

Governance Committee of Council

Recommendations on the Governance Review

March 2025

INTRODUCTION

The City of Winnipeg engaged MNP LLP in 2019 to conduct a review of the City's governance structure and to conduct a cross-jurisdictional review of other Canadian cities in order to 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 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.

Council tasked the Governance Committee with reviewing the MNP Governance Review report, and to report back with recommendations for implementation. Council also requested the Committee to report back on a Council motion which proposed to transfer jurisdiction of all audit matters, which currently fall under the jurisdiction of the Executive Policy Committee, to the Governance Committee of Council.

Over the course of it's review of the MNP report, the Governance Committee met regularly with representatives of different departments in order to fully evaluate each recommendation, including the financial and operational impacts. During this time, the following six MNP recommendations were implemented through Council and administrative initiatives.

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

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

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

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.

This report provides a summary on the recommendations which have been implemented as well as the Governance Committee's commentary and recommendations on the remaining nine MNP recommendations, and the Council motions which requested the transfer of jurisdiction over audit matters from the Executive Policy Committee to the Governance Committee of Council.

GOVERNANCE COMMITTEE OF COUNCIL RECOMMENDATIONS

1. That the Winnipeg Public Service be directed to consult with the applicable area Councillor prior to any report involving service cuts or land use matters within their Ward being submitted to committee, with the exception of matters that are the subject of a public hearing, and that confirmation of the consultation be included in the report, similar to the existing process on certain real estate matters.

2. That the Province of Manitoba be requested to amend the City of Winnipeg Charter as follows:

    A. That the Mayor's appointment authority be limited to the appointment of up to five (5) Members of Council as chairpersons for standing committees of Council, one of which shall also be appointed as Deputy Mayor, and another as Acting Deputy Mayor, as determined by the Mayor.

    B. To allow the City to set its own committee structure and composition.

3. That when making appointments to the Executive Policy Committee, the Mayor consider having all wards represented over time.

4. That prior to the consideration of the establishment of a Planning Commission, the Winnipeg Public Service be directed to report back to Council one year after the completion of the Winnipeg Zoning By-laws rewrites, with an analysis on changes which impact the development application public hearing process.

5. That the Indigenous Relations Division be encouraged to facilitate annual discussions between Indigenous Elders and Council regarding pertinent issues.

6. That the Procedure By-law No. 50/2007 be amended:

    A. to formalize the process for the granting of leaves of absence for Members of Council at Council and Committee meetings, to include the following reasons:

        i. Personal matter;

        ii. City Business

    B. i. to require that when Members of Council arrive at Council and Committee meetings after the start of the meeting, the time in which they entered the meeting be recorded in the minutes.

        ii. to require Members of Council to advise Council or Committee if they will be leaving a meeting prior to adjournment, and the time in which they leave be recorded in the minutes.

    C. to set a total speaking time limit for delegations and public hearing representations at Council and Committee meetings to five (5) minutes, regardless of the number of agenda items addressed, plus extensions of time as may be granted, up to a maximum of a total of five (5) additional minutes.

7. That the City Organizational By-law 7100/91 be amended as follows:

   A. to require that any political direction to amend administrative reports after they have been submitted to the Mayor's Office, be documented in the subject report.

   B. to transfer the jurisdiction over all audit matters currently delegated to the Executive Policy Committee, to a new Audit Committee, comprised of the following members, to be appointed by Council annually at the Organizational Meeting of Council, beginning in November, 2025:

      i. The Mayor, Chairperson;

      ii. Two Councillors who do not sit on the Executive Policy Committee;

      iii. One citizen member with a professional designation in law;

      iv. One citizen member with a professional designation in accounting.

8. That the City Solicitor and Director of Legal Services be instructed to prepare amendments to the Procedure By-law No. 50/2007 and the City Organizational By-law 7100/91, in accordance with Recommendations 6 and 7, and submit same directly to Council for enactment.

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

HISTORY

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.

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

The scope of 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 submitted to Council on January 27, 2022, 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 also provided 15 recommendations on how the City could potentially further strengthen its governance structure.

Council directed the Public Service to implement Recommendation 1, regarding the development of a Council orientation process that includes documented Roles and Responsibilities for Members of Council, and report back with information regarding the implementation of Recommendations 2 to 15. Council also referred the Governance Review Final Report to all Community Committees for review, comment and recommendations to be provided to the Governance Committee of Council, which in turn was required to report to Council with additional recommendations, if any.

The report on the implementation of Recommendation 1 was submitted to Council on September 22, 2022. An additional report containing the Community Committee's commentary and recommendations, as well as information on what would be required to implement each recommendation, was submitted to Council on February 23, 2023. The report was received as information, and Council tasked the Governance Committee with further reviewing the MNP report, in order to determine recommendations for implementation.

On March 23, 2023 Council also referred to the Governance Review process, a motion requesting the transfer of jurisdiction of all audit matters which currently fall under the Executive Policy Committee, to the Governance Committee of Council.

Over the course of this process the Governance Committee held regular meetings with representatives of different departments to thoroughly assess each recommendation, including their financial and operational impacts. During this time the following six of the MNP recommendations were implemented, through Council and administrative initiatives.

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

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

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

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.

This report summarizes the recommendations that have been implemented, along with the Governance Committee's comments and recommendations on the nine remaining MNP recommendations. It also addresses the Council motions that proposed transferring jurisdiction over audit matters from the Executive Policy Committee to the Council's Governance Committee.

MNP Recommendation and Rationale

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

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.

History

The Council Orientation process is a method through which new and existing Members of Council and their staff can familiarize themselves with the areas of service delivered by the various civic departments as well as the function of the Council and the decision making process. It is also intended to be a guide to help answer questions quickly and easily for day to day operations of their offices.

As part of the previous orientation process Council members were provided with the *Council Members' Reference Guide*, a comprehensive binder containing over 600 pages of information from each department. The extensive amount of information, presented in a short timeframe, can be challenging to retain, especially as new Council members juggle competing priorities including setting up their offices and hiring staff. While the Reference Guide is a valuable resource, searching through a 600-page paper document can be cumbersome.

This recommendation also highlights the need for documented roles and responsibilities for Members of Council. The City of Winnipeg Charter does not currently include roles and responsibilities for members of City of Winnipeg Council. However, the Municipal Act of Manitoba, which is the primary provincial legislation for all other municipalities in Manitoba, outlines the roles and the general duties of Members of Council in sections 82 and 83 (Appendix 2). Those sections of the Municipal Act apply to all other municipalities in Manitoba, except the City of Winnipeg.

On January 27, 2022, Council directed the Winnipeg Public Service to implement Recommendation 1 of the Governance Review Final Report.

Implemented

A report was submitted to Council on September 22, 2022, which outlined a revised orientation process, whereby new Members of Council would be provided with support and information in priority related stages, rather than inundating them with information all at once. In addition, an online Council Portal containing a Council Reference Guide with information on the role and mandate of Council and Committees, grants process, Councilor's Offices, as well as other information pertinent to Members of Council was developed. The portal has search capabilities and allows Members of Council and their staff to sign up to receive automatic notifications whenever information in the portal is added or updated. The portal will continue to be populated with relevant information from each department and will be continually updated.

On September 22, 2022, Council also requested the Province 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.

MNP Recommendation and Rationale

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

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 does 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 2000 requests for information have been triaged through this process.

Governance Committee Recommendation 1.

The current process for requesting reports / information from the Public Service directly or through the CAO's office works well. Members of Council also have the ability to bring forward requests for information through the committee process, where the requests are further vetted by the appropriate Standing Committee and/or Council, to determine whether a report is warranted. As such, the Committee is not recommending implementation of this recommendation.

However, on occasion there are reports submitted to committee on service cuts or land use matters effecting specific wards, which the area Councillors are not made aware of. As these reports may ultimately affect services being provided, the area Councillors should be consulted prior to the reports being submitted to committee, similar to the existing process on certain real estate matters.

The Governance Committee of Council is recommending:

1. *That the Winnipeg Public Service be directed to consult with the applicable area Councillor prior to any report involving service cuts or land use matters within their Ward being submitted to committee, with the exception of matters that are the subject of a public hearing, and that confirmation of the consultation be included in the report, similar to the existing process on certain real estate matters.*

MNP Recommendation and Rationale

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

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

In 2022 A jurisdictional scan conducted by the Public Service in 2020 revealed that City of Winnipeg City Councillors were provided with the lowest level of funding support to run their offices at a rate of $1.66 per constituent. The average level of the five cities reviewed was $3.74.

Expenditures from the Councilor's office budget, known as the Councillors' Ward Allowance, are governed by the Councillors' Ward Allowance Policy (CWA). The CWA 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. In 2022, approximately 62% of funds from the Councilor's office budget were 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.

As required by the CWA, all Council Member expenses, including staff salary costs are posted online, but Council Member Expenses web page does not currently contain the overall budget. It would be relatively simple to update the webpage to include this information.

Implemented

On March 22, 2023, Council approved the 2023 Operating budget, which included an increase to the Councillors' Ward Allowance. Council further amended the CWA Policy on March 23, 2023, in order to allocate the funding into the following three categories:

i. Staffing (56%)
ii. General Expenses (26%)
iii. Ward Office / Meeting Space (18%)

The total CWA funding for 2024 still leaves City of Winnipeg City Councillors with the amongst lowest level of funding to run their offices, at a rate of $3.12 per constituent.

MNP Recommendation and Rationale

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

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

The Charter provides the Mayor with certain authorities and responsibilities, including the making of the following appointments:

- 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.

The Charter does not provide the ability for the Mayor to delegate these appointments.

Although this recommendation speaks mainly to the Mayor's ability to make the above appointments, the Charter does also provide the Mayor with the authority to appoint the chairperson and members of subcommittees of EPC. The Mayor, or the Mayor's designate must also appoint the members and chairpersons 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, a Mayor may also appoint Members of Council to informal advisory committees or external boards, or to act as the point person on specific portfolios such as, Labour Relations and Veteran and Military Affairs.

In order to implement this recommendation, Council would have to request the Province of Manitoba to amend the City of Winnipeg Charter.

Governance Committee Recommendation 2.

2. That the Province of Manitoba be requested to amend the City of Winnipeg Charter as follows:

A. That the Mayor's appointment authority be limited to the appointment of up to five (5) Members of Council as chairpersons for standing committees of Council, one of which shall also be appointed as Deputy Mayor, and another as Acting Deputy Mayor, as determined by the Mayor.

B. To allow the City to set its own committee structure and composition.

MNP Recommendation and Rationale

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.

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

The first part of this recommendation is regarding the process where all Standing Committee Reports which require Council approval, are vetted through the Executive Policy Committee, accordance with section 62(1)(f) of the City of Winnipeg Charter which states:

> *"*62(1)*The executive policy committee of council must*
> *(f), 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.

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.

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.

Governance Committee Recommendation 7. A.

Making recommendations directly to Council does not speed up the report approval process as Standing Policy Committee recommendations would go to the same Council meeting, regardless if they are vetted through the Excusive Policy Committee. This could actually slow down the approval process if matters have to be referred back to Standing Committee or EPC for clarification by the Public Service, as questions of the Public Service are not permitted at Council. There would also be less oversight for matters that require detailed discussion, clarification or amendments.

Although the Mayor implemented an informal practice to document politically directed changes to reports, there is value in having this process formalized.

The Governance Committee of Council is recommending:

7. A. That the Organizational By-law be amended to require that any political direction to amend administrative reports after they have been submitted to the Mayor's Office, be documented in the subject report.

MNP Recommendation and Rationale

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

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.

On September 22, 2022, Council implemented Recommendation 1. of the Governance review which included a request to 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.

Governance Committee Recommendation 3.

3. That when making appointments to the Executive Policy Committee, the Mayor consider having all wards represented over time.

MNP Recommendation and 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.

History

The framework for the approval of development applications is defined in the Development Procedures By-Law and the City Organization By-Law. The City of Winnipeg Charter does not specify the body that must hear a development application.

As outlined in Appendix 3, public hearings for property or area specific development applications are predominantly held by one of five Community Committees, which includes the Councillor for the area of the subject development. MNP believed this can create challenges for Councillors in navigating conflicting interests that may arise from their own constituents and makes it difficult to maintain a 'whole city' view in decision-making, which leads to a lack of consistency in decisions between wards. Councillors have also indicated that the applications often involve information that requires technical expertise to properly consider.

There is value in having the area Councillor sitting on the hearing body that makes recommendations to Council on development applications, as arguably the area Councillor may have a greater understanding of the area, including the potential negative impacts or benefits of a proposed development.

Other public hearings are held by the Standing Policy Committee on Property and Development, Executive Policy Committee, and the Appeals Committee. The Director of Planning Property and Development has also been granted authority to approve certain development applications.

The MNP report recommends that Community Committees be replaced by a neutral body (Planning Commission) that has the technical expertise necessary to effectively and objectively evaluate the application and its fit with approved development plans and by-laws. Councillors role in the decision-making process would still continue as the Planning Commission's recommendations would be submitted to Council for final consideration.

A report submitted to the Standing Policy Committee on Property and Development, Heritage and Downtown Development in March of 2020, titled 'Towards a City of Winnipeg Planning Commission', also outlined a planning commission as a potential alternative to Community Committees in the development application hearing process. The report was referred to all five Community Committees for discussion and recommendations back to the Standing Committee.

At the same time, the Province was also contemplating changes to the Planning Act and the City of Winnipeg Charter through Bill 37, which affected the development application process. As a result, the general feedback from Community Committees to the Standing Committee on Property and Development was that consideration of the establishment of a planning commission be suspended until the provincial review of the Planning Act was complete.

The Standing Committee directed the Public Service to report back after the provincial adoption of Bill 37, which occurred on October 29, 2021. A report on the establishment of a planning commission was submitted to Standing Committee on June 6, 2022, which was received as information.

The city is currently in the process of amending Zoning regulations to allow for as of right development in certain situations which reduces the number of development applications considered by Community Committees. In addition, the Winnipeg Public Service will be undertaking a full rewrite of the City of Winnipeg Zoning By-laws which is anticipated to be completed by the end of 2027, and could further impact the development application process. As a result, it would be prudent to hold off consideration of the on implementation of a planning commission to consider development applications, until these reviews are completed.

Governance Committee Recommendation 4.

4. That prior to the consideration of the establishment of a Planning Commission, the Winnipeg Public Service be directed to report back to Council one year after the completion of the Winnipeg Zoning By-laws rewrites, with an analysis on changes which impact the development application public hearing process.

MNP Recommendation and Rationale

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

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 provided 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.

As this was an advisory committee created by and reporting to the Mayor, there were no formal agendas or minutes published on the Decision Making Information System, and the meetings are not livestreamed.

Governance Committee Recommendation 5.

It is vital that Council as a whole engage in meaningful dialogue with Indigenous communities as it provides a platform for Indigenous voices to be heard in the decision-making processes.

The Governance Committee of Council is recommending:

5. That the Indigenous Relations Division be encouraged to facilitate annual meetings between Indigenous Elders and Council to discuss pertinent issues.

MNP Recommendation and Rationale

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

Alignment with Charter, efficiency, transparency

History

This item originated from the following Council Motion that was referred to the Governance Review.

1. That the Procedure By-law No. 50/2007 be amended to state that:
   - A. A Leave of Absence Motion may be moved for a Member of Council only if the Member:
     - i is occupied with other official City Business;
     - ii. is ill or injured;
     - iii. is tending to a private personal or family matter; or
     - iv. has encountered an extraordinary circumstance that precludes the Member from attending the meeting.
   - B. If a member is absent from a Committee or Council meeting due to official City business or extraordinary circumstances the nature of said City Business or extraordinary circumstances shall be clearly stated in a Leave of Absence Motion for the Member.
   - C. The City Clerk shall document in the official minutes of the Committee and Council meetings the reason(s) for a member's absence and in cases where a leave of absence motion has not been granted for a Member, such absences shall be noted in the official minutes as an unauthorized absence.

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;"

Neither the Charter nor 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 the absence. Although the above noted section of the Charter only applies to Council meetings, the same leave of absence practice is followed at committee meetings, with the exception that the motions are not written.

MNP noted that as leave of absence motions are only required at Council meetings, the practice at committee meetings should either be removed or formalized in the Procedure By-law.

The Governance Committee also identified that Section 9(19) of the Procedure By-law 50/2007 states that *"No member shall leave a meeting of Council before it is over unless permission to do so is received from the Presiding Officer."*

The Committee believes that all of Council should be made aware if a member intends on leaving and not returning to a meeting, as it may impact quorum. Notifying all of Council also helps to maintain accurate attendance records, which are essential for transparency and accountability.

Governance Committee Recommendations 6. A. B.

6. That the Procedure By-law No. 50/2007 be amended:

A. to formalize the process for the granting of leaves of absence for Members of Council at Council and Committee meetings, to include the following reasons:

i. Personal matter;

ii. City Business

B. i. to require that when Members of Council arrive at Council and Committee meetings after the start of the meeting, the time in which they entered the meeting be recorded in the minutes.

ii. to require Members of Council to advise Council or Committee if they will be leaving a meeting prior to adjournment, and the time in which they leave be recorded in the minutes.

MNP Recommendation and Rationale

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

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 by-laws and Council policies which are 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.

Implemented

On March 20, 2024, Council adopted the 2024 – 2027 Operating and Capital Budgets which included funding for the replacement of the Decision Making Information System (DMIS). Redevelopment of the system is currently underway and it is expected to be completed by early 2026.

MNP Recommendation and Rationale

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

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 is regarding delegations at Council or a committee on a regular agenda item, not public hearings.

The Procedure By-law 50/2007 sets out the rules governing the procedure and conduct of Council and committee meetings, including the order of business. 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. Under the current process Council and committee meeting agendas are published online with a listing of scheduled delegations, and the order in which they will be heard at the start of the meeting. This provides delegations with greater certainty of when they are likely to present.

It is not uncommon to have meetings last over eight hours. If someone were appearing on an item that was at the end of and agenda, they may not have the ability to wait or monitor the meeting for an extended period of time. 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 delegations not being able to participate at all, due to prolonged wait times to present.

It is also worth noting that all of the cities reviewed allow only five minutes for delegations to speak to items on an agenda. Six cities only allow the public to appear in delegation at the committee level. Only two other cities allow the public to speak to matters at Council.

Governance Committee Recommendation 6. C.

Scheduling delegations at the beginning of a meeting provides delegations with greater certainty of when they will be heard and are less likely to leave meetings and not provide their input, due to extended waiting times. As a result, the Committee is not recommending implementation of this recommendation.

The Committee did take note that the City of Winnipeg allows delegation to speak for ten minutes on items on an agenda, while all other cities surveyed allowed five minutes.

Shorter speaking times offer several advantages by promoting clarity, efficiency, and engagement. Speakers focus on the most essential points of their presentation, making their message more direct and impactful. This also keeps the audience engaged, and makes it easier to retain and recall key points. Keeping delegations brief also allows for more efficient use of Council or Committee's time.

The Governance Committee of Council is recommending:

6. C. That the Procedure By-law No. 50/2007 be amended to set a total speaking time limit for delegations and public hearing representations at Council and Committee meetings to five (5) minutes, regardless of whether the delegation is speaking to one or multiple agenda items, plus any extensions of time as may be granted, up to a maximum of a total of five (5) additional minutes.

MNP Recommendation and Rationale

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

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.

Implemented

On April 25, 2024, Council adopted the updated Engage Winnipeg Policy which included shifting towards centering equity in engagement, by focusing on identifying and reducing barriers in every step in the engagement process. Specific updates to the Policy include the addition of:

- Equity to Policy guidance, principles, and responsibilities.
- Equity, Equity Groups, and Lived experience/expertise to definitions.
- Section 6 describing rationale and methods of equity-centered engagement.
- Enhanced definition of "Engagement" in Policy definitions and "Trust" in Policy principles
- Combination/replacement of Policy principles of "Inclusivity" and "Representation" with "Equity" to more accurately describe what engagement processes should strive to achieve.
- Recognition of Indigenous Rightsholders in Policy purpose.
- Addition of "Indigenous Rightsholders" to Policy definitions.
- Replacement of 'Consult' type of engagement with 'Listen and Learn' to avoid confusion with the Government of Canada's Duty to Consult with Indigenous peoples.
- Addition of collaboration with Indigenous Relations Division to Policy responsibilities.

MNP Recommendation and Rationale

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

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

Public engagement summaries, reports and appendices are posted in the Decision Making Information System (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"

Council and Committee agendas provide a comprehensive history for each item, including public submissions, recommendations, and amendments made at the committee level. The redevelopment of DMIS will allow agenda items to include direct links to previous committee minutes, which will make it easier to access submission and delegations made at different Committees.

Implemented

On April 25, 2024, Council adopted the updated Engage Winnipeg Policy which included amendments to ensure elected officials are kept up to date on public engagement plans and results. Specific updates to the Policy include:

- Addition of Elected Official responsibilities to improve timely sharing of information.
- Including Members of Council early on in the process/project to gather feedback and relevant community information to inform project and engagement planning.
- Ensuring a record of engagement processes and outcomes is publicly posted, and engagement reports are attached to administrative reports, when applicable.

On March 20, 2024, Council adopted the 2024 Capital Budget which included funding for the replacement of DMIS. The redevelopment of the system will enhance the accessibility of public input on matters before Council. By enabling agenda items to include direct links to previous committee minutes, Members of Council and the public will find it much easier to access relevant submissions and delegations made at the committee level. This improvement will create a more transparent and informed decision-making process, allowing Council members and the public to review the context and feedback for each agenda item. This streamlined access to historical information will ensure that diverse perspectives are considered in Council decisions.

MNP Recommendation and Rationale

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.

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.

Implemented

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).

On May 30, 2023 Council adopted the Strategic Priorities Action Plan (SPAP), as its four-year strategic plan.

On September 29, 2023 Council adopted Strategic Priorities Action Plan (SPAP) Alignment, Measurement and Reporting Framework

MNP Recommendation and Rationale

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

The current development application process outlined in the Development Procedures By-Law, require that some applications have up to 4 different levels of review for approval, and the recommendations on the application can change at every level of review. Additionally, while committee members and the Public Service can speak to the items at the different levels of review, members of the public are only allowed to speak at the initial public hearing.
This process is regarded as confusing by the public, and decisions on development applications are seen to be inconsistent as there are up to 7 different hearing bodies making recommendations to Council.

MNP recommends that development applications should only have one stage of review between the Administration and Council and that a Planning Commission could fulfill the role of the hearing body. The City should also consider whether more decision-making authority could be held by the planning department.

To that end, on July 21, 2022, Council adopted a motion to delegate authority to the Director of Planning, Property and Development to consider and make decisions on variance and conditional use development applications, which were previously considered by the Board of Adjustment.

Governance Committee Recommendation

The Governance Committee is not recommending implementation of Recommendation 15 at this time, as there is value in having a review of the initial hearing bodies recommendations on development applications, prior to being considered by Council, as they may require detailed discussion, clarification or amendments. This would not be possible if matters were submitted directly to Council as questions of the Public Service are not permitted at Council meetings.

Submitting these applications directly to Council could slow down the development application approval process, as some applications could have to be referred back to committee for clarification.

Additionally, as the Winnipeg Zoning By-laws are currently undergoing comprehensive reviews which could affect the development application approval process, consideration of the changes to the current development application process should be temporarily held off until those reviews are complete. *(See Governance Committee Recommendation 4.)*

Council Referral

Amendment to the City Organizational By-law No. 7100/97 to Transfer Jurisdiction of Audit Matters to the Governance Committee of Council

Council Decision

On March 23, 2023 Council referred the following to the Governance Review Process:

1. That the City Organization By-law No. 7100/97 be amended as follows:
   A. To remove the requirement for the Executive Policy Committee to act as the Audit Committee.
   B. To provide the Governance Committee of Council with jurisdiction over all audit matters currently delegated to the Executive Policy Committee.
   C. To allow the Governance Committee of Council to report directly to Council for all audit related matters.

History

As prescribed in the City Organization By-law 7100/97, the City Auditor reports to Council through the Executive Policy Committee, which has historically been the committee which holds jurisdiction of audit matters, and acts as the "Audit Committee". Any changes to the existing structure would require an amendment to the City Organization By-law.

As outlined in Appendix 4, a review of five Canadian Cities which include an Audit Committee in their governance structure, found that all committees had similar mandates and ranged in size of five to nine members. Three cities include citizen members. In all cases, Audit Committees are Standing Committees which report directly to Council.

Governance Committee Recommendation 7 B.

The Audit Committee is crucial for ensuring transparency, accountability, and integrity within the City's financial and governance practices. Having an Audit Committee which is not solely composed of members of the Executive Policy Committee and includes external members with a financial and legal background, provides a greater perspective on the city's internal controls, risk management processes, and financial reporting.

The Governance Committee of Council *is recommending:*

7. B. That the City Organizational By-law be amended to transfer the jurisdiction over all audit matters currently delegated to the Executive Policy Committee, to a new Audit Committee, comprised of the following members, to be appointed by Council annually at the Organizational Meeting of Council, beginning in November, 2025:

i. The Mayor, Chairperson;

ii. Two Councillors who do not sit on the Executive Policy Committee;

iii. One citizen member with a professional designation in law;

iv. One citizen member with a professional designation in accounting.

Appendix 1: City of Winnipeg Governance Review Final Report



Governance Review
Final Report

Appendix 2: Sections 82 and 83 of the Municipal Act

Appendix 3: Winnipeg Development Application Approval Process

Appendix 4: Cross Jurisdictional Review of Audit Committees

APPENDIX 2

Sections 82 and 83 of the Municipal Act

"Council's role
82 A council is responsible

(a) for developing and evaluating the policies and programs of the municipality;
(b) for ensuring that the powers, duties and functions of the municipality are appropriately carried out; and
(c) for carrying out the powers, duties and functions expressly given to the council under this or any other Act.

General duties of members
83(1) Each member of a council has the following duties:

(a) 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;
(b) to participate generally in developing and evaluating the policies and programs of the municipality;
(c) to participate in meetings of the council and of council committees and other bodies to which the member is appointed by the council;
(d) to keep in confidence a matter that is discussed at a meeting closed to the public under subsection 152(3) and that the committee decides to keep confidential until the matter is discussed at a meeting of the council or of a committee conducted in public;
(d.1) to comply with the code of conduct for members of council;
(e) to perform any other duty or function imposed on the member by the council or this or any other Act.

Duties of the head of council
83(2) In addition to performing the duties of a member of a council, the head of council has a duty

(a) to preside when in attendance at a council meeting, except where the procedures by-law or this or any other Act otherwise provides;
(b) to provide leadership and direction to the council; and
(c) to perform any other duty or function assigned t o a head of council by the council or by this or any other Act."

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

Appendix 4: Cross Jurisdictional Review of Audit Committees

City	Composition	Mandate
Calgary	7 members: • 4 Members of Council - Mayor is ex-officio • 3 public members that reside in Alberta and are not employed by the City, possessing, experience and knowledge of financial matters, risk management or tangible capital assets	Assist Council in fulfilling its oversight and stewardship responsibilities by gaining and maintaining reasonable assurance in relation to: • the integrity of The City's annual financial statements; • effective governance, risk management and compliance, including the evaluation of the performance of control systems and processes; • the qualifications, independence, and effectiveness of the External Auditor and the City Auditor; • the utilization of a confidential and independent Whistle-blower Program; and • additional matters described herein or as may be assigned to the Audit Committee by Council.
Edmonton	7 members: • 5 Members of Council, including the Mayor (Chair) • 2 citizens with extensive background in financial accountability in large organizations	Assists Council in fulfilling its responsibilities by reviewing reports from the City Auditor, external auditor and Administration relating to financial statements, enterprise risk management, internal controls, fraud, misconduct and policy compliance. The City Auditor's reports focus on compliance, controls, efficiency, effectiveness and economy of City operations.
Toronto	5 Members of Council	• recommending the appointment of the City's external auditor • recommending the appointment of an external auditor to conduct the annual audit of the Auditor General's office • reviewing the annual external audit of the financial statements of the City and its agencies and corporations • reviewing the annual external audit of the Auditor General's office • reviewing the Auditor General's reports and audit plan • conducting an annual review of the Auditor General's accomplishments • making recommendations to Council on reports the Audit Committee considers • reviewing performance audits and other reports of the Auditor General concerning City agencies and City corporations
Vancouver	9 members: • 5 voting Council members • 2 appointed non-voting external advisors	• Supports the independence of the Auditor General • Supports the mandate of the Auditor General set out in the Auditor General By-law • Provides the oversight prescribed by the Auditor General By-law to the Auditor General on behalf of Council
Ottawa	8 members: • only Members of Council • Mayor is ex-officio	Confirm and assure the independence of the City's Auditor General and the external auditor, including a review, if requested, of all additional audit, management consulting and other fees of the external auditor. Have the authority to hear briefings on litigious matters related to items within the Committee's mandate and to give direction to the City Solicitor on such matters where it is consistent with current Council direction or policy. Review and recommend to Council revisions to the Audit Committee Terms of Reference, as required. Recommend to Council proposed by-laws that are under the Committee's jurisdiction.