Agenda - Executive Policy Committee - November 14, 2007

REPORTS

Item No. 12 **Red Tape Commission - Recommendations 26 and 29**
File GG-5

The City Clerk recommends that the attached report be received as information.

RE: Red Tape Recommendations 26 and 29

FOR SUBMISSION TO: Executive Policy Committee

ORIGINAL REPORT SIGNED BY: City Clerk

REPORT DATE: October 10, 2007

RECOMMENDATION(S):

That the attached report be received as information.

Report Summary

Reason for the report:

- On July 27, 2005, Council adopted The Final Report of the Mayor's Red Tape Commission and directed that the Public Service implement the recommendations contained therein.
- The City Clerk's Department has taken steps to implement the intent of Recommendations 26, Customers who interact directly with City Council and Recommendation 29, with respect to by-laws.

Implications of the Recommendation(s):

General Implications

X None

☐ For the organization overall and/or for other departments

☐ For the community and/or organizations external to the City

☐ Involves a multi-year contract

Comment(s):

Policy implications

X No

☐ Yes

Comment(s):

Environmental implications

X No

☐ Yes

Comment(s):

Human Resources implications

X No

☐ Yes

Comment(s):

Financial Implications

X Within approved current and/or capital budget

☐ Current and/or capital budget adjustment required

Comment(s):

Report

History and Discussion:

On July 27, 2005, Council adopted The Final Report of the Mayor's Red Tape Commission and directed that the Public Service implement the recommendations contained there-in.

Recommendation 26 of the Red Tape Report states,

> "Improve the reception for citizens, investors and customers who interact directly with City Council"

Recommendation 29 of the Red Tape Report states,

> "Complete ongoing work on identification of active by-laws, and publication of a user-friendly, up-to-date compendium of all by-laws and policies in-force on a 72-hour standard."

Recommendations 26.1 and 26.2 deal with the appointment of a member of Council to work with investors and facilitate major investment projects and falls within the political realm for consideration.

The remaining recommendations under 26 are in regard to the experience of citizens who deal directly with City Council and its committees in a meeting setting as well as with the information that comes out of these meetings. The City Clerk's Department is committed to continuing to improve the Council and Committee Process. The City of Winnipeg is regarded as leader across Canada in the manner in which meetings are undertaken and the presentation of informational material such as agendas, minutes and other communications associated with those meetings. The City Clerk's Department has fielded many requests from municipalities across Canada looking to emulate the success the City has achieved with its online e-government Decision Making Information System. The Department is always examining and re-evaluating its procedures and systems. Specific improvements made in support of Recommendation 26 of the Red Tape Report include:

- Installation of time clocks in both Committee rooms and in the Council Chamber, under control of the Chair, to inform presenters of how much time is remaining for their presentation
- Improved sound systems in both Committee rooms and in the Council Chamber that ensures that presentations and follow-up questions by Councillors can be heard and understood by the presenters, Councillors and the audience
- Installation of infra-red equipment in both Committee rooms and in the Council Chamber that allow headphones / earpieces to be worn by Councillors and / or presenters for the purpose of sound amplification for the hearing impaired or translation purposes where required.
- Recording equipment to allow audio recording of all meetings taking place in both Committee rooms or in the Council Chamber to ensure that meeting content can be reviewed as necessary after the meeting by staff, Councillors or citizens. Audio recordings are available online to citizens through the Decision Making Information System.
- Video recording of all Council Meetings to allow citizens to engage in the Decision Making Process even if they cannot attend in person. Meetings are broadcast live on Shaw, are available through Video on Demand on MTS, or on DVD through the City Clerk's Department. Improvements in the short term include broadcast of Council meeting video over the City's website.
- Improved presentation devices including new projectors and screens in both Committee rooms and the ability for presenters to easily hook their own laptops into the presentation system.
- Creation of information for citizens on the Public Hearing Process, including rules and process, and how they can participate in it (see Appendix A).
- Creation of a script that is read by the Clerk at the start of every Public Hearing. The Clerk informs all in attendance how the process will take place and how they can make representations either in person or in writing.

The Department has also made several changes regarding Recommendation 29 and its online By-law database. The goal is to ensure that by-laws are available to all and presented in an easy to use, customer friendly manner. However, the large number of by-laws passed each year creates an issue unto itself. In 2006, 248 by-laws were passed by Council, with a similar number expected for 2007. This volume of new by-laws makes it difficult for the average user to understand and use the overall by-law database.

In order to improve usability, the following improvements to the By-law portion of the Decision Making Information System have been implemented in keeping with Recommendation 29:

- Posting of all 2,220+ by-laws passed by Council since 1998. Ongoing posting of prior years continues.
- Posting of all 1,841 currently active by-laws, dating back to 1954
- Posting of all by-laws passed by Council within 72 hours of the Council Meeting at which they are considered.
- Categorization of by-laws by status including Active, In-Active, Repealed, etc. The system has been modified to allow users to easily filter the by-laws and view by-laws of only a particular status, thereby facilitating searching and access.
- Categorization of the by-laws by subject type including Governance, Finance, Regulatory, etc. The system has been modified to allow users to easily filter the by-laws and view by-laws of only a particular subject type, thereby facilitating searching and access.
- Sortable listings to allow users to sort by-laws by Title, By-law Number, Category, Status or Department Responsible to facilitate searching and access.
- Search function that allows users to search for by-laws based on any word in the by-law, by-law number, status, subject type or Department responsible to facilitate searching and access.
- Creation of a list of 183 Major By-laws. A survey of users and requests has uncovered that 90% of the users are looking for the same 10% of the by-laws. This list of major by-laws has been made the default view. When users first enter the system, the list of these 183 Major by-laws, presented in alphabetical order, is what appears on the screen. Experienced users can then expand their view to include other less frequently used by-laws if required. This has been found to facilitate searching of by-laws, especially for first-time users of the system.

The Department continues to work with its partners such as the Legal Services Division, who create the by-laws and provide advice / guidance on developing better methodologies for presenting this data to the City of Winnipeg's customers.

The City Clerk's Department is committed to continuously improving all aspects of its operations, including the meeting process and its online documentation, such as agendas, minutes and by-laws. This continuous improvement includes not only changes from the Red Tape Report, but also those requested by our customers on a regular basis including citizens, businesses, Civic Departments and Elected Officials. Improvements are always made in a cost-conscious manner and typically involve small incremental changes to our in-house developed Decision Making Information system. The City of Winnipeg's system is the envy of many municipalities who have been forced to purchase expensive commercial software that is both expensive and not modifiable.

IN PREPARING THIS REPORT THERE WAS CONSULTATION WITH, AND CONCURRENCE BY:

City Clerk's Department
Legal Services Division

THIS REPORT SUBMITTED BY:
City Clerk's

Prepared by: Richard Kachur (2428)
File No.

Financial Impact Statement

Date:

Project Name:

First Year of Program 2007

	2007	2008	2009	2010	2011
Capital					
Capital Expenditures Required		$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
External	-	-	-	-	-
Grants (Identify)	-	-	-	-	-
Reserves, Equity, Surplus, Other	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery		-	-	-	-
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

'Original signed by'
Marc Lemoine
Deputy City Clerk

Appendix A

City Clerk's Department

Public Hearing Process



Winnipeg

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Appendix A (Cont.)

What is a Public Hearing?

A Public Hearing is a process in which interested parties and any other persons who may be affected by the result have the opportunity to make submissions, ask questions or register objections to a development application or other matter under a City by-law.

A Public Hearing body is comprised of elected officials or citizen members appointed by City Council.

What should I know before attending a Public Hearing?

The City gives notice of a Public Hearing by posting a sign on or near the subject property, placing an advertisement in a newspaper having general circulation in the City, sending notices by mail, or a combination of these.

The City administration will prepare a report containing an overview of the application and a recommendation that will be considered by the Public Hearing body.

All citizens can view these administrative reports on the City Clerk's Department *Decision Making Information System* (DMIS) by accessing the following internet link:
www.winnipeg.ca/CLKDMIS

Alternatively, a citizen can view these reports at the City Clerk's Office, Main Floor, Council Building, 510 Main Street, Winnipeg, Monday to Friday (excluding holidays) between 8:30 a.m. and 4:30 p.m.

What happens at a Public Hearing?

All persons who would like to participate in a Public Hearing are asked to complete a short "Representation Form" at the hearing. On that form, you are asked to indicate if you are registering in support of the application, in opposition to it, or for information only. By filling out this form you are also ensuring that you will receive notice of the hearing body's decision/recommendation in the matter and information on how to appeal (if applicable).

Generally, and unless otherwise directed by the Public Hearing body, the applicant (and/or designate) is heard first, followed by those in support of the application. Next, those registered in opposition are heard, followed by those registered for information. Finally, the applicant may return if he/she so desires, and speak in rebuttal. Please note that when your name is called, this is your opportunity to speak; however, you are not obligated to do so.

Of further note, the Public Hearing body may establish reasonable time limits for representations at a public hearing. The Public Hearing body may also decline to hear presentations, questions or objections where the body is satisfied that the matter has been adequately addressed at the hearing.

After hearing representations, the Public Hearing body may decide to either adjourn the matter or render its decision/make its recommendation to City Council.

Depending on the type of application, a Public Hearing body may or may not have the final decision making authority. Some decisions may be appealed.

What are Public Representations?

Public representations include information, materials or arguments presented orally or submitted in writing or other form at a Public Hearing.

Appendix A (Cont.)

What if I can't attend the Public Hearing?

If you are unable to attend a public hearing, you can participate in the process by submitting your comments to the Public Hearing body in writing by:

Fax: 204-947-3452
E-mail: clerks@winnipeg.ca
Mail/In Person: City Clerk's Office,
Council Building,
510 Main Street, Winnipeg, MB, R3B 1B9

All submissions to a Public Hearing body must be received prior to or during a hearing. Submissions cannot be made following the conclusion of public representations.

What is an Adjournment?

In some cases, a Public Hearing may be adjourned, which means that the hearing will reconvene at a later date. When it adjourns the hearing, the Public Body will generally announce the date, time and place of reconvening. If not, the City will give notice of this information as though the reconvened hearing were a new hearing.

What does it mean to "Conclude Public Representations"?

After a Public Hearing body has heard all relevant public representations from interested parties and affected persons, it will proceed to conclude public representations. Once it has done so, no additional representations may be made by the parties to the hearing or members of the public, unless the Public Hearing body decides to re-open public representations on one or more issues.

Should the result of a Public Hearing be a recommendation by the Public Hearing body to City Council, no further representation is permitted at Council or any other Committee as the matter proceeds to Council.

Can I appeal the decision?

Some decisions may be appealed. When a decision is appealed, the City arranges for a new public hearing by a different hearing body, which will confirm, vary or cancel the order or decision of the initial Public Hearing body or substitute a new order or decision for it.

If you register for a Public Hearing, the City will send you written notice of the decision with information on how to appeal the decision (if applicable).

For more information on what can or cannot be appealed, please contact the City Clerk's Office.

Every effort has been made to ensure the accuracy of information contained herein. However, in the event of a discrepancy between this information and the governing City of Winnipeg By-laws, the By-laws will take precedence.

For more information contact:

City Clerk's Department
204-986-2171
Council Building
510 Main Street
Winnipeg, Manitoba
R3B 1B9

Visit the City Clerk's web page:
www.winnipeg.ca/clerks