Agenda – Council – March 22, 2018

Report – Executive Policy Committee – March 14, 2018

Item No. 2 Cooling Off Period

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 14, 2018, the Executive Policy Committee submitted to Council that a further extension of time of 30 days be granted for the Winnipeg Public Service to report back on the following:

1. 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;

2. That the Winnipeg 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.

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 March 14, 2018, the Executive Policy Committee recommended to Council that a further extension of time of 30 days be granted for the Winnipeg Public Service to report back on the matter.

COUNCIL DECISION:

On January 25, 2018, Council concurred in the recommendation of the Executive Policy Committee and granted an extension of time of 60 days for the Winnipeg Public Service to report back.

Councillor Eadie asked to be recorded as having voted against Item 2 in accordance with Rule 47(7) of the Procedure By-law.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 17, 2018, the Executive Policy Committee recommended to Council that an extension of time of 60 days be granted for the Winnipeg Public Service to report back on the matter.

COUNCIL DECISION:

On October 25, 2017, Council adopted the following motion:

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;

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DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

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;

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.