

# **Toward a Strong Municipal Parliament: Political Organization, Administrative Organization, Elections**

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**The Institute of Urban Studies**





THE UNIVERSITY OF  
WINNIPEG

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**TOWARD A STRONG MUNICIPAL PARLIAMENT: POLITICAL ORGANIZATION, ADMINISTRATIVE ORGANIZATION, ELECTIONS**

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SUBJECT: TOWARD A STRONG MUNICIPAL PARLIAMENT

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ADMINISTRATIVE ORGANIZATION  
ELECTIONS

PREPARED FOR: COMMITTEE REVIEWING THE  
CITY OF WINNIPEG ACT

PREPARED BY: THE INSTITUTE OF URBAN STUDIES  
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The hybrid political system under which the City of Winnipeg presently is governed consists of an ineffective compromise between council and mayoral authority, party and interest group influence, and political and administrative power.

As such, the system satisfies no one and generally exhibits the worst features of each. Severe blockages exist in the formation of policy and budget and their implementation through by-laws and programs, in the development of plans and their execution. Checks and balances have been piled upon each other until positive and efficient decision-making virtually disappears. Accountability -- either political or administrative -- is so obscured as to make citizen participation both frustrating and often absurd. In Winnipeg, the buck never appears to stop anywhere.

In short, what the system most requires now is the clear and accountable location of power within the municipal system. Democracy, or participatory democracy as we like to think about it here, is thoroughly consistent with power. Indeed, only when power is exercised and is visible to all who care to see, can democracy flourish most effectively. For not only does the citizen need to know who is responsible for a decision, he also needs to be able to determine that a decision has in fact been made at all. Only then can the citizen direct his attempts at influence and change in a meaningful and efficient manner. What that citizen is presently lacking is the sense that a particular governing group in the city is responsible collectively for municipal decisions and that one or more such groups stand in the wings ready to do things differently.

Thus, while the City of Winnipeg Act is in most instances a superior and progressive statute, in a fundamental sense, it is also a very weak and confusing one. It has failed to provide a realistic and effective framework for governing.

Therefore, the amendments to the Act that we recommend this evening are directed toward the following objectives:

1. to make decision-making power at the municipal level clearly visible and identifiable;
2. to lay the basis for improved political accountability of municipal government decisions to the voting public of Winnipeg;
3. to improve the effectiveness and efficiency of civic decision-making ; and

4. to establish the clear political supremacy of a majority group in Council, i.e. the government, over the senior levels of the administration.

To facilitate the achievement of these objectives, we propose changes to the Act that would:

1. encourage, indeed require, the formation of disciplined Council groupings or party caucuses headed by strong group-designated leaders;

2. encourage the running of election campaigns by government and shadow government groups or parties offering to the public slates of ward candidates committed to certain courses of action;

3. clarify the decision-making process and centralize authority in the hands of the chief executive and his cabinet, while guaranteeing effective and equitable access to all opposition groups or parties; and

4. redefine the composition and relationship of senior civil servants to the executive and cabinet, and strengthen the capability and resources available to group or party leaders.

The governing framework we propose for Winnipeg is, in short, the creation of a municipal parliament led by a strong mayor and executive committee. The implications of a civic parliamentary system are, of course, party government, responsible and accountable leadership, and efficient merger of legislative and executive power.

To structure such a system in Winnipeg requires a series of important changes in the present Act. In this brief, we are confining ourselves to amendments to the statute. We are not dealing with either provisions of other statutes, such as the Local Authorities Election Act, or issues of procedure or political practice. We are not dealing with questions of the nature of municipal parties, the quality of elected representatives, the wisdom or folly of civic decisions. What we are suggesting, however, is that the likelihood of the citizens and communities of Winnipeg getting the kind of civic government and political responsiveness they desire is greatest with a basic alteration in the political system.

Taking the relevant sections of the City of Winnipeg Act, therefore we propose the following changes in Political Organization (Part I), Administrative Organization (Part II) and Elections (Part IV). Each change is accompanied by a preliminary redrafting or repeal of specific sections of the Act.

### POLITICAL ORGANIZATION

1. No change is suggested in the size of council, but the mayor is to be chosen from among his council colleagues, rather than at large.

9(1) There shall be a council for the city consisting of 50 councillors and 26 members constitute a quorum for the council.

9(1.1) The mayor shall be elected by a majority vote of council.

2. The council's term is to be three years or until such time as the mayor and his executive committee lose the confidence of council.

9(3) The mayor and each councillor shall hold office for no more than three years or until council is dissolved as a result of either the passage of a motion of non-confidence in the leadership of the mayor and the executive committee or the defeat of the mayor and executive on the annual capital or current estimates.

3. The mayor, deputy mayor and members of the executive committee are to be active legislative participants on the floor of council and should not sit as its chairman. Council should elect its own chairman, who might be one of its members or a citizen of Winnipeg.

10(8) At all meetings of the council, a chairman selected by council shall maintain order and decorum and shall decide questions of order, subject to an appeal to the council.

10(8.1) At all meetings of a standing committee, the chairman or his designate shall decide questions of order, subject to an appeal to the committee.

10(9) re: expulsion requires amendment to bring it into conformity.

4. Voting would be obligatory for the mayor or acting mayor, as well as the council as a whole. Moreover, the right to double voting by the chairman, i.e. a vote cast as councillor and/or mayor, and in the event of a tie another vote cast as chairman, is to be abolished.

10(11) Every member of council present when a question is put shall vote thereon unless a majority of the council then present excuse him or he is prohibited from doing so by this Act.

17 providing for an additional or casting vote, should be repealed.

5. The mayor, as leader of the majority on council, is to select his executive committee, which will include the deputy mayor and chairman of standing committees.

12 At the first meeting of each council following its election, the mayor shall proceed to designate from the councillors a deputy mayor and members of the executive committee, including the chairman of the standing committees.

14(2) and 16 which provide the deputy mayor with inconsistent powers and terms, are to be repealed.

6. To encourage the building of sustaining municipal groups or parties and to minimize the secure, self-interest use of council election as a no-risk stepping stone to higher office, resignation from council would be required before seeking such office.

16.1 No member of council is eligible to be nominated for, or to be elected to provincial or federal office at either a by-election or general election unless he has, at least one week before nomination day, resigned his seat on council, to take effect on the day after nomination day, by delivery to the clerk of his resignation in writing signed by him.

7. Calculation of council indemnities is to be simplified and indemnities should be of such levels sufficient to justify full-time activity by the mayor, deputy mayor and other members of the executive committee, including chairmen of the standing committees, and to justify equivalent of half-time activity by all other members of council. Adjustments and discretion with respect to indemnities are to be taken out of the hands of council.

18(1) Each member of council shall be paid an annual indemnity of \$ \_\_\_\_\_ for carrying out his responsibilities, including his responsibilities as a member of a community committee. (rest of section providing for discretionary added indemnities deleted).

18(2) Members of the executive committee, including chairmen of standing committees, shall be paid an annual indemnity of \$ \_\_\_\_\_, excepting the deputy mayor and mayor, as in subsection (3). (rest of section providing for additional indemnities deleted)

18(3) The mayor shall be paid an annual indemnity of \$ \_\_\_\_\_, and the deputy mayor shall be paid an indemnity of \$ \_\_\_\_\_. (rest of section providing for discretionary adjustment by council deleted)

18(5) Council shall (not "may") appoint an independent review board from time to time to review the indemnities paid to members of council and may pay the costs of such a board.

8. The executive committee is to be the municipal cabinet chosen and led by the mayor and responsible to council.

29(1) The mayor shall appoint members to the executive committee, which shall be comprised of nine members of the council, including the mayor, the deputy mayor, the chairmen of the standing committees and additional members to fill any remaining vacancies.

29(2) At the first meeting of each council after its election, the mayor shall appoint the executive committee and may reconstitute that committee at any time thereafter. (Provision prohibiting the holding of executive committee membership at some time as standing committee membership is deleted.)

29(3) and 29(4) regarding the first council under Unicity to be repealed.

29(5) Each member of the executive committee shall serve at the pleasure of the mayor (remainder of section deleted.)

29(6) to be revised in conformity to above.

9. All references to a "board of commissioners" should be altered to read "administration" or be removed from the Act consistent with recommendations regarding Administrative Organization.



30 The executive committee shall formulate policies, budgets, and by-laws for recommendation to council and on behalf of council shall co-ordinate the implementation of city policies.

32(1), 32(2), 32(3), 32(4), 32(5), and 33 are to be revised accordingly.

10. The standing committees are to be established by the executive committee up to a maximum of seven, and the mayor shall select their chairmen.

35(1.1) At the first meeting of each council after its election, and at any time thereafter, the executive committee shall establish from three to a maximum of seven standing committees, and the mayor shall select the chairmen of those committees.

35(1.2) The chairmen of the standing committees shall automatically serve as members of the executive committee.

11. Membership on standing committees is to be according to proportional representation of groups or parties and specifically determined by the leaders of those groups or parties.

35(1.3) Each standing committee is to be composed of between seven and fourteen members, including the chairmen, with the condition that the total number of members placed on standing committees equals or exceeds the number of members of council, excluding the mayor and deputy mayor, such that every councillor has the opportunity of sitting as a member of a standing committee.

35(1.4) Membership on each standing committee shall be allotted to and assigned by the leader of each group or party represented on council in proportion to their numbers.

35(2) Each member of a standing committee shall serve at the pleasure of the leader of his group or party.

35(3) In the event that a vacancy in the membership of a standing committee occurs, the leaders of the group or party whose seat it is shall forthwith select another member of that group or party to fill the vacancy.

35(4), 35(5), 35(6), 35(7) providing for election and removal of chairmen by committees to be repealed.

35(8) In the absence of the chairman of a standing committee from any meeting of the committee, his designate shall act as chairman for that meeting.

12. The mayor and executive committee are to have the authority to establish the number and responsibilities of standing committees for the term of their election.

38, 39 and 40 dealing with the existing environment, finance and works and operations committees should be revised to conform with this principle.

13. Once established by the mayor and executive committee, standing committees are to have authority to organize themselves.

41(3) Should be revised to remove council approval of terms of reference of subcommittees established by a standing committee.

41(5) Restricting membership on subcommittees to members of the standing committee should be repealed.

#### ADMINISTRATIVE ORGANIZATION

14. The mayor and executive committee are to have the authority to establish the form of senior administrative organization for the City. Therefore, all specific provisions with respect to a board of commissioners should be repealed, and its powers and duties to be assumed by a new body.

43 There shall be an office known as the Office of the Mayor of the City of Winnipeg consisting of persons appointed by the mayor, and responsible to the mayor and executive committee.

44 The Office of the Mayor shall be constituted and its powers and duties assigned as determined by the Mayor.

45-46 Should be revised or repealed to conform with this principle.

15. The budget bureau, law department, information system and clerk's department are to be subsumed within the Office of the Mayor.

54(3) The Mayor shall designate a person or persons within his office to

direct and supervise the budget bureau, the information system, law department, and clerk's department.

16. Personnel of the Office of the Mayor are to provide information as required to all committees and subcommittees of council, but shall not be compelled to appear personally unless so directed by the Mayor. On the other hand, members of the administration below the Mayor's Office may be required to appear before committees and subcommittees of council.

### ELECTIONS

17. Municipal elections are to follow the parliamentary pattern, excepting that the Mayor may not voluntarily dissolve council and call a general election before the normal three year term.

82(1) Election of the members of the council shall be held on the fourth Wednesday in the month of October or not later than six weeks following the defeat in council of the mayor and executive committee on a motion of non-confidence or passage of the current or capital estimates and in that event the next election shall be held latest three years to the day thereafter.

82(3) Re term of office and 84(1) re nominations to be revised consistent with the above.

18. Councillors are to hold only one office at a time and must resign to run for higher office, and not only if elected.

86(2) No person is eligible to be nominated in more than one ward at an election. (remainder of section re mayor should be deleted)

86(3) If a member of the Legislative Assembly is nominated as a candidate for council, he forfeits his seat in the assembly and is disqualified from sitting and voting in the assembly. (see 16.1)

86(4) If a member of the council is nominated as a candidate for the Legislative Assembly, he forfeits his seat on the council and is disqualified from sitting and voting in the council. (see 16.1)

86(5) and 86(6) re the mayor should be repealed.

These proposed amendments to the Act constitute by no means a defensive list. However, we believe they represent the kind of essential changes required at this time. In previous briefs, we have outlined specific provisions with respect to local community committee powers of zoning and subdivision approval within city guidelines contained in district and development plans. We have proposed new and amended sections with regard to freedom and disclosure of information. And we have advanced recommendations to classify and strengthen the provisions for environmental impact reviews. While we have not specifically commented on the resident advisory groups, we support their retention and the strengthening of their role in community politics. All of these suggestions, however, take on added importance and vitality when considered in the context of a fundamental reorganization of Winnipeg's government and administration.

The revitalization of municipal politics and the decision-making process are the necessary prerequisites to making provisions of the Act work. With the creation of a stronger and more accountable government in the City of Winnipeg, Unicity may yet achieve the highest hopes of its founders and its citizens.

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