Minute No. 237
Report – Secretariat Committee – January 19, 2009

Item No. 1 Conflict of Interest Commissioner
eFile GL-5.4

COUNCIL DECISION:

Council adopted the following:

1. That City Council call on the Province of Manitoba to review and amend existing legislation to create stronger Conflict of Interest rules and guidelines for the City of Winnipeg and Council through such measures as the establishment of a separate municipal office for the Conflict of Interest Commissioner or by expanding the role and responsibilities of the existing Commissioner.

2. 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:

Moved by Councillor Gerbasi,

WHEREAS in the Province of Ontario, the City of Toronto Act 2006 has established strong ethical accountability mechanisms and officers for Municipal Governments;

AND WHEREAS those measures included a Code of Conduct and an Integrity Commissioner who applies the code;

AND WHEREAS via the Conflict of Interest Act of the Province of Manitoba, on the recommendation of the Standing Committee of the Assembly on Legislative Affairs, the Lieutenant Governor in Council appoints a Conflict of Interest Commissioner for the purpose of the said Act who is appointed on a part-time basis;

AND WHEREAS the said Conflict of Interest Commissioner is required to make an annual report to the Speaker of the Assembly about the exercise of the commissioner's responsibilities under the Act;

AND WHEREAS the Conflict of Interest Act and the Conflict of Interest Commissioner only applies to the Province of Manitoba and Members of the Legislative Assembly;

AND WHEREAS there is no such office in regards to the City of Winnipeg;

THEREFORE BE IT RESOLVED THAT City Council call on the Province of Manitoba to review and amend existing legislation to create stronger Conflict of Interest rules and guidelines for the City of Winnipeg and Council through such measures as the establishment of a separate municipal office for the Conflict of Interest Commissioner or by expanding the role and responsibilities of the existing Commissioner.

Councillor O'Shaughnessy called for the yeas and nays, which were as follows:

Yea: Councillors Browaty, Fielding, Gerbasi, Pagtakhan, Smith, Thomas and Vandal. 7

Nay: His Worship Mayor Katz, Councillors Nordman, O'Shaughnessy, Steeves, Swandel and Lazarenko. 6

and the motion for adoption of the item was declared carried.

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DECISION MAKING HISTORY (continued):

SECRETARIAT COMMITTEE RECOMMENDATION:

On January 19, 2009, the Secretariat Committee submitted the matter to Council without recommendation.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION;

On October 29, 2008, the Executive Policy Committee referred the October 22, 2008 Council Motion to the Secretariat Committee.

COUNCIL:

On October 22, 2008, Council referred the following motion to the Secretariat Committee, via the Executive Policy Committee, for report back within 120 days:

Moved by Councillor Gerbasi
Seconded by Councillor Wyatt,

WHEREAS in the Province of Ontario, the City of Toronto Act 2006 has established strong ethical accountability mechanisms and officers for Municipal Governments;

AND WHEREAS those measures included a Code of Conduct and an Integrity Commissioner who applies the code;

AND WHEREAS via the Conflict of Interest Act of the Province of Manitoba, on the recommendation of the Standing Committee of the Assembly on Legislative Affairs, the Lieutenant Governor in Council appoints a Conflict of Interest Commissioner for the purpose of the said Act who is appointed on a part-time basis;

AND WHEREAS the said Conflict of Interest Commissioner is required to make an annual report to the Speaker of the Assembly about the exercise of the commissioner's responsibilities under the Act;

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DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

AND WHEREAS the Conflict of Interest Act and the Conflict of Interest Commissioner only applies to the Province of Manitoba and Members of the Legislative Assembly;

AND WHEREAS there is no such office in regards to the City of Winnipeg;

THEREFORE BE IT RESOLVED THAT City Council call on the Province of Manitoba to review and amend existing legislation to create stronger Conflict of Interest rules and guidelines for the City of Winnipeg and Council through such measures as the establishment of a separate municipal office for the Conflict of Interest Commissioner or by expanding the role and responsibilities of the existing Commissioner.