Agenda – Council – January 27, 2022

Report – Executive Policy Committee – January 19, 2022

Item No. 13 City of Winnipeg Governance Review – Final Report

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 19, 2022, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and submitted the following to Council:

1. That the Governance Review Final Report be received as information.

2. That the Winnipeg Public Service be directed to:

    A. Implement Recommendation 1 of the Governance Review Final Report, prior to November 2022, namely:

        "Develop a formal orientation process that includes documented Roles and Responsibilities for Members of Council."

    B. Report back to Council with information regarding the implementation of recommendations 2 to 15 of the Governance Review Final Report by no later than the end of 2022.

3. That the Governance Review Final Report be referred to all Community Committees for review, comment and recommendations to be provided to the Governance Committee of Council within 90 days.

4. That within 60 days of the receipt of all Community Committee reports, the Governance Committee of Council report to Council with additional recommendations, if any, for incorporation into the report required in Recommendation 2.B. above.

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

Report – Executive Policy Committee – January 19, 2022

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 19, 2022, the Executive Policy Committee passed the following motion:

WHEREAS the City of Winnipeg Governance Review report recommends many changes to city governance that are worthy of additional consideration and details on implementation;

WHEREAS the review includes numerous recommendations that will require significant collaboration from the public service in order to be implemented;

AND WHEREAS the Mayor and members of Council to be elected in October 2022 should have the opportunity to review and vote on these changes to city governance;

AND WHEREAS recommendation 1. Develop a formal orientation process that includes documented Roles and Responsibilities for Members of Council should be in place prior to the election of a new Council in 2022;

THEREFORE BE IT RESOLVED that the recommendation of the Winnipeg Public Service be amended by adding the following new recommendations:

2. That the Winnipeg Public Service be directed to:

    A. Implement Recommendation 1 of the Governance Review Final Report, prior to November 2022, namely:

        "Develop a formal orientation process that includes documented Roles and Responsibilities for Members of Council."

    B. Report back to Council with information regarding the implementation of recommendations 2 to 15 of the Governance Review Final Report by no later than the end of 2022.

3. That the Governance Review Final Report be referred to all Community Committees for review, comment and recommendations to be provided to the Governance Committee of Council within 90 days.

4. That within 60 days of the receipt of all Community Committee reports, the Governance Committee of Council report to Council with additional recommendations, if any, for incorporation into the report required in Recommendation 2.B. above.

Report – Executive Policy Committee – January 19, 2022

DECISION MAKING HISTORY (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

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

and submitted the matter to Council.

The following persons submitted communications:

- Bev Pike submitted a communication in opposition to the matter
- Shirley Forsyth, Manitoba Nurses for Health and the Environment / Infirmières Manitobaines pour la santé et l'environnement, submitted a communication dated January 18, 2022, in opposition to the matter
- David Grant submitted a communication dated January 18, 2022, in opposition to the matter
- Councillor Lukes, Waverley West Ward, submitted a communication with respect to the matter

ADMINISTRATIVE REPORT

Title: City of Winnipeg Governance Review – Final Report

Critical Path: Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
C. Gameiro	M. Lemoine	N/A	M. Jack

EXECUTIVE SUMMARY

Council approved $175,000.00 for an external review of the City of Winnipeg's governance structure to be conducted, along with a cross jurisdictional review of other Canadian cities, in order to establish best practices and to provide recommendations to Council. MNP LLP was awarded the contract to conduct the review and the associated public engagement. In addition to reviewing the City's governing legislation, MNP interviewed members of Council and senior city staff for insights on what works well and to identify potential areas of improvement. A cross jurisdictional review of the processes and procedures of nine Canadian cities was also undertaken, in order to identify best governance practices.

The Governance Review Final Report revealed that the City of Winnipeg's governance framework is consistent with other jurisdictions across the country, but also provided fifteen recommendations on where the City could further strengthen its governance structure and processes.

The report is being submitted to Council as information, with the intent that Council provide direction on which recommendations it would like to implement. The Winnipeg Public Service will then report back with the necessary amendments to formally implement the changes.

RECOMMENDATIONS

1. That the Governance Review Final Report be received as information.

REASON FOR THE REPORT

As part of the 2018 Operating Budget, Council approved $175,000.00 for a review of the City of Winnipeg's governance structure to be conducted by an external consultant.

IMPLICATIONS OF THE RECOMMENDATIONS

The MNP report identified fifteen (15) recommendations on how the City of Winnipeg could improve its governance structure. The adoption of the recommendations would require amendments to the City of Winnipeg Charter, the City Organization By-law 7100/97, the Procedure By-law 50/2007 or the Development Procedures By-law 104/2020. There are also budgetary implications that would have to be explored further prior to adoption.

HISTORY/DISCUSSION

The governance structure of an organization are the rules, procedures, policies and practices put in place to guide the organization in decision making, achieving its goals and holding it to account.

There have been three previous governance reviews of the City of Winnipeg since Unicity in 1972. Both the Taraska Report in 1976 and the Cherniak Report in 1986 were provincially initiated as a requirement of the City of Winnipeg Act, and in 1997 the City initiated its own review with the Cuff Report.

Council approved $175,000.00 in the 2018 Operating Budget, for a review of the City of Winnipeg's governance structure which was to be conducted by an external consultant. After having met with members of Council for input on the scope of the study, a request for proposal was issued on June 15, 2018. Upon closing on July 17, 2018, only one bid was received and the project was not awarded, as the bid did not meet the requirements of the project.

The RFP was reviewed and subsequently amended by narrowing the scope of the project and modifying the weighting in the evaluation matrix, in order to attract potential bidders. As the project timelines were now competing with the upcoming 2018 Civic Election, it was decided to hold off on reissuing the RFP to allow for input from newly elected members of Council.

In January of 2019 the five newly elected members of Council were interviewed for their input and in May the request for proposal was reissued for an external consultant to conduct a cross jurisdictional review of other Canadian municipalities in order to establish best practices and to provide recommendations to Council on the following:

- Structure of committees of council including the mandate and delegated authorities of each, their function, relevance, distribution of work load, and appointment process to all committees;
- Administrative – Political interface between the public service and elected representatives;
- Public hearing process;
- Appeal process for administrative and political decisions; and
- Annual budget process – political oversight and review process.

Four bids for the project were received, and on August 19, 2019, the project to conduct the governance review and the related public engagement was awarded to MNP LLP.

The first phase of the review involved conducting 27 individual in-person interviews with Members of Council and senior staff, followed by a thorough review of prevailing legislation, including the City of Winnipeg Charter, the City Organization By-law 7100/97, the Procedure By-law 50/2007 and the Development Procedures By-law 104/2020. A cross jurisdictional review of the processes and procedures of the cities of Vancouver, Calgary, Edmonton, Regina, Toronto, Ottawa, Hamilton, Montreal, and Halifax was then undertaken in order to identify best governance practices.

A Preliminary Report of Findings was provided to members of Council in October, 2020 and made available publicly online as part of the related public engagement. The purpose of the engagement was to seek feedback from residents and stakeholder organizations on their experiences in dealing with the City of Winnipeg and provide suggestions where improvements could be made. Due to Public Health Orders related to COVID-19, all public engagement activities were conducted online.

Residents were able to provide their views through an online survey, an idea generation and commenting tool, participating in online public events or making written submissions. Stakeholder organization representing business, community, and development were also engaged through focus groups.

The Governance Review Public Engagement webpage received 3,150 unique visitors and over 907 people (904 English, 3 French) took the online survey. 55 posts were received through the ideas tool, 36 individuals took part in the four online public events and 21 stakeholder organizations provided input through seven virtual focus groups. There were also eight written submissions received from stakeholder organizations.

In order to further increase the breadth of public input on the city's governance structure, a series of questions were included as part of the city's annual omnibus survey related to services conducted by Probe Research. The results of the survey are included in the Summary Report of Public Engagement (Appendix K to the MNP Report).

A draft final report of the Governance Review along with the results of the public engagement were provided to members of Council in September, 2021 one week prior to the related Council Seminar, to allow adequate time to review the report and to prepare questions for the consultant. Members of Council were also invited to contact the consultant directly with any additional questions or commentary for three weeks after the Council Seminar.

The Governance Review Final Report was submitted to the City in late October, 2021. The MNP report concluded that overall *"the City of Winnipeg's governance framework (formal structures and practices) appear to be consistent with or leading the practices of the other jurisdictions reviewed, and support principles of effective municipal governance."* The report did also identify areas where the City could potentially strengthen its governance structure, and provided the following fifteen recommendations:

1. Develop a formal orientation process that includes documented Roles and Responsibilities for Members of Council.

2. Formalize process for requests for information and reports from Administration.

3. Increase Council access to resources, and improve public accessibility of Council budget information.

4. Establish maximum number of appointments by Mayor to ensure these appointments plus the Mayor, do not exceed 50% of Council.

5. Streamline the flow of information and recommendations to Council and ensure all direction by Members of Council to the Administration is recorded as a resolution.

6. Incorporate a mechanism to ensure all wards are reasonably represented on EPC over time.

7. Discontinue Community Committee role in the Development Application Process.

8. Orient Indigenous Advisory Council to provide advice to Council as a whole.

9. Adjust proposed By-law amendment for Council Leaves of Absence.

10. Increase accessibility of Council meeting information to the public.

11. Enable delegations to present to the Committee or Council after the Administration report on an item.

12. Increase accessibility of Council decision-making and public engagement processes to marginalized groups.

13. Ensure the results of public input on a matter before Council are readily accessible to Council.

14. Establish an overarching Council approved strategic plan, including a framework to annually monitor progress, review priorities and renew the plan at least with each term of Council.

15. Streamline the Development Application Process.

The adoption of the recommendations would require amendments to the City of Winnipeg Charter, the City Organization By-law 7100/97, the Procedure By-law 50/2007 or the Development Procedures By-law 104/2020. There are also budgetary implications.

Page 2 of the MNP Report contains a summary of the recommendations, the rationale for each recommendations and what amendments to by-laws, Council policies or The City of Winnipeg Charter would be required, with further detail provided in the body of the report.

The report is being submitted to Council as information, with the intent that Council provide direction on which recommendations it would like to implement. The Winnipeg Public Service will then report back with the necessary amendments to formally implement the changes.

FINANCIAL IMPACT

Financial Impact Statement

Date: December 9, 2021

Project Name:
City of Winnipeg Governance Review – Final Report

COMMENTS:

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

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

CONSULTATION

N/A

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

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

SUBMITTED BY

Department: City Clerks Department
Division:
Prepared by: C. Gameiro
Date: December 13, 2021

Attachment: