Minutes – Executive Policy Committee – February 14, 2023

Report – Governance Committee of Council – February 9, 2023

Item No. 1 Information for the Implementation of Recommendations of the City of Winnipeg Governance Review

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Governance Committee of Council and submitted the following to Council:

1. That the recommendations and commentary of the Community Committees (Attachment A), be received as information.

2. That the report of the Winnipeg Public Service be received as information.

3. That the Governance Committee of Council be tasked with further reviewing the MNP Governance Review report within 180 days, in order to determine recommendations for implementation.

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

Minutes – Executive Policy Committee – February 14, 2023

Report – Governance Committee of Council – February 9, 2023

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than four business days preceding the committee meeting, be considered by Committee.

Moved by Councillor Lukes,

That the recommendation of the Governance Committee of Council be concurred in and forwarded to Council.

Yea:	Gillingham, Browaty, Lukes, Mayes, Orlikow, Rollins	6
Nay:		0

Carried

COMMITTEE RECOMMENDATION:

On February 9, 2023, the Governance Committee of Council submitted the following to the Executive Policy Committee and Council.

1. That the recommendations and commentary of the Community Committees (Attachment A), be received as information.

2. That the report of the Winnipeg Public Service be received as information.

3. That the Governance Committee of Council be tasked with further reviewing the MNP Governance Review report within 180 days, in order to determine recommendations for implementation.

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

Minutes – Executive Policy Committee – February 14, 2023

Report – Governance Committee of Council – February 9, 2023

DECISION MAKING HISTORY (continued):

COUNCIL DECISION:

On June 23, 2022, Council concurred in the recommendation of the Governance Committee of Council, namely:

1. That the Governance Committee of Council be granted an extension of time up to February 2023 to report back to Council on the Community Committee recommendations on the Governance Review Final Report.

2. That Recommendation 2. B. of Item 13 of the Report of the Executive Policy Committee dated January 19, 2022, adopted by Council on January 27, 2022, be rescinded and replaced with the following:

    "B. Report back to Council through the Governance Committee of Council and the Executive Policy Committee, with information regarding the implementation of recommendations 2 to 15 of the Governance Review Final Report by no later than February 2023.

COMMITTEE RECOMMENDATION:

On May 13, 2022, the Governance Committee of Council recommended to Council

1. That the Governance Committee of Council be granted an extension of time up to February 2023 to report back to Council on the Community Committee recommendations on the Governance Review Final Report.

2. That Recommendation 2. B. of Item 13 of the Report of the Executive Policy Committee dated January 19, 2022, adopted by Council on January 27, 2022, be rescinded and replaced with the following:

    "B. Report back to Council through the Governance Committee of Council and the Executive Policy Committee, with information regarding the implementation of recommendations 2 to 15 of the Governance Review Final Report by no later than February 2023.

Minutes – Executive Policy Committee – February 14, 2023

Report – Governance Committee of Council – February 9, 2023

DECISION MAKING HISTORY (continued):

COMMITTEE RECOMMENDATION (continued):

On April 22, 2022, the Governance Committee of Council laid over consideration of the matter for 30 days.

David Grant submitted a communication dated April 21, 2022

COMMUNITY COMMITTEE RECOMMENDATIONS:

On March 18, 2022, the Lord Selkirk-West Kildonan Community Committee submitted its recommendations to the Governance Committee of Council.

On March 21, 2022, the Riel Community Committee submitted its recommendations to the Governance Committee of Council.

On March 22, 2022, the East Kildonan-Transcona Community Committee submitted its recommendations to the Governance Committee of Council.

On March 23, 2022, the Assiniboia Community Committee submitted its recommendations to the Governance Committee of Council.

On March 25, 2022, the City Centre Community Committee submitted its recommendations to the Governance Committee of Council.

COUNCIL DECISION:

On January 27, 2022, Council concurred in the recommendation of the Executive Policy Committee, and adopted the following:

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.”

Report – Governance Committee of Council – February 9, 2023

DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

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.

ADMINISTRATIVE REPORT

Title: City of Winnipeg Governance Review – Requirements for the Implementation of Recommendations

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

AUTHORIZATION

Author	Department Head	CFO	CAO
C. Gameiro	M. Lemoine		

EXECUTIVE SUMMARY

MNP LLP was engaged by the City of Winnipeg to conduct a review of the City's governance structure, along with a cross-jurisdictional review of other Canadian cities, in order to establish best practices and provide recommendations to Council on how the City's governance structure could be further improved. The City of Winnipeg Governance Review Final Report was submitted to Council on January 27, 2022 (Appendix 1).

The results of the review concluded that overall the City of Winnipeg's governance framework is consistent with other jurisdictions across the country, but also provided 15 recommendations on where the City could further strengthen its governance structure and processes.

On January 27, 2022, Council directed the Public Service to implement Recommendation 1, regarding the development of a Council orientation process prior to November 2022, that includes documented Roles and Responsibilities for Members of Council, and report back with information regarding the implementation of Recommendations 2 to 15, by no later than the end of 2022. Council further referred the Governance Review Final Report to all Community Committees for review, comment and recommendations to be provided to the Governance Committee of Council within 90 days. Within 60 days of receiving the Community Committee Recommendations, the Governance Committee was required to report to Council with additional recommendations, if any.

On June 23, 2022, Council granted the Governance Committee and the Winnipeg Public Service an extension to February 2023 to report back to Council.

The report on the implementation of Recommendation 1 regarding the orientation process for members of Council was submitted to Council on September 22, 2022.

This report contains information on the requirements to implement Recommendations 2 – 15, with the intent that Council provide direction on which recommendations it would like to implement. Once direction is provided on desired implementation, the Winnipeg Public Service will report back on the individual recommendations with options, costs and necessary amendments to Policies or By-laws to formally implement the changes.

RECOMMENDATIONS

1. That the report be received as information.

2. That Council provide direction on which recommendations to implement.

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

REASON FOR THE REPORT

On January 27, 2022 Council directed:

- That the Winnipeg Public Service 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

- 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.

- 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.

On June 23, 2022, Council granted the Winnipeg Public Service an extension to February 2023, to report back to Council.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no immediate implications to receiving this report as information.

Depending on which recommendations of the City of Winnipeg Governance Review Final Report Council chooses to implement, the Winnipeg Public Service will report back with the options, costs and necessary changes to By-laws or Council Policies to undertake the identified recommendations.

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.

On August 19, 2019, MNP LLP was awarded the contract to conduct a review of the City of Winnipeg's governance structure, along with a cross-jurisdictional review of other Canadian municipalities, in order to establish best practices.

The project included :

- 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

The City of Winnipeg Governance Review Final Report was submitted to Council on January 27, 2022. The 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 15 recommendations.

Council directed the Public Service to implement Recommendation 1, regarding the development of Council orientation process that includes documented Roles and Responsibilities for Members of Council, prior to November 2022, and report back with information regarding the implementation of Recommendations 2 to 15, by no later than the end of 2022. Council further referred the Governance Review Final Report to all Community Committees for review, comment and recommendations to be provided to the Governance Committee of Council within 90 days. Within 60 days of receiving the Community Committee Recommendations, the Governance Committee was required to report to Council with additional recommendations, if any.

On June 23, 2022, Council granted the Governance Committee and the Winnipeg Public Service an extension to February 2023 to report back to Council.

The report on the implementation of Recommendation 1 regarding the orientation process for members of Council was submitted to Council on September 22, 2022.

This report contains information on the requirements to implement Recommendations 2 to 15 of the Governance Review, 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 or adoption of Policies or By-laws or other actions required to formally implement the changes.

Recommendations:

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

Rationale

"A formal orientation process is an important way for new Members of Council to quickly become aware of their responsibilities, how Council processes work, how to appropriately interact with the Administration, etc. The current binder requires updating and a significant edit to be a useful, concise resource to new and returning Members of Council."

Implementation:

A report was adopted by Council on September 22, 2022, which outlined an orientation process for Members of Council and their staff, including the development of an online portal containing information on a large variety to topics ranging from office procedures to the City of Winnipeg Budget development process. The report also contained a recommendation to request to the Province to amend the City of Winnipeg Charter to include roles and responsibilities for Members of Council, as contained in the Municipal Act.

Recommendations (continued):

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

Rationale

"Lack of clarity regarding requests or a means of determining relative priority can create significant workload that may divert resources from matters Council would consider higher priority."

History

Requests for information from Council to the administration occur in many forms including:

- through a request made at Council or a Standing Committee, or;
- through direct communication from an Elected Official's office to the CAO or Department Head by means of an established process;

This recommendation suggests establishing a process for relaying and prioritizing requests, to ensure they are evaluated for relative value versus the amount of work required to reply to requests. Some requests are quite broad and replying to them do put a burden on the resources of the public service.

A formal process for requests for information outside of the Committee process was instituted in 2019 which allows Members of Council to submit policy questions and/or requests for information directly to the CAO's Office through a dedicated email address. The requests are vetted by the CAO's Office staff and assigned to the appropriate subject matter expert for response. Responses, or further information regarding timelines and resources required to research a response, are then provided back to the Councillor by CAO's Office staff.

Since 2019, over 1,500 requests for information have been triaged through this process.

Implementation

In order to formalize the established process for requests for information, the MNP report suggests that it be included in the Council Manual. Alternatively, Council could also direct the Public Service to report back with a Council Policy establishing a formal process on Council request for information and reports from the Public Service.

Recommendations (continued):

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

Rationale

"Councillor ward allowances are quite low compared to other Cities. Councillors indicated their ability to make informed decisions is significantly constrained by a lack of resources for research and analysis. Council budget information is not user friendly."

History

Each Councillor represents a ward consisting of roughly 51,000 constituents and is provided with an office budget of $84,924.00 (2022 funds). The spending of these funds are governed by the Councillors' Ward Allowance Policy (CWA), and includes allowance for such categories as advertising, community expenses, office equipment, supplies, community offices and staffing, amongst others. In addition to actual staff salary costs, Councillors must also pay for the employer portion of staff employment insurance and Canada pension plan, as well as the full costs for vacation pay and optional benefits. Staff are not eligible to receive a pension. Approximately 62% of funds from the CWA are used to pay the salaries and benefits of executive assistants.

The strain on Councillors budget limits their ability to pay and retain staff, which has resulted in an increasingly high turnover rate. The 2018 – 2022 Council term saw a turnover rate of over 50%, resulting in loss of institutional knowledge and a lessened ability to respond to citizens.

A jurisdictional scan conducted by the Public Service in 2020 (Appendix 2) revealed that on a per capita basis, City of Winnipeg City Councillors are provided with the lowest level of funding to run their offices at a rate of $1.66 per constituent. The average level of the five cities reviewed was $3.74. In order to bring funding of Councillor's offices up to an average level, the rate should be increased to $3.74 per constituent, with annual increases at the rate of the Consumer Price Index of the previous year, as determined by Statistics Canada, to a maximum of 2% per year.

All Council Member expenses are posted online, but the web page does not contain the overall budget nor year-to-date spending by category for each office. It would be relatively simple to update the webpage to include this information.

Implementation

1. Increase funding for Councillors' offices in the annual operating budget.

2. Amend Councilor's Ward Allowance Fund Policy and contracts for Councillor's Office staff, so that they may be eligible to receive a pension and benefits, similar to Mayor's Office employees.

3. Update the Council Members Expenses web page to include the overall budget for each office.

Recommendations (continued):

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

Rationale:

"The power of appointment creates political influence over appointed roles. Currently these roles, plus the Mayor, form a majority of Council. Consensus building and engagement with all Members of Council remains important and may be avoided in this context as Mayor-appointed roles can control decisions of Council."

History

As stipulated in Section 57 of The City of Winnipeg Charter,

"The mayor is the head of council and chief officer of the city."

As such, the Charter provides the Mayor with certain authorities, including the making of specific appointments which cannot be delegated, including:

- a Deputy Mayor;
- an Acting Deputy Mayor;
- the chairpersons for the standing committees of Council;
- members of the Executive Policy Committee, but the number of members must be less than 50% of the total number of members of Council;

This recommendation is mainly regarding the above appointments; however, the Charter does also provide the Mayor with the authority to appoint:

- the chairperson and members of subcommittees of the Executive Policy Committees.
- members of Council to serve as chairpersons or members of:
  - subcommittees of standing committees if such subcommittees are established by Council;
  - committees of Council other than standing committees.

There are also several Council decisions which delegate authority to the Mayor to make specific appointments to boards and sub committees, or to appoint a designate, including:

- Performance Management Sub-Committee
- Winnipeg Food Council
- Winnipeg Housing Steering Committee
- Winnipeg Police Board

On occasion, the Mayor will also appoint Members of Council to informal advisory committees or external boards, as well as acting as the point person on specific portfolios including, Labour Relations and Veteran and Military Affairs. In order to establish the maximum number of appointments by the Mayor, to ensure these appointments plus the Mayor do not exceed 50% of Council, Council would have to request the Province of Manitoba to amend the City of Winnipeg Charter, amend previous decisions which have delegated the Mayor with the authority to make appointments to require that they be made by Council instead and adopt a by-law that would require all appointments of Members of Council to be approved by Council.

Recommendations (continued):

Implementation

Council would have to submit a request to the Province to amend the City of Winnipeg Charter to limit the authority granted to the Mayor to make the appointments of;

- Deputy Mayor;
- Acting Deputy Mayor;
- Chairpersons for the standing committees of Council,
- Members of the Executive Policy Committee,

to not to exceed 50% of Council.

Recommendations (continued):

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

Rationale

"The current process creates unnecessary delay and the potential for filtering of information to an SPC. Multi-committee reviews of recommendations to Council create duplication, additional workload for both Members of Council and the Administration, and inhibit timely decision making."

History

Streamline the flow of information and recommendations to Council

The current process of having all Standing Committee Report which require Council approval vetted through the Executive Policy Committee, is in accordance with section 62(1)(f) of the City of Winnipeg Charter which states:

"The executive policy committee of council must, except as otherwise determined by council, receive the reports of other committees of council and forward them to council with its own recommendations."

The above section contains an exception which allows reports of committees to be submitted directly to Council, however, such a change would have greater implications on the entire decision making process. One of the main areas of responsibility of the Executive Policy Committee in the current decision making process, is the review Standing Committee recommendations, and make their own recommendations to Council. Any change in this process should be considered in the greater context of not only the role of the Executive Policy Committee, but the overall decision making process.

Ensure all direction by Members of Council to the Administration is recorded as a resolution

The second part of Recommendation 5. is regarding the practice where on occasion, reports may be reviewed at an informal meeting, prior to being placed on a public agenda.

Section 78(1) for the City of Winnipeg Charter allows for these meetings to be *"convened by some or all members of council or a committee of council for the purpose of receiving information or discussing policies and other matters that affect the city."*

Additionally, section 78(2) of the Charter states that *"Members of council convened as provided for under subsection (1) may not pass a by-law or resolution."*

Accordingly, the City of Winnipeg Charter would need to be amended in order to allow all direction by Members of Council to the Administration, to be recorded as a resolution at these meetings. In November 2022, a process was established wherein any political direction provided at these informal meetings is recorded and documented within the text of the administrative report at hand.

Recommendations (continued):

Implementation

Streamline the flow of information and recommendations to Council

The Procedure By-law could be amended to require that all Standing Committee Reports which require Council approval, proceed directly to Council without review by the Executive Policy Committee. However, such a change would have greater implications regarding the role and function of the Executive Policy in the decision-making process. Any change in this process should first consider the overall role of the Executive Policy Committee.

Ensure all direction by Members of Council to the Administration is recorded as a resolution

Council would have to request the Province to amend section 78(2) of the City of Winnipeg Charter to require all direction by Members of Council to the Administration at informal meetings to be recorded as a resolution.

Recommendations (continued):

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

Rationale

"EPC / Standing Committee Chairs have a significant role and authority. The absence of multiple wards from this forum for an extended period of time reduces the overall balance of perspectives in an important aspect of City decision-making."

History

Although Councillors are elected by voters in a specific Council ward, they have the responsibility of acting in the overall well being and interest of the City of Winnipeg. To that end, on September 22, 2022, Council implemented Recommendation 1. of the Governance review which included requesting the Province of Manitoba to amend The City of Winnipeg Charter to include roles and responsibilities for Members of Council, as contained in Sections 82 and 83 of the Municipal Act. Part of the roles and responsibilities includes that each member of Council has the duty *"to consider the well-being and interests of the municipality as a whole and to bring to the council's attention anything that would promote the wellbeing or interests of the municipality.*

The City of Winnipeg Charter grants the Mayor the authority to appoint the members of the Executive Policy Committee and also stipulates the Executive Policy Committee shall be composed of:

(a) the Mayor, who is the chairperson of the committee;

(b) the chairpersons of the standing committees of Council, if any such committees are established; and

(c) any other members of Council appointed by the Mayor.

The only other criteria on the membership of the Executive Policy Committee is that the number of members must be less than 50% of the total number of members of Council.

Implementation

Council would have to submit a request to the Province to amend the City of Winnipeg Charter to require that all Council wards are reasonably represented on the Executive Policy Committee, over a period of time. Should Council choose to make this request, it would be advisable to stipulate what the period of time should be.

Recommendations (continued):

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

15. Streamline the Development Application Process.

Recommendations 7 and 15

Both of these recommendations identify a planning commission as a possible solution to address the concerns outlined in the Governance Review Final Report, and addressing these recommendations together will provide a more logical format for review and discussion. It should be highlighted that any proposal to replace the Community Committee role in the development application process could impact development application timelines. The following sections provide an overview of these recommendations, background information, and implications of the proposed changes.

Rationale

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

"Considering development applications in their own wards can create conflicting interests for Councillors that make it difficult to maintain a 'whole city' view in decision-making. Applications also often involve information requiring technical expertise."

15. Streamline the Development Application Process.

"The multi-committee review process extends the time frame for consideration of development applications. Challenges with review by Community Committees as identified in section 5.3"

History

Discontinue Community Committee role in the Development Application Process.

Current Decision-Making Process for Development Applications

The framework for approval of development applications in Winnipeg is set out in the City of Winnipeg Charter *(The Charter)*, and complemented by various bylaws, such as the *Development Procedures By-Law* and the *City Organization By-Law*. *The Charter* does not prescribe the body that must hear a given development application. As such, public hearings are predominantly held by one of Winnipeg's five based Community Committees, according to the geographic location of the subject land. Other public hearings are held by the Standing Policy Committee on Property and Development (SPC PD), Executive Policy Committee, or Appeals Committee, as outlined in the 'Winnipeg Development Application Approval Process' table in Appendix 3.

Research Report on a Winnipeg Planning Commission

On March 2, 2020, the SPC PD received the report 'Towards a City of Winnipeg Planning Commission', which outlined a planning commission as a potential alternative to Community Committees in the public hearing process. The Public Service prepared a subsequent report to discuss any implications of Provincial Bill 37 on a potential planning commission, which was received as information by the SPC PD on June 6, 2022.

Recommendations (continued):

Streamline the Development Application Process.

On October 29, 2020, Council approved changes to the Development Procedures By-Law, which helped in streamlining the development application process by making several improvements in application requirements and administrative approvals, among other things.

On July 21, 2022, Council adopted a motion to eliminate the Board of Adjustment in the development application process, which further helps streamline the development application process by allowing for Director approval of minor applications, subject to appeal.

Implementation

The Development Application process affects almost all aspects of City operations and would need a major project to study and implement. As well, significant changes to the Development process have recently been put in place by the Province. Should Council wish to undertake these two recommendations, Council should request a separate report from the Public Service to better understand how this could be done – including costs and efforts.

Recommendations (continued):

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

Rationale

"The Council has become an important means of learning and engaging on Indigenous issues. It would have a more sustainable mandate and broader impact towards reconciliation if linked to the whole of Council, versus as an individual initiative of the Mayor."

History

The Mayor's Indigenous Advisory Circle (MIAC) was created by Mayor Bowman in 2015, to act as an independent advisory body and resource to the Mayor to ensure the City is a full participant in working in partnership with the Indigenous community to fully realize the potential of the Indigenous people who call Winnipeg home.

MIAC provides knowledgeable and impartial high-level advice to the Mayor in the following areas:

- ways to ensure that the City and its governance, programs, services and initiatives are guided by awareness and understanding of Indigenous peoples;
- matters related to local, national and international Indigenous communities;
- improving the wellbeing of Indigenous citizens across social, cultural, economic and environmental dimensions; and
- educating citizens on the important contributions of Indigenous peoples, both past and present and the importance of reconciliation.

Recommendations provided by MIAC go through the Mayor to the Executive Policy Committee, City Council and/or the Winnipeg Public Service, for implementation.

As this is an advisory committee created by and reporting to the Mayor, there are no formal agendas or minutes published on DMIS, and the meetings are not livestreamed.

Implementation

In order to orient the Mayor's Indigenous Advisory Circle to provide advice to Council as a whole, it would have to become a Committee of Council. This could be achieved by way of a motion being submitted to Council, though a committee or directly at Council, directing the Winnipeg Public Service to report back with recommendations to reorient the advisory circle as a committee of Council, and include a term of reference for the committee.

Recommendations (continued):

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

Rationale

"Alignment with Charter, efficiency, transparency"

History

Regular meetings of Council are held once a month, with the exception of the prorogue period in August. On occasion, a Member of Council may be absent from a meeting due to unavoidable or unforeseen circumstances.

Section 47(1)(c) of the City of Winnipeg Charter sates that:

> *"A member of council forfeits the member's seat on council if the member:*
> *(c) fails to attend three consecutive regular meetings of council, unless the absences are authorized by a resolution of council passed before or at one of those meetings;"*

Although neither the Charter or the Procedure By-law specify criteria for granting a leave of absence, in practice, if a Member of Council has advised that they will be absent from a meeting of Council due to illness, tending to a personal or family matter, or being away on City business, a written motion is submitted and passed at that Council meeting authorizing their absence.

Implementation

Direct the Winnipeg Public Service to report back with the necessary amendment(s) to the Procedure By-law No. 50/2007, to include criteria for authorizing a leave of absence from Council meetings.

Recommendations (continued):

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

Rationale

"The decision-making information system and open data portal are best suited to experienced users. The average citizen may find it complicated, hard to navigate and understand, limiting its effectiveness in creating transparency."

History

The Decision Making Information System (DMIS) is the City's online database for all Council, Committee and Board of Revision meeting documents, including agendas, minutes, dispositions, Hansard and meeting videos. DMIS also contains bylaws and Council policies. All are publicly available and searchable.

DMIS was created in 2001, and the technology in which it was built is outdated, which limits the ability to make improvements and does not allow for a user-friendly experience on mobile devices. In addition, free-form text searches in DMIS require exact matches and currently return dozens or hundreds of irrelevant documents. City Clerks regularly receive complaints from users that the searchability of the system is not intuitive or easy to use. With the assistance of the Innovation and Technology (IT) Department, City Clerks have managed to make upgrades to the system, including adding video to the meeting minutes. However, due to the age of the system, further enhancements are an impossibility.

The application has been rated by the IT Department as "Poor", meaning it should be replaced as soon as possible. The number and severity of incidents relating to DMIS are rising and there is growing concern it could fail. Accordingly, the IT Department also identified this project as their top priority. The 2022 business case for the replacement of DMIS determined the cost to be $1.592 million.

If the application were to fail, City Clerks would have to revert to a highly manual process for publishing agendas and decisions which could result in the City not being to fulfill its legislative mandate of publishing meeting agendas, decisions, reports and dispositions, etc. as per the City of Winnipeg Charter.

Implementation

Council would have to approve funding for the replacement of the Decision Making Information System in order to:

A. Ensure the City can continue to meet the its obligation to publish agendas, minutes, dispositions, Hansard, and videos documenting the decisions of City Council and committees of Council within specified timeframes.

B. Improve public access to information through the creation of a mobile-friendly user experience and by making it easier for users to search for relevant information, subscribe to notifications regarding specific meetings or topics and allow public delegates to self-register online.

Recommendations (continued):

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

Rationale

"Scheduling delegations at the beginning of the meeting is disconnected from the item, reduces the ability for the delegation to address any verbal or new information that may be presented by the Administration, and the ability of Council to ask the delegation questions in the context of the Administration's report."

History

This recommendation pertains to delegations appearing before Council or a committee on a regular agenda item, not public hearings.

Section 74 of the City of Winnipeg Charter allows Council, by by-law, to establish rules governing the procedure and conduct of Council and committee meetings. Accordingly, the Procedure By-law 50/2007 sets out those rules, including the order of business for Council and committee meetings.

In accordance with the by-law, all delegations are heard consecutively at the beginning of meetings, followed by the consideration of the reports on the agenda.

The current process better allows delegations to understand where in the agenda they are likely to present, that is prior to all other business for regular agenda items. While moving delegations to be directly prior to items may allow for delegation input to be better considered, it would come at the cost of more uncertainty / longer waits for delegations.

Implementation

Direct the Winnipeg Public Service to report back with the necessary amendment(s) to the Procedure By-law No. 50/2007, to require delegations to be heard immediately before the item they are appearing on, is considered by Council or a committee.

Recommendations (continued):

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

Rationale

"Internal and external engagement identified a need to ensure public engagement processes enable meaningful input from the diversity of Winnipeg residents, particularly marginalized groups."

History

On September 26, 2019, Council adopted the Engage Winnipeg policy. The purpose of the Engage Winnipeg Policy (the Policy) is to guide engagement processes between the City of Winnipeg, the public, and stakeholders in order to offer consistent and meaningful engagement opportunities which support better informed decision making. The policy recognizes that decisions are improved by engaging the public.

Stakeholders under the policy include any group or representatives of a group who may be interested in providing input prior to a decision being made by the City. This may include: residents' groups, businesses, special interest groups, community organizations, government agencies, and any other organization or representative of an organization interacting with the City.

'Inclusivity' and 'Representation' are two of nine principles of engagement in the Policy. The Office of Public Engagement continues to explore ways to better engage marginalized groups through dialogue with stakeholders and Rightsholder organizations and these methods are implemented on a project-by-project basis, depending on the context. For example, engagement on the Poverty Reduction Strategy included feedback from advisors with lived experience of poverty. The City connected with organizations to invite advisors to participate and honorariums were provided in recognition of the time and knowledge they provided to the Poverty Reduction Strategy.

Since 2018, the Engage Winnipeg website has served as a central place for all engagement materials, including updates on reports and Council decisions on projects with public engagement. This central access point to public engagement processes has allowed for increased access to engagement information and opportunities for all groups.

Implementation

Should Council wish to adopt and provide further direction in this regard, a separate report should be requested which could direct the Public Service to develop a plan for increasing accessibility of Council decision-making and public engagement processes to marginalized groups and a menu of options to append to the public engagement administrative standard (Public Service guidance document). This would be complementary to the Lived Experience Voices action identified through the Winnipeg Poverty Reduction Strategy: Implementation Plan (Fall 2021 - Spring 2023).

Recommendations (continued):

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

Rationale

"Stakeholders expressed concern with the extent to which their feedback is considered in Council decision-making. The City's Engage Winnipeg Policy does not currently require the results of engagement processes to be attached to committee/Council agendas (it often is, but is not required). Input received through delegations at the committee level is included in committee minutes but not in the Council agenda package. Transparency and accountability would be improved by formalizing this practice in the Engage Winnipeg Policy."

History

Similar to Recommendation 10, the Decision Making Information System (DMIS) is a legacy system developed in 2001. Due to its age and older technology, it is not feasible to make changes to the system that a modern system would have that could accommodate this recommendation. Changes that could be incorporated into a newer system that could accommodate this recommendation could include inline links to where public input is available

Public engagement summaries, reports and appendices are posted in DMIS as attachments to reports. In addition, when a public engagement summary or report is publicly posted (either through DMIS or on the City's website), the Manager of Public Engagement notifies all members of Council via email. This notification practice began in 2019.

The Engage Winnipeg Policy states the following responsibilities:

- Elected officials – "(ii) Aim to understand the public's views and perspectives and consider those views when making decisions."
- Public Service – Office of Public Engagement – "(v) When processes are carried out by Office of Public Engagement staff, ensure a record of engagement processes and outcomes is publicly posted."
- Public Service – Project Leads – "(v) When processes are carried out by departmental staff or consultants, ensure a record of engagement process and outcomes is publicly posted"

Implementation

The Engage Winnipeg Policy is due for a five-year review in 2024. At that time, the Public Service will recommend adding the explicit requirement to attach engagement summaries/reports to administrative reports on Committee/Council agendas to formalize this existing standard process.

See the implementation section for Recommendation 10 on replacing the DMIS to improve delegation records.

Recommendations (continued):

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.

Rationale

"A Council-approved strategic plan enables clear direction for the City, representing Council priorities and a prioritized policy agenda. It enables open debate, a clear understanding of the intended results, and overall transparency and accountability for performance."

History

Council gave third reading and adopted *OurWinnipeg 2045* as the City's new development plan on May 26, 2022. A key outcome of *OurWinnipeg 2045* is policy implementation through the preparation of a Strategic Priorities Action Plan (SPAP).

Co-creation of a process to develop the SPAP began with Council engagement in April of 2022. Two rounds of meetings with Council members were held during which Council members shared what they thought was important in a planning process, what role the Public Service should have in the process, and what the SPAP needs to be in order to be effective.

Using this feedback, a recurring strategic planning process and framework were developed and recommended to Council. It was formally adopted at the September 22, 2022, meeting of Council, providing a foundation on which an incoming Council following the October 2022 civic election could prepare its first SPAP.

Implementation

Implementation of the strategic planning process and development of the SPAP began in November 2022 following the swearing-in and initial organizational meeting of Council.

One-on-one meetings with each member of the incoming Council to discuss their priorities were scheduled throughout November and December 2022. A facilitated, strategic planning retreat with members of Council was undertaken in January 2023.

Development of the SPAP will continue throughout Q1 of 2023 with additional Council workshops, as well as review, refinement, and alignment within the Public Service. Approval of the SPAP is scheduled for April 2023, allowing it to guide the process and preparation of the next four-year multiyear budget (2024-2027).

FINANCIAL IMPACT

Financial Impact Statement **Date:** January 30, 2023

Project Name:
City of Winnipeg Governance Review – Requirements for the Implementation of Recommendations

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

Jason Duke - January 30, 2023
Jason Duke, CPA, CGA
A/ Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

This Report has been prepared in consultation with:

Chief Administrative Office
Customer Service and Communications Department
Planning Property and Development Department

OURWINNIPEG POLICY ALIGNMENT

Goal: **Leadership and Good Governance**

Objective **Establish and implement priority actions through evidence-informed decision-making processes.**

Evidence-informed actions require transparent and accountable decision-making to determine the long-term public interest and the appropriate trade-offs in levels of service, taxation, and budget priorities.

Policies **1.2 Policy Implementation**

Develop a Strategic Priorities Action Plan that identifies priority actions to support implementation of this Plan.

1.5 Evidence-Informed Decisions

Invest in data and technology in order to support objective, evidence-informed decision-making; support open government and open data principles for collection and sharing; help coordinate records and information management; and improve process efficiency, results-based service delivery and accountability.

1.11 Representative and Participatory Democracy

Create meaningful engagement opportunities with residents, stakeholders and rightsholders, who are interested in or impacted by a decision. Develop standards for engagement including notification, information-sharing, and a process for incorporating feedback into decision-making.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

SUBMITTED BY

Department: City Clerks
Division:
Prepared by: C. Gameiro
Date: January 24, 2023
File No:

Attachments:

Attachment 1: City of Winnipeg Governance Review Final Report

Appendix 2: 2020 Cross Jurisdictional Results

Appendix 3: Winnipeg Development Application Approval Process

Appendix 2

2020 Cross Jurisdictional Results					
City	**Office Budget**	**Staff Budget**	**Staff Pension**	**Per Capita**	**Average Ward Size**
Ottawa	$266,565		Yes	$6.36	41,922
Manitoba MLA	$89,923	$52,416	Yes	$5.81	23,869
Toronto	$51,005	$482,000	Yes	$4.88	109,263
Calgary	$280,900		City RRSP contributions up to 7.5% of base salary	$3.22	87,314
Edmonton	$176,984		Yes	$2.36	74,954
Winnipeg	$84,924		No	$1.66	51,126
Vancouver**	$47,522	$30,000	Yes	$1.23	63,149

**In addition to the office and staff budget above, the 10 Councillors in Vancouver share 5 Assistants who are city employees paid out of a $400,000.00 budget which equates to an additional value of $40,000 per Councillor and increases the value of each Councillor's budget to $117,522 with a per capita rating of $1.86

Appendix 3:

Winnipeg Development Application Approval Process	Director, PP&D	Community Committee	Standing Policy Committee	Executive Policy Committee	Council	Appeals Committee
Development Plan				H/R	D	
Development Plan Amendment				H/R	D	
Complete Communities Direction Strategy				H/R	D	
Complete Communities Direction Strategy Amendment				H/R	D	
Secondary Plan		H/R	R	R	D	
Secondary Plan Amendment		H/R	R	R	D	
Zoning By-Law (text amendment)			H/R	R	D	
Zoning By-Law Amendment (map amendment)		H/R	R	R	D	
Zoning By-Law amendment (Downtown Area)			H/R		D	
Subdivision		H/R	R	R	D	
Subdivision and Re-zoning		H/R	R	R	D	
Subdivision, Short Form	D					
Variance A / Conditional Use A	D					A
Variance B / Conditional Use B	D					A
Variance C / Conditional Use C	D					A
Variance D / Conditional Use D		H/D				A
Variance / Conditional Use (Downtown)	D		A			
Plan Approval*	D	D	A			
Demolition Permit		H/D	A			

*Depending on the wording of the plan approval condition the decision may be made at the Director level or the Community Committee level.

D – Decision
H – Hearing
R – Recommendation
A – Appeal