Agenda – Council – April 3, 2020

Executive Policy Committee - Reports

Item No. 3. Electronic Meetings, Short Term Council and Committee Schedule

The following motion is being submitted to Council for approval:

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

WHEREAS the impact of COVID-19 on the City of Winnipeg, and in particular City Council, requires the City to balance the need for safety and the ability to continue to serve its citizens;

AND WHEREAS technology can provide a means for meetings of Council and Committees of Council to continue while ensuring the safety of all participants;

AND WHEREAS the City of Winnipeg Charter states:

81(1) Council may, in circumstances under which it is permitted by by-law to do so, conduct a meeting by means of electronic or other communication devices if the devices enable the members to hear and speak to each other and the public to hear the members.;

AND WHEREAS with the decreased ability for Council and Committees of Council to meet physically, it would be beneficial to allow members of Council to meet by means of electronic or other communication devices and to delegate the decision making authority to the City Clerk to determine appropriate means for doing so;

AND WHEREAS on March 20, 2020 City Council cancelled all meetings of the Executive Policy Committee, Standing Policy Committees, Community Committees, Appeal Committee, Board of Adjustment, Board of Revision and any other Committee of Council or Sub-committee of Council, between March 23, 2020 and April 13, 2020;

AND WHEREAS a revised schedule of meetings of Council and Committees of Council is necessary to allow Council to continue to serve its Citizens.

THEREFORE BE IT RESOLVED THAT:

1. That Council and Committees of Council be permitted to meet by means of electronic or other communication device determined to be feasible by the City Clerk, in accordance with the City of Winnipeg Charter, for a period of 120 days, beginning April 20, 2020.

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2 That the attached by-law (Attachment B) be enacted to implement the changes outlined in Recommendation 1.

3. That the remaining meetings of the Executive Policy Committee, Standing Policy Committees, Community Committees, Appeal Committee, Board of Adjustment, Board of Revision and any other Committee of Council or Sub-committee of Council, between April 14, 2020 and May 31, 2020, be cancelled.

4. That the attached interim schedule of meetings (Attachment A) for the month of April and May 2020 be approved.

5. That the City Clerk be directed to report back to Council on May 6, 2020, with an interim Council and Committees of Council schedule of meetings through August 31, 2020, including Community Committees, Board of Adjustment and other committees, as determined to be feasible by the City Clerk.

6. That the Winnipeg Public Service be directed to report back to Council on May 6, 2020, with options to delegate the decision making authority on certain matters, for a period of 120 days, beginning May 2020, including but not limited to the consideration of the following:

    A. The delegation of authority to the Chief Administrative Officer to approve all Award of Contracts when the award is within a Council approved budget.

    B. The delegation of authority to the Director of Planning, Property and Development to decide on all "C" Conditional Use and Variance applications, which would typically be decided on by the Board of Adjustment.

    C. The delegation of authority to ward Councillors to approve expenditures of Per Capita Grant funds and Community Incentive Grant and Land Dedication Reserve funding when the applications meet Council approval criteria.

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

ATTACHMENT A

CITY OF WINNIPEG

INTERIM SCHEDULE OF COUNCIL AND COMMITTEE MEETINGS

April and May 2020

Property and Development Heritage and Downtown Development	**Infrastructure Renewal and Public Works**	**Protection, Community Services and Parks**	**Water and Waste, Riverbank Management and the Environment**	**Innovation and Economic Development**	**Finance**	**Executive Policy Committee**	**Council**
Monday April 20	Tuesday April 21	Wednesday April 22	Thursday April 23	Friday April 24	Monday April 27	Tuesday April 28	Wednesday May 6
Monday May 11	Tuesday May 12	Wednesday May 13	Thursday May 14	Friday May 15	Tuesday May 19	Wednesday May 20	Thursday May 28

** All meetings start at 9:30 a.m. in the Council Chamber, Council Building, 510 Main Street*

ATTACHMENT B

THE CITY OF WINNIPEG

BY-LAW NO. 41/2020

A By-law of THE CITY OF WINNIPEG to permit members of Council to participate in meetings of Council and Council committees by means of electronic or other communication devices

WHEREAS physical meetings of Council would be difficult or impossible to be held in compliance of the orders and recommendations of public health authorities during the period of the COVID-19 pandemic;

AND WHEREAS section 74 of *The City of Winnipeg Charter* provides as follows:

> ***Procedures by-law***
> *74 Council may by by-law establish rules governing*
>
> *…*
>
> *(b) the circumstances under which meetings of council, or of its committees or subcommittees, may be conducted by means of electronic or other communication devices as permitted under section 81 (use of communication devices).*

AND WHEREAS section 81 of *The City of Winnipeg Charter* provides as follows:

> ***Meeting through communication devices***
> *81(1) Council may, in circumstances under which it is permitted by by-law to do so, conduct a meeting by means of electronic or other communication devices if the devices enable the members to hear and speak to each other and the public to hear the members.*
>
> ***Participating member deemed present***
> *81(2) A member of council who participates in a meeting of council conducted by means of communication devices is deemed to be present at the meeting.*
>
> ***Meetings of committees***
> *81(3) Where council has provided for a meeting of a committee of council or a subcommittee thereof to be conducted by means of electronic or other communication devices, subsections (1) and (2) apply, with necessary changes, to the meeting and to members of the committee or subcommittee.*

NOW THEREFORE THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Short title

1. This By-law may be cited as the *Meetings of Council by Communication Devices By-law.*

Council and committees of Council authorized to meet by communication device

2. Despite section 5 of the Procedure By-law but subject to this By-law, for a period of 120 days beginning on April 20, 2020, Council and committees of Council are hereby authorized to meet by means of electronic or other communication device as determined to be feasible by the City Clerk.

Rules for meetings held through communication devices

3(1) Before a meeting is held under section 2, the City Clerk must

(a) determine that use of the devices to conduct the meeting will enable the members to hear and speak to each other and the public to hear the members and is otherwise feasible; and

(b) communicate to all members of Council or of the committee of Council, as the case may be, which devices will be used and the means by which they can be used to participate in the meeting.

3(2) At the beginning of a meeting held in accordance with section 2, the Presiding Officer or the Chair of the Committee, as the case may be, must satisfy himself or herself that the communication devices being used are functioning to a standard that will enable all the members participating in the meeting to hear and speak to each other and the public to hear the members.

3(3) If, at any point during the meeting held in accordance with section 2, the communication devices cease to function to a standard that will enable the members to hear and speak to each other and the public to hear the members, the Presiding Officer or the Chair of the Committee, as the case may be, shall suspend the meeting until the communication devices are again functional. If, after reasonable but unsuccessful efforts have been made to achieve functionality of the devices, the Presiding Officer or the Chair, as the case may be, shall adjourn the meeting.

3(4) The Procedure By-law shall apply to meetings held in accordance with section 2 with such changes as are reasonably required to facilitate the conduct of the meeting.

3(5) For greater certainty, subsection 9(19) of the Procedure By-law – which requires that members must receive permission from the Presiding Officer before leaving the meeting – applies to meetings held in accordance with section 2.

DONE AND PASSED this day of , 2020.

_____
Mayor

_____
City Clerk

Legally reviewed and certified as to form:

_____
for Director of Legal Services
and City Solicitor