

## **BRIEFING NOTE**

**Executive Standing Committee  
February 25, 2013**

**SUBMITTED TO:** Mayor Savage and Members of the Executive Standing Committee

**MANAGER'S APPROVAL:** Cathy Mellett, Municipal Clerk

**DATE OF MEETING:** February 25, 2013

**SUBJECT:** **Proposed Changes to Terms of Reference – Executive Standing Committee**

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### **ORIGIN**

At the December 10, 2012 meeting of the Executive Standing Committee, members discussed their 2013 meeting schedule. This discussion evolved into a further discussion on the process by which the proposed meeting schedule of Halifax Regional Council is presented for approval and the manner in which the Boards and Committees of Council set their schedules.

Also at the December 10, 2012 meeting of the Executive Standing Committee, a discussion on the process by which Councillors are appointed to HRM Agencies, Boards and Committees was held.

Members asked the Clerk to provide background on these issues to the Executive Standing Committee.

### **OPTIONS / DECISIONS FOR CONSIDERATION**

#### *Meeting Schedules of Regional Council and Boards and Committees*

Option #1: Members can opt to retain the status quo, whereby the Regional Council schedule is approved by Regional Council and all other meeting schedules are approved by their respective members.

Option #2: Members can opt to retain the status quo, whereby the Regional Council schedule is approved by Regional Council and all other meeting schedules are approved by their respective members. Additionally, and as a courtesy, the Clerk's Office will:

- forward the Regional Council schedule to the Executive Standing Committee for its review before being sent to Regional Council and;

- forward the consolidated meeting schedule to the Executive Standing Committee for its review before being posted.

Option #3: Members can request that Regional Council change the Terms of Reference for the Executive Standing Committee to give it the authority to recommend for approval to Regional Council the Regional Council schedule and in addition the consolidated meeting schedule for all other bodies.

### *Councillor Appointments*

Option #1: Members can opt to retain the status quo, whereby the Executive Standing Committee continues to make nominations for citizen appointments to select committees (Halifax Regional Library Board, Halifax International Airport Authority, Halifax Port Authority, Community Monitoring Committee, Board of Police Commissioners, Design Review Committee, Metropolitan Regional Housing Authority), the “at large” Councillor appointments to Standing Committees, and a number of other bodies (Halifax Regional Library Board, FCM, Halifax Regional Water Commission, Trade Centre, Community Monitoring Committee, Board of Police Commissioners).

Option #2: Members can recommend to Regional Council that the Terms of Reference of the Executive Standing Committee and all other Standing Committees be amended to allow the Executive Standing Committee to be the nominating body for all citizen and Councillor appointments to Boards and Committees of Regional Council, while retaining its earlier obligations as outlined in Option #1.

## **BACKGROUND**

### *Meeting Schedules of Regional Council and Boards and Committees*

With respect to the meeting schedule for Halifax Regional Council, a proposed meeting schedule is presented to the Mayor and the CAO as per Administrative Order Number One by the Clerk in the autumn of the previous year. A report with a proposed schedule is then forwarded to Regional Council seeking approval for the upcoming year’s schedule.

Since amalgamation the Regional Council schedule has generally provided for a weekly meeting of Council, with a break in March, accommodation for both the FCM and UNSM and a summer break period during July and August. The new Council was provided with two (2) schedules for their consideration. One schedule was based on the traditional approach to Regional Council meetings and the second schedule proposed a slightly reduced number of meetings. The final decision in regard to Council’s schedule rests with Regional Council.

With respect to meeting schedules for Community Councils the Administrative Order which establishes the Community Council provides broad guidelines for meetings times and frequency. Community Councils then have determined the meeting night, location and schedule for their meetings through approval of an annual meeting schedule.

In regard to Boards and Committees past practice has been to allow each body to set their own meeting schedule and to approve that schedule at the end of the calendar year. Granting Standing Committees, Community Councils and other bodies the authority to set their own schedules allows members and the public to determine what schedule best reflects their availability and preferences.

This approved schedule is then forwarded to the Municipal Clerk's Office, which compiles a meeting schedule for all of HRM and posts the meeting schedules online to provide appropriate notice to the public.

### *Councillor Appointments to Boards & Committees*

A report received at the December 9, 1997 Regional Council meeting provided Councillors a framework for making appointments to HRM's committees. Among other things, the report recommended the establishment of a Membership Selection Committee which would have an active role in the selection of committee members. A Membership Selection Committee was created at the January 13, 1998 meeting of Regional Council.

A report dated November 5, 2009, Committees of Council Reform, the Membership (Executive) Committee recommended the creation of Standing Committees by Regional Council. At the October 12, 2010 Committee of the Whole meeting, Regional Council voted to adopt the recommendation to create Standing Committees. This decision also approved the following, that Regional Council:

**2. Adopt, in principle, the consolidation of the mandates and terms of reference of current Committees of Council as outlined in Appendix A of the supplementary report dated October 9, 2010**

As such, the Terms of Reference for the Executive Standing Committee came to include the authority previously retained by the Membership Selection Committee. Regional Council then went on to adopt the Terms of Reference for each of the Standing Committees.

The Terms of Reference for the Executive Standing Committee, with reference to Councillor appointments, sets out the committee's mandate as follows:

### **3.2 Membership Selection**

- 3.2.1 Act as the Membership Selection Committee of Council with a mandate to function as the nomination committee for appointment to Boards and Committees, including at-large nomination to Standing Committees, except as delegated to other Standing Committees of Council.

At present, Standing Committees have been granted the authority by Regional Council to be the nominating body for advisory committees which fall under their Terms of Reference. For example, the Terms of Reference for the Audit and Finance Standing Committee grants the committee the power to select members to sit on the Grants, Investment Policy and The Special Events advisory committees.

It is worth noting that, with respect to public appointments, Regional Council adopted the Public Appointments Policy, dated August 2, 2011, which applies to citizen appointments to HRM agencies, boards, committees and commissions and to external bodies.

Under current policy Region Council continues as the final appointing body for citizen and Councillor appointments unless explicitly delegated otherwise.

The Executive Standing Committee currently acts as the nominating body for citizen appointments to various bodies and for “at large” Councillor appointments to Standing Committees.

The Terms of Reference for Standing Committees also designate Community Councils to be included as nominating bodies for Councillor appointments to Standing Committees and both the nominating and appointing body for citizen appoints to Advisory Committees directly associated with Community Councils.

## **DISCUSSION**

### *Meeting Schedules of Regional Council and Boards and Committees*

At the December 10, 2012 meeting of the Executive Standing Committee members of the committee and the CAO agreed there could be benefit to Regional Council if the Executive Standing Committee were able to view and make recommendations on meeting schedules of agencies, boards, committees and of Regional Council.

The advice and input of members of the Executive Standing Committee could certainly assist in providing direction to the Mayor, CAO and Clerk in regard to the preparation of the annual Regional Council agenda prior to Council’s approval.

It should be noted that the logistics of the Executive Committee involving themselves in the scheduling of Community Councils and over thirty (30) Boards and Committees of Council representing well over 370 meetings annually could provide onerous and extremely difficult and time consuming.

The Executive Committee should consider in regard to their mandate and Terms of Reference the best value added in terms of their governance and oversight of HRM Policy and Corporate priorities.

### *Councillor Appointments*

At the December 10, 2012 Executive Standing Committee meeting, members of the committee suggested a change to the process of Councillor appointments to boards and committees.

A concern was noted that the call for expressions of interest and ballot process might lead to imbalances, such that some committees have more representation than is needed, while others have less. It was further noted that the reduction in the number of Councillors will force Council

to be more discerning with respect to appointments. The members suggested that having the nomination of Councillor appointments come through one body (the Executive Standing Committee) would ensure a degree of oversight and provide for a more equitable appointment distribution.

Re-establishing the role of membership selection and oversight of all Councillor and citizen appointments under the mandate of the Executive Committee would require a change to both the Terms of Reference of the Executive Standing Committee as well as changes to the Terms of Reference to all other Standing Committees to which nominations have been delegated.

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this item.

### **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

### **COMMUNITY ENGAGEMENT**

The Executive Standing Committee is open to the public unless otherwise indicated for in camera items.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications.

### **ATTACHMENTS**

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

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