

**Executive Standing Committee
June 24, 2013**

TO: Chair and Members of Executive Standing Committee
Original Signed

SUBMITTED BY: _____
Cathy J. Mellett, Municipal Clerk

DATE: June 3, 2013

SUBJECT: Councillor Appointments to Standing Committees

ORIGIN

The November 20, 2012 motion of Halifax Regional Council specifying the appointment process and filling of vacancies on the Standing Committees for terms to expire no later than June 30, 2013.

LEGISLATIVE AUTHORITY

Executive Committee Terms of Reference Section 3.6 General Council Governance "The Executive Committee shall act as a review committee for matters related to general self-governance and administration of Council as directed by Regional Council".

Halifax Regional Municipality Administrative Order 1 – Section 67 – Respecting the Procedure for Appointments to Committees.

RECOMMENDATION

It is recommended that the Executive Standing Committee recommend to Halifax Regional Council that they amend the Terms of Reference of the Standing Committees of Regional Council to extend the current Councillor appointments to November 30, 2014.

BACKGROUND

In November 2010 Halifax Regional Council adopted a Standing Committee structure to: a) fulfill Council's requirements in regards to mandated responsibilities (Audit, Emergency Management and Appeals); b) oversee the work of citizen Advisory Committees of Council; and c) establish a governance structure to support Council's decision making process.

Six (6) Standing Committees of Council were established and the work of the Standing Committees commenced in December 2010.

In preparing for the transition to the new Council, Regional Council by motion of October 9, 2012 determined that:

- The Terms of Reference of each of the six (6) Standing Committees would be amended to allow for no less than five (5) and no more than eight (8) members of Regional Council on each Standing Committee, except for the Appeals Standing Committee which requires eight (8) members of Council in accordance with By-law A-100.
- That the terms of appointment of those members whose appointments expire on November 30, 2012 and who are re-elected in the municipal election are extended to no later than June 30, 2013, and
- That any vacancies following the municipal election on October 20, 2012 may be filled by Regional Council from among its members, having due regard for maintaining geographic representation where possible, for a term that will expire no later than June 30, 2013.

The June 30, 2013 date was established by Regional Council in anticipation that the new Council may wish to undertake a review of the governance structure to ensure it best served their priorities and so as not to "tie the hands" of the new Council.

Appointments to Standing Committees were made by Regional Council based on that direction and, in keeping with the motion, all Councillor appointments to HRM's Standing Committees will expire on June 30, 2013.

DISCUSSION

Council's Standing Committees operate under Terms of Reference approved by Regional Council. Several responsibilities provided for in Standing Committee Terms of Reference are required under the HRM Charter and/or By-laws.

Those responsibilities include:

- Establishment of an Audit Committee – HRM Charter Section 48
- Establishment of an Emergency Management Committee – in accordance with By-law E-100

- Establishment of an Appeals Committee (8 members of Council) – in accordance with By-law A-100

Other Standing Committees and their mandate/Terms of Reference were adopted based on the priorities established by Regional Council, but do not fulfill a legislated mandate.

In order to continue to fulfill the governance functions of the Standing Committees, Regional Council needs to provide direction in regard to the extension and/or reappointment of Committee members by June 30, 2013.

There are three (3) Standing Committees to which Regional Council MUST extend terms or make new appointments to by June 30, 2013 to satisfy legislative requirements:

- Appeals Standing Committee - An Appeals Committee is required under By-law A-100
- Audit & Finance Committee - An Audit Committee is required under Section 48 of the HRM Charter, and
- Executive Standing Committee - Municipal Emergency Management Advisory Committee is required by By-law E-100

The Office of the Municipal Clerk is recommending November 30, 2014 as the date to which of all Councillor appointments to Standing Committees should be extended as that date would be approximately halfway through the current Council's mandate. The Clerk's office has no strong preference provided the direction provided by Regional Council ensures that Council's legislative responsibilities are met.

Options are available for recommendation to Regional Council, including but not exclusive to:

- Extending the current appointments until the time recommended in this report or other time as determined by Regional Council.
- Undertaking an expression of interest and appointment of members of Council to existing Standing Committees, which would require extension of current appointments until such time as the appointment process is completed.
- Providing other direction in regard to governance and responsibilities currently provided for under Regional Council's Standing Committee structure as outlined in the alternatives section of this report.

FINANCIAL IMPLICATIONS

There are no budget implications to this report that are not already included in the Operating Budget.

COMMUNITY ENGAGEMENT

None required.

ENVIRONMENTAL IMPLICATIONS

Not applicable.

ALTERNATIVES

- The Executive Committee could recommend to Regional Council an earlier or later date for extension of appointments to Standing Committees.
- The Executive Committee could recommend that Regional Council extend the terms of appointment only until such time as an expression of interest and reappointment process could be undertaken.
- The Executive Committee could recommend that Regional Council extend the terms of appointments to a time specified in order to allow Regional Council to undertake a review of the current governance structure adopted by Regional Council in 2010. Staff would suggest the Executive Committee consider this alternative in their recommendations to Regional Council.
- The Executive Committee could recommend that Regional Council extend appointments to the Standing Committees that are required to fulfill a legislated mandate (Appeals, Audit & Finance, and Executive Standing Committees), and recommend that appointments not be extended for any or all of the Standing Committees that are NOT required by legislation (Community Planning & Economic Development, Environment & Sustainability, and Transportation). In that case those Standing Committees that do not have their appointments extended would continue to exist but would have no members and could not do business. The work of those Standing Committees would remain outstanding until such time as new appointments were made or until Regional Council returned the remaining work to Regional Council.

ATTACHMENTS

Attachment 1- Current Councillor Appointments to Standing Committees of Council

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Cathy J. Mellett, Municipal Clerk (902) 490-6456

Original Signed

Report Approved by: Sara Knight, Solicitor, Legal Services, 490-3295

Attachment 1

Council Appointments to Standing Committees as of June, 2013

Appeals

Councillor David Hendsbee
Councillor Brad Johns
Councillor Gloria McCluskey
Councillor Steve Adams
Councillor Matt Whitman
Councillor Steve Craig
Councillor Linda Mosher
Councillor Bill Karsten

Community Planning & Economic Development

Councillor Tim Outhit
Councillor Lorelei Nicoll
Councillor Darren Fisher
Councillor Gloria McCluskey
Councillor Wayne Mason
Councillor Jennifer Watts

Executive

Mayor Mike Savage
Councillor Linda Mosher
Councillor Brad Johns
Councillor Russell Walker
Councillor Bill Karsten
Councillor Steve Craig
Councillor Matt Whitman
Deputy Mayor Reg Rankin

Audit & Finance

Councillor Barry Dalrymple
Councillor Gloria McCluskey
Councillor Russell Walker
Councillor Tim Outhit
Councillor Steve Adams
Councillor Linda Mosher
Councillor Bill Karsten
Councillor Lorelei Nicoll

Environment & Sustainability

Councillor Barry Dalrymple
Councillor Jennifer Watts
Councillor Darren Fisher
Councillor Lorelei Nicoll
Councillor Bill Karsten
Councillor Steve Craig
Deputy Mayor Reg Rankin

Transportation

Councillor David Hendsbee
Councillor Darren Fisher
Councillor Jennifer Watts
Councillor Tim Outhit
Councillor Barry Dalrymple
Councillor Wayne Mason
Councillor Russell Walker
Deputy Mayor Reg Rankin