EXECUTIVE POLICY COMMITTEE

NOTICE OF MOTION

Council adopted the Notice of Motion Moved by His Worship Mayor Bowman and Seconded by Councillor Allard, as amended, and shown below:

Minute No. 655
Moved by His Worship Mayor Bowman,
Seconded by Councillor Allard,

WHEREAS Members of Council must perform their functions with integrity, impartiality and transparency, putting the public interest before private and self-interest;

AND WHEREAS Members of Council must not act in situations in which they have a real or apparent conflict of interest, whether during a meeting of Council or Committee of Council or at any other time while performing their official duties;

AND WHEREAS Members of City Council should adhere to this principle during their time in office as well as the time immediately following their leave of office;

AND WHEREAS the Integrity Commissioner has been preparing a new Code of Conduct for Members of Council;

AND WHEREAS the Integrity Commissioner has been meeting with Members of Council individually, as well as a group, to receive input on ways each Member felt the Code of Conduct could be revised;

AND WHEREAS The Legislative Assembly and Executive Council Conflict of Interest Act restricts Cabinet Ministers, Deputy Ministers, Assistant Deputy Ministers, as well as senior officers of Crown agencies from certain employment and activities for a period of one year following their leave of office;

AND WHEREAS Members of Council should be subject to a one year cooling off period consistent with provincial officials;

AND WHEREAS the City Solicitor has advised that legislative changes are necessary in order to impose and enforce a cooling off period for Members of Council including the Mayor.

THEREFORE BE IT RESOLVED THAT the Winnipeg Public Service work with Provincial officials to develop a proposal to amend The City of Winnipeg Charter Act to require a one year cooling off period for members of Council and the Mayor that is consistent with sections 19.2 to 19.6(inclusive) and section 21.1 of The Legislative Assembly and Executive Council Conflict of Interest Act (the Act). The relevant sections of the Act are attached to this motion. References in the Act to the Conflict of Interest Commissioner would be understood to be references to the City's Integrity Commissioner;

Executive Policy Committee – Notice of Motion (continued):

AND BE IT FURTHER RESOLVED THAT the Public Service return within 90 days with a report to Council on changes to The City of Winnipeg Charter Act that are required to implement the cooling off period for members of Council and the Mayor prior to the City making an official request to the Province for legislative changes in this regard.

Executive Policy Committee – Notice of Motion (continued):

DECISION MAKING HISTORY:

COUNCIL:

At its meeting held on September 27, 2017, the following motion was required to stand as Notice of Motion in accordance with Rule 17.1 of the Procedure By-law:

Moved by His Worship Mayor Bowman,
Seconded by Councillor Allard,

WHEREAS Members of Council must perform their functions with integrity, impartiality and transparency, putting the public interest before private and self-interest;

AND WHEREAS Members of Council must not act in situations in which they have a real or apparent conflict of interest, whether during a meeting of Council or Committee of Council or at any other time while performing their official duties;

AND WHEREAS Members of City Council should adhere to this principle during their time in office as well as the time immediately following their leave of office;

AND WHEREAS the Integrity Commissioner has been preparing a new Code of Conduct for Members of Council;

AND WHEREAS the Integrity Commissioner has been meeting with Members of Council individually, as well as a group, to receive input on ways each Member felt the Code of Conduct could be revised;

AND WHEREAS The Legislative Assembly and Executive Council Conflict of Interest Act restricts Cabinet Ministers, Deputy Ministers, Assistant Deputy Ministers, as well as senior officers of Crown agencies from certain employment and activities for a period of one year following their leave of office;

AND WHEREAS Members of Council should be subject to a one year cooling off period consistent with provincial officials;

AND WHEREAS the City Solicitor has advised that legislative changes are necessary in order to impose and enforce a cooling off period for Members of Council including the Mayor.

BE IT RESOLVED that Winnipeg City Council request that the Province of Manitoba amend The City of Winnipeg Charter Act to require a one year cooling off period for Members of Council, including the Mayor, in a manner that is consistent with the cooling off period currently in place for provincial officials.

Executive Policy Committee – Notice of Motion (continued):

DECISION MAKING HISTORY (continued):

COUNCIL (continued):

At its meeting held on October 25, 2017, the following amendment to the Notice of Motion Moved by His Worship Mayor Bowman and Seconded by Councillor Allard was tabled:

In amendment,
Moved by Councillor Mayes,
Seconded by Councillor Allard,

WHEREAS a Notice of Motion to establish a one-year cooling off period for members of Council and the Mayor was introduced at the Council Meeting of September 27, 2017;

AND WHEREAS this Notice of Motion called for the Province of Manitoba to make the necessary changes to the City of Winnipeg Charter Act (The Charter) to implement this cooling off period but did not identify specific legislative changes;

AND WHEREAS having the Public Service identify specific legislative changes to The Charter that are necessary to implement this cooling off period will provide greater clarity to the Province of Manitoba and members of City Council and the Mayor prior to implementing this initiative;

THEREFORE BE IT RESOLVED that the resolution in the Notice of Motion to establish a cooling off period at the Council meeting of September 27, 2017 be replaced with the following:

"That the Winnipeg Public Service work with Provincial officials to develop a proposal to amend The City of Winnipeg Charter Act to require a one year cooling off period for members of Council and the Mayor that is consistent with sections 19.2 to 19.6(inclusive) and section 21.1 of The Legislative Assembly and Executive Council Conflict of Interest Act (the Act). The relevant sections of the Act are attached to this motion. References in the Act to the Conflict of Interest Commissioner would be understood to be references to the City's Integrity Commissioner.

BE IT FURTHER RESOLVED THAT the Public Service return within 90 days with a report to Council on changes to The City of Winnipeg Charter Act that are required to implement the cooling off period for members of Council and the Mayor prior to the City making an official request to the Province for legislative changes in this regard."

The amendment Moved by Councillor Mayes and Seconded by Councillor Allard was put and declared carried.

The question on the Notice of Motion moved by His Worship Mayor Bowman and Seconded by Councillor Allard, as amended, was put and declared carried.