

Winnipeg
Legal Services Department • Services juridiques
INTER-OFFICE MEMORANDUM

TO: Carlos Gameiro
City Clerks

FROM: Campbell MacLean
Legal Services

FILE: G.1/2024(304)

DATE: November 8, 2024

RE: Members of Council Code of Conduct By-Law

Please find attached the above-referenced By-law. The Reports that gave rise to this By-law were considered at:

- Council on November 21, 2024

This By-law is being sent directly to Council via communication pursuant to the following Recommendations (as amended and adopted by Council) in Item 1 of the Report of the Governance Committee of Council dated October 10, 2024:

Council concurred in the recommendation of the Governance Committee of Council and adopted the following:

1. *That the proposed changes to the Members of Council Code of Conduct By-law No. 19/2018, which are outlined in revised Attachment 1 and revised Attachment 2, be adopted, subject to the following amendments:*
 - A. *In section 7.d. Election Related Activity, add the words “Communities Fund” after “Per Capita grants”;*
 - B. *In Appendix B, Part B, section 22, add the words “Except for the purposes of obtaining legal advice,” immediately prior to “All parties and witnesses”.*
 - C. *In section E. Rules of Conduct, delete section 1.a. and replace with the following:*
 1. a. *Members shall not disclose and shall only use confidential information as required for their duties of office.*

Confidential information is defined as the following:

- *Reports or information concerning personnel-related matters;*
- *Reports or information which, if disclosed, could prejudice contractual or other negotiations carried on by or on behalf of the City of Winnipeg, including collective bargaining;*
- *Reports or information which, if disclosed, could be prejudicial or injurious to*

existing or anticipated claims or legal proceedings;

- Reports or information which, if disclosed, would violate solicitor client privilege;*
- Reports or information containing personal information which, if disclosed, would be deemed to be an unreasonable invasion of an individual's privacy under section 17 of The Freedom of Information and Protection of Privacy Act;*
- Reports or information containing information about a business, disclosure of which would be prohibited under section 18 of The Freedom of Information and Protection of Privacy Act; and*
- Reports or information containing information provided explicitly or implicitly in confidence by another government or governmental body, disclosure of which is prohibited under section 20 of The Freedom of Information and Protection of Privacy Act."*

- 2. That the Director of Legal Services/City Solicitor be directed to prepare and submit directly to Council amendments to the Members of Council Code of Conduct By-law No. 19/2018, in accordance with Recommendation 1.*
- 3. That the Proper Officers of the City be authorized do all things necessary to implement the intent of the foregoing.*

Since these amending by-laws are closely interrelated and must be approved simultaneously, I have made the decision to combine them into a single By-law.

Please place the within By-law before Council for consideration at its meeting scheduled for November 27, 2024.

An electronic copy of the By-law has been provided by my assistant to Jennifer Ridge and Nicole Carnegie via email.

If you have any questions, feel free to contact me.



Campbell MacLean
Solicitor
CM/mr