Agenda – Council - November 21, 2007

Report - Executive Policy Committee - November 14, 2007

Item No. 9 Records Management By-law No. 166/2003 - Amendments
File GK-5

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 14, 2007, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submits the following to Council:

1. That the amendments to the Records Management By-law No. 166/2003, as outlined in the report from the City Clerk dated November 7, 2007, be approved.

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law for submission to Council.

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

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DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 14, 2007, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

RE: Amendments to Records Management By-law No. 166/2003

FOR SUBMISSION TO: Executive Policy Committee

ORIGINAL REPORT SIGNED BY: Richard Kachur, City Clerk

REPORT DATE: November 7, 2007

RECOMMENDATION: That Council approve the amendments to the Records Management By-law No. 166/2003 as outlined in the attached report.

Report Summary

Key Issues:

- The City of Winnipeg is required to have a by-law for the management, retention, safekeeping, disposition and destruction of records in accordance with the City of Winnipeg Charter (By-law No. 166/2003).

- The by-law requires periodic changes to reflect changes in the City's administrative structure, processes, and governing legislation.

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): Amendments are of a housekeeping nature and have no significant implications for the organization overall or external communities/organizations.

Policy Implications

(x) No

( ) Yes

Comment(s):

Regulatory Implications

(x) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

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

REASON FOR THE REPORT:

An amendment is required to the current version of the Records Management By-law No. 166/2003.

HISTORY:

By-law No. 166/2003 was passed On December 17, 2003, in accordance with The City of Winnipeg Charter which requires the City to pass a by-law for the management, retention, safekeeping, disposition and destruction of records. By-law No. 166/2003 replaced By-law No. 8150/2002, which was out of date.

Since its passage in 2003, changes to departmental structure and processes have resulted in new categories of records or changes to descriptions of existing records. Additionally, new provincial election legislation is not reflected in the current by-law.

The City of Winnipeg Records Committee met on November 1, 2007 and recommended that the proposed amendments be submitted to the Executive Policy Committee for favorable consideration.

DISCUSSION:

The proposed amendments can be summarized as follows:

1. New entries of records in cases where departments keep records that are not listed in the current version of the by-law.

2. Revisions to functions or programs which have changed or have emerged. For example the creation of the Internal Services Department.

3. Revisions to reflect changes in governing legislation. For example the replacement of the *Local Authorities Elections Act* by the new *Municipal Councils and Schools Boards Act*.

4. Revisions to reflect changes in the period of retention of records. Some time periods have been reduced based on legal requirements to keep financial records for no more than 6 years, for example.

Financial Impact Statement — Date: November 7, 2007

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	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
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

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

City of Winnipeg Records Committee
City Clerk's Department
Community Services Department
Corporate Finance Department
Legal Services, Internal Services Department
Planning, Property and Development Department
Winnipeg Police Service

External Consultation With:

None

THIS REPORT SUBMITTED BY:

Department: City Clerk's
Prepared by: Gerry Berkowski, Assistant Deputy City Clerk