Minutes – Executive Policy Committee – December 4, 2013

REPORTS

Minute No. 44 Office of Ethics Commissioner

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee recommended to Council:

1. That the City create the Office of Ethics Commissioner and that Council appoint an independent person as the Ethics Commissioner, on a two-year renewable term.

2. That the Ethics Commissioner be responsible for:
   A. Providing oral and written advice to Members of Council, Statutory Officers and Members of the Winnipeg Public Service on questions of conflict or code matters;
   B. Investigating complaints involving conflict or code transgressions by Members of Council, Statutory Officers and Members of the Winnipeg Public Service;
   C. Reporting to Council on investigations and recommending subsequent actions and sanctions as required.

3. That the Ethics Commissioner report directly to Council and that funds for ongoing operations be provided in the 2014 Operating Budget.

4. That the Province of Manitoba be requested to amend The City of Winnipeg Charter Act to provide the Ethics Commissioner investigative powers, and the ability for Council to Sanction Members of Council, Statutory Officers and Members of the Winnipeg Public Service, on recommendation of the Ethics Commissioner.

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

DECISION MAKING HISTORY:

The Chairperson called Councillor Nordman to the Chair in order to move the following motions:

Moved by His Worship Mayor Katz,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

Carried

Moved by His Worship Mayor Katz,

WHEREAS *The Municipal Council Conflict of Interest Act* was enacted to prevent members of Council from engaging in conflict of interest in the conduct of their responsibilities as elected officials;

AND WHEREAS on September 21, 1994 City Council adopted a Code of Conduct for Members of Council, in order to strengthen the existing conflict of interest legislation and enhance public trust;

AND WHEREAS on March 21, 2001, Council adopted the City of Winnipeg Code of Conduct for its employees as required by section 89(1) of *The City of Winnipeg Charter Act*;

AND WHEREAS at its meeting of February 18, 2009, Council requested the Province to review and amend the existing legislation and create a Conflict of Interest Commissioner;

AND WHEREAS on October 24, 2013, Mayor Sam Katz wrote to Premier Selinger asking again to reconsider reviewing and amending the legislation to create stronger conflict of interest rules and guidelines for the City of Winnipeg and Council;

AND WHEREAS the City of Winnipeg has continuously endeavoured to ensure that its operations are transparent, responsible and accountable, to the citizens of Winnipeg;

THEREFORE BE IT RESOLVED that the City create the Office of Ethics Commissioner and that Council appoint an independent person as the Ethics Commissioner, on a two-year renewable term;

AND BE IT ALSO RESOLVED that the Ethics Commissioner be responsible for:

A. Providing oral and written advice to Members of Council, Statutory Officers and Members of the Winnipeg Public Service on questions of conflict or code matters;

DECISION MAKING HISTORY (continued):

B. Investigating complaints involving conflict or code transgressions by Members of Council, Statutory Officers and Members of the Winnipeg Public Service;

C. Reporting to Council on investigations and recommending subsequent actions and sanctions as required;

AND BE IT ALSO RESOLVED that the Ethics Commissioner report directly to Council and that funds for ongoing operations be provided in the 2014 Operating Budget;

AND BE IT FURTHER RESOLVED that the Province of Manitoba be requested to amend *The City of Winnipeg Charter Act* to provide the Ethics Commissioner investigative powers, and the ability for Council to Sanction Members of Council, Statutory Officers and Members of the Winnipeg Public Service, on recommendation of the Ethics Commissioner;

and forwarded to Council.

Carried

His Worship Mayor Katz resumed the Chair.