

HALIFAX REGIONAL MUNICIPALITY

ADMINISTRATIVE STANDING COMMITTEE MINUTES

May 17, 2011

PRESENT:

Mayor Peter Kelly
Deputy Mayor Jim Smith
Councillors: Steve Streach
Bill Karsten
Dawn Sloane
Russell Walker
Reg Rankin
Linda Mosher
Brad Johns

STAFF:

Mr. Barry Manuel, EMO Coordinator
Ms. Lee Syms, Administrative Clerk Assistant
Ms. Sherrill Murphy, Deputy Clerk

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1. CALL TO ORDER

The Mayor called the meeting to order at 11:30 a.m.

2. APPROVAL OF MINUTES – March 28, 2011

MOVED by Councillor Karsten, seconded by Councillor Walker that the minutes of the March 28, 2011 meeting of the Administrative Standing Committee, as distributed, be approved. MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

MOVED by Councillor Johns, seconded by Councillor Walker that the agenda, as distributed, be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Review of Revised Administrative Order 1

A staff report dated May 6, 2011 with an attached revised Administrative Order was before the Committee.

Following a brief introduction by Ms. Kirby Grant, Solicitor, in which she outlined that the changes to Administrative Order 1 had been allocated to one of three categories, Council Feedback, Changes to Administrative Order based on motions of Council and Proposed Administrative Changes. The Committee reviewed the changes as noted in the staff report and revised Administrative Order 1.

Motions of Council

No In Camera meeting may proceed in the absence of a Municipal Solicitor.

Concern was expressed that Council would not wish to restrict the discussion on sensitive personnel matters.

Note was made that In Camera sessions are the formal business of Council dealing with matters requiring legal advice. Discussion can be held amongst members in a caucus format that would allow for a more informal consideration of the matters.

MOVED by Councillor Sloane, seconded by Councillor Walker that a new Section 14(4)(a) be included in Administrative Order 1.

Note was made that a 2/3 majority vote of Council would allow Council to meet In Camera without the Solicitor present.

MOTION PUT AND PASSED.

Consent Agenda

The Committee reviewed Section 18 of the revised Administrative Order.

A brief discussion as to the purpose of a consent agenda ensued with concern being raised as to the driver of this proposal. Note was made the consent agenda was included in the package of Governance reforms which were approved by Council along with the Standing Committees and more authority for Community Councils.

The consent agenda will be composed primarily of tenders and non controversial items and the hope is that it will improve the effectiveness of Council meetings. Members discussed potential criteria which would be applied to matters appearing on the consent agenda, for example, items within budget, operational matters, maintenance matters and purchasing matter which ensure the continued operations of HRM.

MOVED by Councillor Rankin. seconded by Councillor Walker that a decision on whether to include Section 18 in Administrative Order 1 be deferred pending a trial run of the consent agenda at several sessions of Council and with the criteria as set out above being applied.

The Committee further requested that an internal confidential memo be forwarded to all members of Council to advise them of the proposal to introduce a consent agenda on a trial basis.

MOTION TO DEFER PUT AND PASSED.

Consistency between Administrative Order and Charter Requirements

Ms. Kirby indicated that the following two changes have been proposed to ensure consistency between the Administrative Order and the HRM Charter

1. Appointing the Presiding Office – Sections 5(2) and 6 (1)

Members agreed that the present practice of past Deputies presiding when the Mayor and serving Deputy are out of the room be continued.

Ms. Kirby advised that the Charter does not permit pre-selection of the presiding office.

2. Definition of Quorum

The Committee **agreed that** the new Section 9 be included in the Administrative Order.

Update and Bring the Administrative Order in line with Council Practices

- 1) The Committee had no comment on this matter
- 2) Flexibility in the time set for Council meetings by agreement of Mayor/CAO – Section 8(2).

MOVED by Councillor Johns, seconded by Councillor Rankin that Section 8(2) be included in Administrative Order 1. MOTION PUT AND PASSED.

- 3) The work relative to circulation of information to Council is ongoing and no action is required relative to this matter.
- 4) Section 32 (7) remove 'upon a vote of two-thirds of the members present agreeing'.

If a petition is received from outside of the Municipality, Council is to receive it as correspondence.

A qualified petitioner will be a resident or property owner within HRM.

In response to a question regarding whether or not such a limit can be placed on petitions under the Charter of Rights, Ms. Kirby indicated she did not believe so but would confirm this prior to the matter going to Council.

5) Proposed Motions – New Section 26(8)

Councillor Karsten further explained that the intent of this addition is to provide in writing to the Clerk and members of Council any amendments Councillors may know they are planning to make to a recommendation of staff or a Councillor's motion.

Concern was expressed that the proposed 26(8) was too broad and would negatively impact on the flexibility of members of Council.

Note was made this should be a practice rather than embodied in policy. The Chair suggested that he work with the Clerk's Office with regard to developing the practice.

Ms. Kirby offered the following wording:

Where a councillor has prepared a motion for consideration prior to a meeting of Council the Councillor may provide a copy of the motion to the Clerk.

The Committee agreed that the new Section 26(8) not be included in Administrative Order 1, but that members of Council be encouraged to adopt the practice outlined by the Solicitor above.

Section 76 (5) – Use of Electronic Conferencing for Advisory Committees

The Committee agreed to include 76 (5) in the Administrative Order.

A brief discussion ensued regarding a more widespread application of this section with note being made a change to the Charter and the MGA.

The Solicitor noted that consideration must be given to ensuring access by the public to the meetings of advisory committees to Halifax Regional Council.

Usability through Restructuring the Administrative Order

A brief discussion regarding Sections 14 and 77(c) ensued with no changes being made.

In response to a request that consideration be given to extending presentation time from 5 minutes to 10 minutes under Section 75 (1), the Committee **agreed** that no change be made.

Noting that certain new sections did not appear in highlight, the Committee tasked staff with reviewing the document to ensure that the discussion considered all the proposed changes.

MOVED by Councillor Walker, seconded by Councillor Sloane:

- 1. That the proposed Administrative Order 1, with the amendments agreed to by the Committee, be approved.**
- 2. That staff update the document, including a review to ensure that the Committee's discussion considered all the proposed changes, and bring the updated document back to the Committee for recommendation to Halifax Regional Council.**

MOTION PUT AND PASSED.

MOVED by Councillor Streach, seconded by Councillor Johns the Administrative Standing Committee recommends to Halifax Regional Council that the Committee's name be changed to the Executive Standing Committee.

Councillor Streach indicated that he considered the work of this Committee to be executive in nature and that the Committee's name should reflect that reality.

Councillor John's noted that during the initial discussions on Standing Committees this Committee was referred to as the Executive Committee, however, due to concern that this terminology might cause concern for certain Councillors, the Committee had been renamed the Administrative Standing Committee.

MOTION PUT AND PASSED.

5. CONSIDERATION OF DEFERRED BUSINESS

6. CORRESPONDENCE, PETITIONS & DELEGATIONS

6.1 Correspondence - None

6.2 Petitions - None

7. REPORTS

7.1 Staff Reports

7.1.1 Public Appointments Policy Governing Citizen Appointments to ABCs

A staff report dated April 28, 2011 was before the Committee

MOVED by Councillor Sloane, seconded by Councillor Johns that consideration of this matter be deferred to the next regular meeting of the Administrative Standing Committee.

His Worship expressed concern regarding the proposed policy indicating that the 4 year appointment timeframe would result in a more political process, the process as set out is staff rather than Council lead approach, and interviewing of applicants seems to have gone too far.

MOTION TO DEFER WAS PUT AND PAST.

7.2 Standing Committee Reports - None

8. ADDED ITEMS

9. ORIENTATION TO EMERGENCY OPERATIONS CENTRE

Mr. Manuel gave members of the Committee a tour of the Emergency Operations Centre and briefly explained the Committee's role during an Emergency.

10. DATE OF NEXT MEETNG – June 27, 2011

11. ADJOURNMENT

The meeting adjourned at approximately 1:30 p.m.

Sherryl Murphy
Deputy Clerk

INFORMATION ITEMS

1. Improvements to Boards and Committees Application Form