Minutes – Executive Policy Committee – April 9, 2019

REPORTS

Item No. 3 Cooling Off Period

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee recommended to Council:

1. That the Province of Manitoba be requested to amend The City of Winnipeg Charter Act and/or any other relevant Provincial legislation to require a one-year cooling off period for City of Winnipeg elected officials and senior public servants of the City of Winnipeg 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 Proper Officers of the City be authorized to do all things necessary to fulfill the intent of the foregoing.

DECISION MAKING HISTORY:

Moved by Councillor Allard,

That the Province of Manitoba be requested to amend The City of Winnipeg Charter Act and/or any other relevant Provincial legislation to require a one-year cooling off period for City of Winnipeg elected officials and senior public servants of the City of Winnipeg 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.

Carried

COUNCIL DECISION:

On July 19, 2018, Council concurred in the recommendation of the Executive Policy Committee and granted a further extension of time of 180 days for the Winnipeg Public Service to report back on the matter.

On April 26, 2018, Council concurred in the recommendation of the Executive Policy Committee and granted a further extension of time of 90 days for the Winnipeg Public Service to report back on the matter.

On March 22, 2018, Council concurred in the recommendation of the Executive Policy Committee and granted a further extension of time of 30 days for the Winnipeg Public Service to report back on the matter.

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.

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;

DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

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;

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.