Agenda – Council – October 28, 2021

Report – Governance Committee of Council – September 21, 2021

Item No. 1 Voting Requirements By-law

COMMITTEE RECOMMENDATION:

On October 20, 2021, the Executive Policy Committee concurred in the recommendation of the Governance Committee of Council and submitted the following to Council:

1. That the draft by-law attached to this report as Appendix A, be enacted.

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

Report – Governance Committee of Council – September 21, 2021

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 20, 2021, the Executive Policy Committee concurred in the recommendation of the Governance Committee of Council and submitted the matter to Council.

COMMITTEE RECOMMENDATION:

On September 21, 2021, the Governance Committee of Council concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Voting Requirements By-law

Critical Path: Governance Committed of Council - Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Prinsloo	M. Lemoine		

EXECUTIVE SUMMARY

Section 73(1) of The City of Winnipeg Charter stipulates that Council may resolve that certain matters will require more than a simple majority decision to adopt. It further specifies that any decision to require more than a simple majority must be included in a by-law.

Section 73(2) of the City of Winnipeg Charter outlines that the by-law which specifies which matters require more than a simple majority must be reconfirmed every 4 years.

The Voting Requirements By-law 126/2003 lists out previous matters specified by Council that require more than a simple majority. It is now required to be confirmed by Council under section 73(2) of the Charter.

The City of Winnipeg Charter as well as other by-laws, such as the Procedure By-law, also specify other matters that require more than a simple majority decision to adopt. There have been requests in the past to create a complete list of all matters germane to Council that require more than a simple majority to adopt, so as to provide an easy reference for elected officials, the public service and citizens.

The draft by-law attached to this report creates the list of all decisions which require more than a majority decision for Council or its Committees to adopt.

It is important to note that no new matters have been added to the by-law. All matters were previously adopted by Council and / or existed in the Charter.

RECOMMENDATIONS

1. That the draft by-law attached to this report as Appendix A, be enacted.

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

REASON FOR THE REPORT

As per section 73(2) of the Charter, Council must reconfirm matters that require more than a simple majority decision to adopt.

IMPLICATIONS OF THE RECOMMENDATIONS

By enacting the draft By-law attached to this report as Appendix A, Council will reconfirm previous decisions on what matters require more than a simple majority decision to adopt, as stipulated under section 73(2) of the Charter.

As well, the new by-law will consolidate other matters specified in other by-laws or the Charter which require more than a simple majority to adopt, creating an omnibus list for easier use by elected officials, the public service and citizens.

HISTORY/DISCUSSION

Section 73(1) of The City of Winnipeg Charter stipulates that Council may resolve that certain matters will require more than a simple majority decision to adopt. It further specifies that any decision to require more than a simple majority must be included in a by-law.

Section 73(2) of the City of Winnipeg Charter outlines that the by-law which specifies which matters require more than a simple majority must be confirmed every 4 years.

The Voting Requirements By-law 126/2003 currently lists out previous matters and policies specified by Council that require more than a simple majority and is now required to be confirmed by Council under section 73(2) of the Charter.

The City of Winnipeg Charter as well as other by-laws, such as the Procedure By-law and Pension for Members of Council By-law, also specify matters that require more than a simple majority decision to adopt. There have been requests in the past to create a complete list of all matters germane to Council that require more than a simple majority to adopt, so as to provide an easy reference for elected officials, the public service and citizens.

The draft by-law attached to this report creates the list of all decisions which require more than a majority decision for Council or its Committees to adopt.

It is important to note that no new matters have been added to the by-law. All matters were previously adopted by Council and / or existed in the Charter or other By-laws.

Appendix B attached to this report provides a list of all matters that require more than a simple majority to be adopted. In all cases, a 2/3rds vote is required. Appendix B also specifies whether the 2/3rds vote is of members present at the Council / Committee or of all members of the Council / Committee.

Appendix A contains the new by-law replacing the current Voting Requirements By-law.

FINANCIAL IMPACT

Financial Impact Statement **Date:** September 7, 2021

Project Name:
Voting Requirements

COMMENTS:
There are no financial implications associated with the recommendations in this report.

Electronically signed by J. Peters
Jocelyn Peters, CPA, CGA
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

This Report has been prepared in consultation with:

Legal Services

OURWINNIPEG POLICY ALIGNMENT

The recommendations contained in this report align with OurWinnipeg Direction 1: Provide efficient and focused civic administration and governance.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

SUBMITTED BY

Department: City Clerk's Department
Prepared by: P. Prinsloo, Senior Committee Clerk
Date: September 9, 2021

Attachments:

Appendix A – Draft By-law
Appendix B – Listing of matters that require 2/3rds vote to be adopted.