current Tax Supported Estimates and Utilities Portion. An integral component of the estimates was the adoption of the "Reshaping Our Civic Government" report which identified the need for significant changes to achieve affordable government and set direction for contracting out, cost reductions, restructuring, alternative service delivery, cost recovery, and provided for an independent Organizational Review and Performance Assessment to be completed by May 31, 1997 at a cost not to exceed $175,000. The terms of reference for the scope of the organizational review were as follows:

Study to be comprehensive in scope, including but not limited to:

1. Review of Phase I of New Directions to identify successes and failures, required corrections and adjustments, and recommendations for Phase II.

2. Operational audit and performance assessment of the Civic Administration.

3. Review of previous reports on the organizational structure, including those of the Fraser Committee, Councillor Angus and Councillor Clement.

4. Analysis of the advantages and disadvantages of the City Manager model and the Board of Commissioners model of municipal government.

5. Analysis of the potential benefits of a Treasury Board or Board of Control within the Civic Government.

6. Review of the number and alignment of administrative departments and Standing Committees of Council.

7. Assessment of the effective degree of control over the administration available to the elected City Council and Executive Policy Committee.

As a result of the Spring 1997 Flood Crisis, an independent consultant, George B. Cuff and Associates, was not retained until June 13, 1997. Throughout July, August and September, George B. Cuff and Associates established the study design, conducted a background review, including individual and confidential interviews with 202 persons, reviewed existing legislation, the Organization By-law and Procedure By-law, and discussed a brief summary of observations at an Executive Policy Committee retreat. On October 10, 1997, George B. Cuff presented the draft Organizational Review and Performance Assessment Report to all Members of Council, the Board of Commissioners and Department Heads, and on October 22, 1997, George B. Cuff and Associates submitted their Final Report.

The Cuff Study is part of a continued analysis of Winnipeg's Unicity government which commenced five years after the implementation of Unicity, and can be summarized as follows:

In 1976 the Taraska Report, chaired by Judge Peter Taraska, recommended a modified parliamentary system in which the mayor would be elected from within the council, and abolishment of the Board of Commissioners.

Report of the Executive Policy Committee dated October 24, 1997

In 1986, the Cherniak Report, a report to review *The City of Winnipeg Act*, prepared by a review committee chaired by Laurie Cherniak, recommended a smaller, full-time Council, strengthening Executive Policy Committee and greater authority for the City to revise its administrative structure. Subsequently, the Provincial Government adopted Bill 32 in 1989, which strengthened the role of the mayor who was designated as the chair of Executive Policy Committee and given responsibility for appointing the deputy mayor and chairpersons of the four standing committees, and adopted Bill 61 in 1990, which granted the City the flexibility to establish its administrative structure by by-law. In addition, in 1991, the Winnipeg Wards Review Committee, chaired by Eldon Ross, recommended 15 Wards and 5 Community Committees, recognizing a reduction of Council to 15 councillors and a mayor.

At its meeting of February 25, 1994, Council directed the Chief Commissioner to develop a strategic plan to downsize the WAPSO, WAPSO-Exempt and M series management of the City of Winnipeg. At its meeting of April 27, 1994, Council adopted Clause 7 of the Report of the Executive Policy Committee dated April 20, 1994, which approved the direction of the "New Direction for Civic Administration" report and authorized the Chief Commissioner to implement Phase I.

At its meeting of June 22, 1994, Council adopted Clause 9 of the Report of the Executive Policy Committee dated June 15, 1994, which established a Task Force relative to the Future Restructuring of City Council. At its meeting of August 9, 1995, Council considered Clause 1 of the Report of the Executive Policy Committee dated August 2, 1995, regarding the Final Report of the Task Force on Restructuring of City Council. The Report recommendations included maintaining Council supremacy and accountability, changes to the decision-making structure, proposed amendments to *The City of Winnipeg Act*, strengthening of the role of the Mayor, a study to review the roles and responsibilities of the Board of Commissioners, a study to review the role of Community Committees, and a study to review the roles and responsibilities of Council and its Committees, Councillors and the administration. The recommendations of Executive Policy Committee were lost due to a tie vote of Council.

At its special meeting of March 18, 1996, Council adopted Clause 1 of the Report of the Executive Policy Committee dated March 13, 1996, regarding the External Inquiry - Assessment Situation, which directed that an independent external inquiry be undertaken and report received by Executive Policy Committee and submitted to Council. On July 22, 1996, John M. Scurfield submitted the City of Winnipeg Property Tax Assessment Inquiry to all Members of Council. In its findings, the report notes that "serious efforts must be made toward the goal of reinstating a more businesslike and accountable form of civic government" and recommended significant cultural change.

At its meeting of March 20, 1997, Council adopted the "Reshaping Our Civic Government" report which identified the need for significant changes to achieve affordable government.

In its Final Report, delivered on October 22, 1997, George B. Cuff and Associates presented a comprehensive assessment of the City of Winnipeg's political and senior management structure, practices and resources. The Report attempted to project an accurate picture of how the present leaders of the corporation see the overall system functioning as well as their comments on what needs to change. The Report examined salient issues in relation to the term of reference and provided an assessment of how these issues impact the organization. In addition, the Report contained an analysis of the present model of civic government and depicted other models in practice across Canada.

The Report's key findings include:

a) Lack of clarity vis a vis role of Council, Board of Commissioners, Mayor, EPC and Standing Committees
b) Inadequate level of trust between Council-EPC-Board of Commissioners-Committees
c) Need for legislative change to provide clarity in roles
d) Poor management practices, including uncertainty of authority, inconsistency, lack of communication and lack of department planning
e) Problems with fiscal management
f) Problems with policy development
g) Partial success of New Directions
h) Problems with the Board of Commissioners' model

Report of the Executive Policy Committee dated October 24, 1997

The Report's findings and analyses gave rise to the following recommendations:

- Changed mandates for Standing Committees; Committee on Corporate and Public Safety Services, Committee on Operational Services, Committee on Community Services, Committee on Development and Property Services
- Increased authority to Executive Policy Committee
- Increased authority to Mayor; appointments, tie-breaking vote, suspension of CAO
- Longer term of office
- Change in election date to April
- Creation of Sub-Committee on Fiscal Policy Issues
- Disband Community Committees
- Eliminate the Board of Commissioners model
- Reduction in the number of departments, streamline organization to reduce costs
- Implementation of CAO system; CAO on five year contract
- Improved Sense of Integration/Flexibility
- Elimination of Expenditure Management Committee and Vacancy Management Committee
- Annual Council meeting to discuss priorities
- Engage public in strategic planning session once every 3-5 years
- Review Corporate Communications
- Schedule council orientation for New Council
- Implement Business Plans at the Department Level
- Undertake new compensation plan
- Designate two functions as pilot Special Operating Agencies
- CAO to review Police reporting structure and mechanism for increased public input

The Executive Policy Committee has reviewed the report and recommendations made by George B. Cuff and concurs in the recommendations in accordance with its commitment to affordable, open and accountable government, and the need to make significant changes to the City's political and administrative structure after twenty five years of operation.

Your Executive Policy Committee therefore recommends:

I. That a new political decision-making model for the City of Winnipeg be implemented, effective the Organizational Meeting of Council, November 5, 1997, in accordance with Appendix "A", including the following components:

Four Standing Committees:
Standing Committee on Fiscal Issues
Standing Policy Committee on Public Works
Standing Policy Committee on Protection and Community Services
Standing Policy Committee on Property and Development

And that the Standing Committee on Fiscal Issues shall be composed of the Chairperson, to be appointed by the Mayor, the Deputy Mayor, and one member elected by Council.

And also that the remaining three Standing Policy Committees be composed of a Chairperson, appointed by the Mayor, and three members elected by Council.

In accordance with The City of Winnipeg Act, the Mayor is an ex officio member of each of the four Committees.

II. That the Province of Manitoba be requested to amend The City of Winnipeg Act in accordance with the changes identified in Appendix "B".

III. That Expenditure Management Committee and Vacancy Management Committee be disbanded, upon the appointment of the new Chief Administrative Officer.

Report of the Executive Policy Committee dated October 24, 1997

IV. That a new administrative model for the City of Winnipeg be implemented as identified in Appendix "C" to include the following:

a) Replacement of the Board of Commissioners model with a Chief Administrative Officer (CAO) model
b) Establishment of a CAO Secretariat, including Business Liaison, Strategic Planning, Corporate Communications, Research and Policy Analysis
c) Chief Financial Officer supervising Assessment and Corporate Finance, and reporting to the Chief Administrative Officer,
d) Establishment of nine Departments reporting to the Chief Administrative Officer:
   Community Services
   Corporate Services
   Emergency Response Services
   Hydro
   Property and Development Services
   Police
   Public Works
   Water and Waste
   Transit

to take effect upon approval of a transition plan.

V. a) Whereas the positions of Chief Commissioner, Commissioner of Protection, Parks, and Culture, Commissioner of Works and Operations, and the Commissioner of Planning and Community Services, are being eliminated, with a last working day of October 29, 1997, as a result of the restructuring and Recommendation No. IV, and reasonable arrangements should be made to enable the Commissioners to attain pension eligibility, it is recommended that, effective January 3, 1998, severance be paid to Commissioners in general accordance with their individual employment contracts and, where necessary, the Commissioners be placed on an unpaid leave of absence to the date that they are eligible to retire;

b) That Executive Policy Committee be delegated authority to do all things necessary to implement the above and finalize the terms of severance and retirement arrangements with the Commissioners; and

c) That any implications for the 1998 budget be considered in the course of adoption of the 1998 estimates.

VI. That an Acting Chief Administrative Officer be appointed effective October 30, 1997.

VII. That Executive Policy Committee be directed to immediately undertake the recruitment of a suitable candidate for the position of Chief Administrative Officer to have the responsibilities as identified on Appendix "D", to do all things necessary to develop terms of the employment contract (including a five year term which may be extended at the option of the City) and to report back to Council with a recommended candidate.

VIII. That the Chief Administrative Officer of the city be directed to undertake the following within a time frame to be established by Executive Policy Committee:

a) Make recommendation to Executive Policy Committee on the refining of the new administrative structure
b) Review and make recommendations for a new compensation plan for all management positions
c) Review the corporate communications framework
d) Review the Winnipeg Police Service in terms of the appropriateness of a different reporting structure and /or some mechanism for increased public input

IX. a) That any power, duty or authority currently vested in the Board of Commissioners, the Chief Commissioner or a Commissioner under any by-law, resolution, policy or contract be vested in the Chief Administrative Officer with authority to delegate such power, duty or authority to employees of the City.

Report of the Executive Policy Committee dated October 24, 1997

b) That By-law No. 4322/86 be amended to replace the Board of Commissioners as the committee responsible for dealing with suspensions of members of the Police Services under section 456 of The City of Winnipeg Act with a committee consisting of the Chief Administrative Officer and the Chief Financial Officer.

X. That the City Clerk be directed to review existing policies and by-laws and recommend necessary amendments in order to reflect the new political decision-making model and new administration.

XI. That the new Organizational By-law No. 7100/97, and amending by-law to Procedure By-law No. 5400/90, and amending by-law to By-law No. 4322/86, as attached hereto, be enacted.

XII. That the Implementation Recommendations contained in the Cuff Report as follows be implemented:

a) Recommendation No. 1.1: Full Council to meet annually to discuss City priorities and develop its prioritized list of issues for consideration by EPC.
b) Recommendation No. 1.2: The City to embark on a strategic planning process at least once every 3-5 years.
c) Recommendation No. 1.3: CAO to coordinate development of departmental priorities annually in concert with Council priorities.
d) Recommendation No. 1.4: Each department to undertake the preparation of departmental business plans.
e) Recommendation No. 1.5: The City to standardize and operationalize a comprehensive policy development system.
f) Recommendation No. 2.1: Role of Councillors and Mayor be accepted in principle.
g) Recommendation No. 2.2: The role of Councillors and Mayor to be revisited at the outset of each new Council term, and the principles of governance and expectations of roles be reviewed in a retreat/seminar utilizing an external facilitator.
h) Recommendation No. 2.3: Orientation process to be instated for each new Council.
i) Recommendation No. 2.4: Approval of the “Basic Principles” of the governance and administration model.
j) Recommendation No. 2.5: Approval of the organization design criteria.
k) Recommendation No. 3.1: CAO to guide the development of a corporate communications strategy and program.
l) Recommendation No. 3.2: CAO to assemble the secretariat team to provide professional assistance to EPC, the Standing Committee on Fiscal Issues, and the Office of the Mayor.
m) Recommendation No. 3.3: Two pilot programs for SOAs.
n) Recommendation No. 3.4: Finalization of SOA operational protocol to consider observations contained in the Cuff Study.
o) Recommendation No. 3.5: CAO to review Police Service.

XIII. That the Proper Officers of the City do all things necessary to implement the foregoing.

Moved by Councillor Silva,
Adoption of the clause.

Moved by Councillor Murray,
That Council go into Committee of the Whole.

Councillor Murray called for the yeas and nays, which were as follows:-

Yea: Councillors Angus, Lubosch, Murray, Thomas and Vandal. 5

Nay: Councillors Clement, Lazarenko, O’Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Prystanski. 10

and the motion that Council go into Committee of the Whole was declared lost.

Council recessed at 11:54 a.m., and reconvened at 1:45 p.m., same members present, except Councillor Golden.

Report of the Executive Policy Committee dated October 24, 1997

Moved by Councillor Angus,

THAT the rule be suspended to allow the clause recommendations to be debated in three separate sections: - namely;

Firstly - Recommendation No. I
Secondly - Recommendation Nos. II and III
Thirdly - Recommendation Nos. IV through XIII;

AND THAT each Member of Council be permitted to speak to each section for a total of five minutes plus one three minute extension per section;

AND THAT after debate on each section, each recommendation(s) be voted on separately prior to proceeding to debate on the following section;

AND THAT in accordance with the Procedure By-law, the above limits of speaking time shall include debate on any tabled amendments but Members will retain the ability to speak to amendments tabled after they have spoken.

The motion was put.

Councillor Angus called for the yeas and nays, which were as follows:-

Yea: Councillors Angus and Clement. 2

Nay: Councillors Lazarenko, Lubosch, Murray, O'Shaughnessy, Phillips, Silva, Steek, Thomas, Timm-Rudolph, Vandal, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Prystanski. 13

and the motion to suspend the rule was declared lost.

Council recessed at 1:50 p.m. and reconvened at 2:03 p.m. to allow the Members of Council to review motions, same members present.

Councillor Golden entered the meeting after Council had reconvened.

The Deputy Speaker advised that on Council direction, the rule would be suspended and that each motion would be considered and voted upon separately in the order received.

In amendment,

Moved by Her Worship Mayor Thompson,
Seconded by Deputy Mayor Eadie,

THAT Recommendation VI. of Clause 1 of the Report of the Executive Policy Committee dated October 24, 1997, be deleted and substituted with the following:

VI. That Mr. Robert Gannon, presently Chief Financial Officer, be appointed Acting Chief Administrative Officer at a salary of $5,770.00 bi-weekly, and that Mr. Gannon be authorized to appoint an Acting Chief Financial Officer for this interim period.

The amendment proposed by Her Worship Mayor Thompson and Deputy Mayor Eadie was put and declared carried.

Report of the Executive Policy Committee dated October 24, 1997

In amendment,

Moved by Councillor Lubosch,
Seconded by Councillor Vandal,

WHEREAS committees are the workshops of organizations;

AND WHEREAS the standing committees embody the jobs that must be done;

AND WHEREAS the Cuff Report does not recommend a reduction in the number of standing committees;

AND WHEREAS it is redundant to recommend amending The City of Winnipeg Act as outlined in Appendix "B" referred to in the clause which states:

> *"s. 33(1): Standing Committees (establishment) Delete the reference to a specific number of standing committees which can be established by Council and make the provision for the establishment of standing committees permissive rather than mandatory";*

AND WHEREAS any change to the existing standing committees should not be done without rigorous review;

AND WHEREAS standing committees must be maintained in order to ensure broad political representation in their role in the formulation of city wide policy;

THEREFORE BE IT RESOLVED THAT the existing status of standing committees remain unchanged at this time;

AND BE IT FURTHER RESOLVED THAT Appendix "B", item "j" be eliminated from the proposed legislative amendments.

The amendment proposed by Councillors Lubosch and Vandal was put.

Councillor Clement called for the yeas and nays, which were as follows:-

Yea: Councillors Lubosch, Murray, Thomas and Vandal. 4

Nay: Councillors Clement, Lazarenko, O'Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Prystanski. 10

and the amendment proposed by Councillors Lubosch and Vandal was declared lost.

In amendment,

Moved by Councillor Murray,
Seconded by Councillor Vandal,

WHEREAS the April election would require the election process to occur during winter and flood seasons;

THEREFORE BE IT RESOLVED THAT item "o" of Appendix "B' of the clause be deleted.

Moved by Councillor Timm-Rudolph,
That the question be now put.

Carried.

Councillor Thomas asked to be recorded as having voted against the motion that the question be put, in accordance with Rule 50.7 of the Procedure By-law.

Report of the Executive Policy Committee dated October 24, 1997

The amendment proposed by Councillors Murray and Vandal was put.

Councillor Murray called for the yeas and nays, which were as follows:-

Yea: Councillors Lubosch, Murray, Steek, Thomas and Vandal. 5

Nay: Councillors Angus, Clement, Lazarenko, O'Shaughnessy, Phillips, Silva, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Prystanski. 10

and the amendment proposed by Councillors Murray and Vandal was declared lost.

In amendment,

Moved by Councillor Murray,
Seconded by Councillor Lubosch,

WHEREAS the committee structure proposed in the "City of Winnipeg Corporate Review" (Cuff Report) was rejected by the Executive Policy Committee;

AND WHEREAS the hastily put together proposal is fraught with problems and contradictions and has not been substantiated with any serious documentation, rationale or explanation;

AND WHEREAS the Executive Policy Committee proposes to make Standing Committees permissive rather than mandatory;

AND WHEREAS the Executive Policy Committee proposes to have the power to form its own subcommittees;

AND WHEREAS the Executive Policy Committee proposes to empower the Mayor with the authority to appoint members of Council to ad hoc or subcommittees of council;

AND WHEREAS the Executive Policy Committee proposes to retain the right to increase its membership to seven which would give this committee close to an effective majority with the mayors tie breaking vote;

AND WHEREAS this effectively weakens council to the point of becoming at best " the legislature of last resort" and at worst a "glorified focus group";

AND WHEREAS the importance of the power vested in the Mayor and EPC surrounding appointments will make it very difficult for any councillor who is independent of the Mayor and majority group to play a significant role in policy development or find resources to advance ideas;

AND WHEREAS the consequences of disagreeing with the Mayor or EPC could result in a loss of a committee appointment. This creates the potential for bully politics. The merit of an issue could be could be out weighed by the political consequences of one's if this much power is in the hands of any single person, especially if the penalizing attitudes that are so evident today continue. The absence of the protections of parliamentary rules at this level of government make designating this much power in the Mayor and executive branch dangerous unless other parliamentary conventions are brought forward that would establish the rights of a legislature and protections to councillors not sharing the majority groups politics. Parliamentary traditions include an "Opposition" with rights to committee appointment and controls over procedures which do not exist at the civic level;

THEREFOR BE IT RESOLVED that the clause be amended by amending "Appendix B" by:

- deleting the first sentence in "e."/ s.28(3)
- deleting the text of "f"/s.29(1) and replacing it with the words " That the membership of the Executive Policy Committee be limited to no more than one third of the elected members of Council plus the Mayor, all members being chosen by the Mayor.
- amending "g"/s. 30 by deleting the words "as it deems advisable" and replacing them with the words "only within areas of jurisdiction do not fall within the mandate and jurisdiction of a standing committee of Council"
- amending "j"/s33(1) to delete the words after the word "Council"

Report of the Executive Policy Committee dated October 24, 1997

The amendment proposed by Councillors Murray and Lubosch was put.

Councillor Murray called for the yeas and nays, which were as follows:-

Yea: Councillors Lazarenko, Lubosch, Murray, Thomas and Vandal.

Nay: Councillors Angus, Clement, O'Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Prystanski.

and the amendment proposed by Councillors Murray and Lubosch was declared lost.

In amendment,

Moved by Councillor Murray,
Seconded by Councillor Thomas,

WHEREAS Council should have a clear mandate and defined authority;

AND WHEREAS Councillors should have coherent job descriptions;

THEREFORE BE IT RESOLVED that the mandate, as outlined on the attachment, be adopted by Council.

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

Moved by Councillor O'Shaughnessy,
That the amendment be referred to the Secretariat Committee.

Carried.

Moved by Councillor Murray,
Seconded by Councillor Thomas,

WHEREAS changes to representative systems of local government must fully inform and involve the public if it can make any claim to be responding to community concern;

AND WHEREAS due diligence and full costing of projects and organizational changes is a core value of Council;

THEREFORE BE IT RESOLVED that Council establish a public participation process that respects the principles in the attached [incomplete] position paper on 'Our City".

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

The Deputy Speaker advised that at the request of Councillor Murray and with the permission of Council, the motion proposed by Councillors Murray and Vandal was tabled as information only.

In amendment,

Moved by Councillor Murray,
Seconded by Councillor Vandal,

WHEREAS The "City of Winnipeg Corporate Review Report (Cuff Report)" recommends a "Chief, Administrative Officer", a "Chief Financial Officer", seven "General Managers" and "Branch Managers/Supervisors" and defines the need for this structure to provide what Mr. Cuff defines as a need for greater "cross functional management" and "accountability";

Report of the Executive Policy Committee dated October 24, 1997

AND WHEREAS positions defined in the Cuff Report such as the "General Manager Police Services" and a "General Manager of Hydro" appear to be out of scope and scale with the other "General Managers" and the rank and authority of the "Chief Financial Officer" seems to be no more than that of a "General Manager" leaving some requirement for clarity especially in the carry over of this position to a new model proposed by the Executive Policy Committee;

AND WHEREAS the Executive Policy Committee rejected the management structure of the "Cuff Report" and abandoned the key "cross functional" level of management" and failed to redefine where the authority of the three levels of Management defined on pages 98 to 101 of the "Cuff Report" are to be assigned. This leaves the administrative model in limbo;

AND WHEREAS the Executive Policy Committee appears to be creating a "City Manager" structure with a "Chief Administrative Officer" heading it and no rationalization of the model;

AND WHEREAS the Executive Policy Committee model appears to be "scratched out on the back of dinner napkin" and provides none of the rationale and support that was given in the $175,000.00 "Cuff Report" and gives no delineation between Branch and General Management functions and is quite frankly difficult to legislate because it is little more than an organizational diagram;

AND WHEREAS the City should not reorganize its whole management team on the fly and should carefully examine options;

AND WHEREAS the city should carefully assign "Chief Operating" as well as " Chief Financial" and "Chief Administrative" and carefully define and assign "General Management" and "Branch Management" functions;

AND WHEREAS there was no orderly, respectful transition process and the consultant took the airways on "phone-in shows" on a regular basis in what appears to be an orchestrated attempt through publicity to create an untenable situation for the current city management team. This type of "consultant political campaign" eviscerates any sense of decorum, respect, dignity or professionalism in dealing with personnel matters and compromises any serious attempt to manage transition and succession planning in senior management. The process further denied Council input from its own management team and had them packed and out of their offices before Council could make a decision on their future or the organization. Council's authority was completely undermined by the process;

AND WHEREAS the process for reviewing the "Cuff Report" was a take it or leave "straw poll" of take it or leave it propositions and an alternative only materialized 24 hours before the last EPC meeting;

AND WHEREAS the process has little credibility given the basis the management structure is not the "Cuff Report" and is unsubstantiated guess work;

THEREFORE BE IT RESOLVED that clause one of Executive Policy Committee be split and that a vote be held subclauses "IV a), b) & c)", "V", "VI", "VIII", "X" and "XI";

AND BE IT ALSO RESOLVED that Subclause "VIII" be amended by adding the words "and Council" after the words "Executive Policy Committee" in the the first and second sentence of the subclause. That subclause "X" delete the words "new political model and";

AND BE IT FURTHER RESOLVED that the rest of the clause relating to the administrative structure be referred back to the Executive Policy Committee to be researched and throughly reviewed over the next thirty days and that a rationale and supporting documentation and descriptions of the responsibilities, authorities and reporting relationships of a new senior management structure be defined. That there be public hearings, an evaluation of the alternative by Mr. Cuffs group and a opportunity to receive suggestions from councillors;

AND BE IT FURTHER RESOLVED that a special meeting be held before December 1, 1997 to resolve these matters.

The amendment proposed by Councillors Murray and Vandal was put.

Councillor Clement called for the yeas and nays, which were as follows:-

Yea: Councillors Lazarenko, Lubosch, Murray, Thomas and Vandal. 5

Nay: Councillors Angus, Clement, O'Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Prystanski. 10

Report of the Executive Policy Committee dated October 24, 1997

and the amendment proposed by Councillors Murray and Vandal was declared lost.

In amendment,

Moved by Councillor Vandal,
Seconded by Councillor Thomas,

AND WHEREAS Recommendation No. II identifies the following legislative amendments which would give more powers to the Mayor :

i) s. 28(3) : Powers of the Mayor
Provide that the Mayor may appoint Chairpersons or other members of Council as members of sub-committees or ad-hoc committees as Council may establish

Enable the Mayor to suspend a chief administrative officer for a period not to exceed 3 working days upon which this action must be addressed by Executive Policy Committee who must ratify the suspension for a period not to exceed 30 days; or recommend the dismissal of the chief administration officer to Council; or reinstate the chief administrative officer;

AND WHEREAS such powers could potentially compromise the independence of the Chief Administrative Officer as well as compromise the collective right of city council to elect individual council members to various city boards, sub-committees or ad-hoc committees;

THEREFORE BE IT RESOLVED that the following be adopted :

i) deleting the power to appoint Chaipersons or other members of Council as members of sub-committees or ad-hoc committees as Council may establish;

ii) deleting the power of the Mayor to suspend the Chief Administrative Officer for a period of three days and maintaining the current policy of having Executive Policy Committee recommend to Council the suspension or dismissal of city administrators.

The Deputy Speaker ruled resolve i) out of order in that the matter had been previously put and dealt with.

The amendment proposed by Councillors Vandal and Thomas, as revised, was put.

Councillor Vandal called for the yeas and nays, which were as follows:-

Yea: Councillors Lubosch, Murray, Thomas and Vandal. 4

Nay: Councillors Angus, Clement, Lazarenko, O'Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Prystanski. 11

and the amendment proposed by Councillors Vandal and Thomas, as revised, was declared lost.

Moved by Councillor Steek,
Seconded by Councillor O'Shaughnessy,

WHEREAS all Members of Council must have equal access to information and resources;

THEREFORE BE IT RESOLVED THAT all Members of Council receive written notice of all meetings of Council, its committees, community committees, sub-committees, ad hoc committees and any other meetings at which minutes are taken by staff of the City Clerk's Department;

AND BE IT FURTHER RESOLVED THAT this notice contain the date, time and place of each meeting.

Report of the Executive Policy Committee dated October 24, 1997

Moved by Councillor Clement,
That the motion be referred to the Secretariat Committee.

Carried.

In amendment,

Moved by Councillor Thomas,
Seconded by Councillor Vandal,

WHEREAS access to local government is an important right of citizens in a democracy and should be delivered in an equal and fair manner regardless of whether one lives in East Kildonan or Assiniboia;

AND WHEREAS the community committee have proven to be a valuable and convenient opportunity for residents to access the political decision making process by attending an evening meeting in their own area to speak on issues of local concern;

AND WHEREAS the only mandated access that will be available with the elimination of Community Committees, will be the Standing Committees and Council which meet during the day and whose mandate is city wide not local in nature;

AND WHEREAS no other process or forum for local input has been established to replace this citizen's right in which to express concern about local issues;

THEREFORE BE IT RESOLVED that this Council affirm its commitment to equal and fair citizen participation as laid out before in the development of Unicity, Plan Winnipeg and Towards 2010 and all past Councils;

AND BE IT ALSO RESOLVED that in Section ii the request to the Province of Manitoba to amend the City of Winnipeg Act as identified in Appendix B be amended by removing from that Appendix K (s. 35 Community Committees) that enables Council to determine the process for citizen participation including the option of Community Committees;

AND BE IT FURTHER RESOLVED that Community Committees continue to serve until another community forum is developed which allows access for residents in their home community on local issues.

In amendment,

Moved by Councillor Thomas,
Seconded by Councillor Lubosch.

WHEREAS the Resident Advisory Groups volunteers have provided good service to Councillors and their community in voicing tax payers concerns;

AND WHEREAS the Resident Advisory Groups are a duly elected board of citizens. These groups were developed under Unicity to promote discussion and expression of resident's views who were interested in local issues;

AND WHEREAS there will be no other forum provided for residents who wish to review local issues before they come to Standing Committees for a vote;

THEREFORE BE IT RESOLVED that this Council affirm its commitment to equal and fair citizen participation as laid out before in the development of Unicity, Plan Winnipeg and Towards 2010 and all past Councils;

AND BE IT FURTHER RESOLVED that in Section II the request to the Province of Manitoba to amend the City of Winnipeg Act as identified in Appendix B be amended by removing from that Appendix I (s. 41: Residents Advisory Groups) that the statutory references to Resident Advisory Groups be deleted.

The Deputy Speaker ruled the motions proposed by Councillors Thomas and Vandal, and Councillors Thomas and Lubosch, out of order in that the time for considering amendments had passed in accordance with Council's suspension of the rule to consider and vote on the tabled motions.

Report of the Executive Policy Committee dated October 24, 1997

Councillor Thomas challenged the ruling of the Chair.

The question, “Shall the ruling of the Chair be sustained?” was put.

The Deputy Speaker called for the yeas and nays, which were as follows:-

Yea: Councillors Angus, Phillips, Silva, Steek, Her Worship Mayor Thompson and Councillor Prystanski. 6

Nay: Councillors Clement, Golden, Lazarenko, Lubosch, Murray, Thomas, Timm-Rudolph, Vandal and Deputy Mayor Eadie. 9

and the ruling of the Chair was not sustained.

Council recessed at 4:05 p.m., and reconvened at 4:21 p.m., to allow circulation of the two motions proposed by Councillors Thomas and Vandal, and Councillors Thomas and Lubosch, same members present.

Councillors Angus, Golden, Lubosch, Steek and Vandal entered the meeting after Council had reconvened.

The motion proposed by Councillors Thomas and Vandal was put.

Councillor Clement called for the yeas and nays, which were as follows:-

Yea: Councillors Golden, Lazarenko, Lubosch, Murray, Thomas and Vandal. 6

Nay: Councillors Angus, Clement, O’Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Prystanski. 10

and the amendment proposed by Councillors Thomas and Vandal was declared lost.

The motion proposed by Councillors Thomas and Lubosch was put.

Councillor Clement called for the yeas and nays, which were as follows:-

Yea: Councillors Golden, Lubosch, Murray, Thomas and Vandal. 5

Nay: Councillors Angus, Clement, Lazarenko, O’Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Prystanski, . 11

and the amendment proposed by Councillors Thomas and Lubosch was declared lost.

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

Councillor Clement called for the yeas and nays, which were as follows:-

Yea: Councillors Angus, Clement, Lazarenko, O’Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Vandal, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Prystanski. 12

Nay: Councillors Golden, Lubosch, Murray and Thomas. 4

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

(See Minute No. 1130 for Appendices “A”, “B”, “C” and “D”)

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

1127 - On motion of Her Worship Mayor Thompson, By-law No. 7100/97, a by-law of the City of Winnipeg to establish the governance and administrative structure of the City and to delegate certain powers and responsibilities from City Council to Executive Policy Committee, the Standing Committees and the Chief Administrative Officer, was read a first and second time. File GL-5.6

Councillors Golden and Thomas asked to be recorded as having voted against the first and second reading of By-law No. 7100/97, in accordance with Rule 50.7 of the Procedure By-law.

Moved by Her Worship Mayor Thompson,
That the rule be suspended and By-law No. 7100/97 be read a third time.

The motion to suspend the rule was put.

The Deputy Speaker called for the yeas and nays, which were as follows: -

Yea: Councillors Angus, Clement, Golden, Lazarenko, O'Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Vandal, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Prystanski. 13

Nay: Councillors Lubosch, Murray and Thomas. 3

and the motion to suspend the rule to allow By-law No. 7100/97 to be read a third time was declared carried.

On motion of Her Worship Mayor Thompson, By-law No. 7100/97, was read a third time and was passed and ordered to be signed and sealed.

Councillors Golden and Thomas asked to be recorded as having voted against the third reading of By-law No. 7100/97, in accordance with Rule 50.7 of the Procedure By-law.

1128 - On motion of Her Worship Mayor Thompson, By-law No. 7111/97, a by-law of the City of Winnipeg to amend By-law No. 5400/90, a by-law to regulate the procedure at meetings of Council and its committees was read a first and second time. File GK-4

Councillors Golden and Thomas asked to be recorded as having voted against the first and second reading of By-law No. 7111/97, in accordance with Rule 50.7 of the Procedure By-law.

Moved by Her Worship Mayor Thompson,
That the rule be suspended and By-law No. 7111/97 be read a third time.

The motion to suspend the rule was put.

The Deputy Speaker called for the yeas and nays, which were as follows: -

Yea: Councillors Angus, Clement, Golden, Lazarenko, O'Shaughnessy, Phillips, Silva, Steek, Timm-Rudolph, Vandal, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Prystanski. 13

Nay: Councillors Lubosch, Murray and Thomas. 3

and the motion to suspend the rule to allow By-law No. 7111/97 to be read a third time was declared carried.

On motion of Her Worship Mayor Thompson, By-law No. 7111/97, was read a third time and was passed and ordered to be signed and sealed.

Councillors Golden and Thomas asked to be recorded as having voted against the third reading of By-law No. 7100/97, in accordance with Rule 50.7 of the Procedure By-law.

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

1129 - On motion of Her Worship Mayor Thompson, By-law No. 7112/97, a by-law of the City of Winnipeg to amend By-law No. 4322/86 in order to replace the Board of Commissioners as the Committee responsible for dealing with suspensions of members of the Police Services with a Committee consisting of the Chief Administrative Officer and the Chief Financial Officer 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

Councillors Golden and Thomas asked to be recorded as having voted against all three readings of By-law No. 7112/97, in accordance with Rule 50.7 of the Procedure By-law.