

Executive Standing Committee
January 27, 2014

TO: Mayor Savage and Members of the Executive Standing Committee

ORIGINAL SIGNED

SUBMITTED BY: _____

fn Chris Bryant, Project Manager, Governance Project.

DATE: January 17, 2014

SUBJECT: Consideration of Committee of the Whole

ORIGIN

Motion of Halifax Regional Council of June 25, 2013:

That the Executive Standing Committee, supported by staff, is directed by Halifax Regional Council to undertake a review of Council's governance and committee structure and the terms of reference of Standing Committees to ensure the structure supports Council's priorities, to be completed by June 30, 2014 for submission to Regional Council.

During the Council discussion, it was agreed that the review should also include the number of external committees members of Regional Council are asked to serve on and whether those councillor appointments best serve the interests of HRM.

LEGISLATIVE AUTHORITY

The Halifax Regional Municipal Charter states in Section 20 (1) Council may make policies (c) providing for committees and conferring powers and duties upon them, except the power to expend funds

HRM Administrative Order #1 – Respecting the Procedures of the Council describes procedures for Committee of the Whole in Sections 69 to 73.

Recommendations to follow on pg. 2...

RECOMMENDATION

It is recommended that Executive Standing Committee recommend to Regional Council that;

(1) Administrative Order #1 be amended to add a definition of “Committee of the Whole” to Section 2 – Definitions

(2) the Mayor and those responsible for setting Regional Council and committee agendas continue to use Committee of the Whole as a mechanism to discuss matters of strategic importance to the municipality.

BACKGROUND

Administrative Order #1 (AO#1): Sections 69 to 73 provide for the administrative structure of Committee of the Whole. See Attachment A. The sections do not provide any specific direction as to the circumstances under which Committee of the Whole of Council is to be used.

Since amalgamation, the frequency of Committee of the Whole meetings has varied. Table 1 shows the number of meetings and subjects covered in recent years.

Table 1 – Frequency and Subjects of HRM Committee of the Whole meetings 2008-2013

Year	# of Council Meetings	# of COW Mtgs	Committee of the Whole Subjects
2008	34	24	Taxis, gateway, e-voting, Fiscal Framework, HRM by Design, Arenas, Budget, Trails, By-laws, Facilities Master Plan, Peace Officers, Debt Policy, Central Library, Mainland Common, Legislative Requests, Business Plans, Violence Roundtable, Winter Works, Reserves, Canada Winter Games, Transit, Community Engagement, M/P Lands Swaps, Transit taxes.
2009	38	25	Council Focus Areas, Planning Approvals, Parking, Violence, Fiscal Framework, HRM by Design, GHP, Debt Service, Capital Projects, Transportation, Transit, Rural Transit, Bedford West CCC, Budget, Fiscal Health, Invasive Species, Tax Reform, Procurement, Wind Turbines, Tobacco Use, Council Committees, CUTA, Social Heritage, Leased Office Space, 4 Pad.
2010	38 + 2 Special	23	Council Focus Areas, Harbour Ferry, Transit, Sea Level Rise, Fiscal Framework, Citizen Survey, Library, Halifax North Common, Budget, VICS, Burials, Roundabouts, 4 Pad, Event Strategy, Rec Services Review, Wind Power, Asset Naming, Convention Centre, Committee Reform, Cost of Services,

			FIFA.
2011	36 + 1 Special	12	Transit, Corporate Plan Outcomes, Supplementary Education Funding, Capital Budget, Facilities Master Plan, Budget, Stadium, Roads, Regional Plan.
2012	35 + 4 Special + Swearing In	5	Budget, Sidewalks, Priorities
2013	32	7	Sidewalks, Sponsorship & Naming, Solid Waste, Regional Plan, Area Rates, Priorities

DISCUSSION

AO#1 does not define "Committee of the Whole." In other comparable municipalities, the council procedures document does provide a definition. London's document says "Committee of the Whole shall mean a committee composed of all the members of the Council."

For administrative purposes a definition of Committee of the Whole should include a definition in AO #1 to state that "Committee of the Whole shall mean a committee composed of all the member of Regional Council"

Establishing Standing Committees has reduced the frequency of Committee of the Whole meetings. Matters which previously went to Committee of the Whole for discussion are now often discussed at the relevant Standing Committee.

There are two broad opinions on this change. In meetings with the Project Manager, the majority of Regional Councillors said that Standing Committees were playing a useful role. The committees allowed in depth discussion of issues. The committees were also useful forums for presentations from subject matter experts and interested groups of citizens.

A minority of Regional Councillors said they felt less informed under the Standing Committee structure. Important issues got debated at Standing Committee without some councillors participating. These Councillors said that when the issue came to the Regional Council, it was too late for them to have meaningful input.

Both groups agreed there were issues that would benefit from using Committee of the Whole:

- If an issue was likely to have a significant impact on more than one Standing Committee, it should go to Committee of the Whole so all councillors could participate in the discussion.
- If an issue was deemed to have a broad impact on policy, programs or budget by those setting agendas, it should go straight to Committee of the Whole for the initial discussion.

This general practise is being followed already by Council. The December 2013 Committee of the Whole to consider the revisions to the Regional Plan and the January Committee of the Whole on Solid Waste are recent examples of using Committee of the Whole.

The Project Working Group believes that Administrative Order #1 provides appropriate discretion for the Mayor and CAO, through the Agenda Review process, to determine when matters meet the agreed upon criteria for Committee of the Whole as well as allowing Council, by motion, to address any concerns. The current practise serves Regional Council well and represents the majority view of members of Council.

FINANCIAL IMPLICATIONS

This report has no financial implications.

COMMUNITY ENGAGEMENT

There was no community engagement in the preparation of this report.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications in this report.

ALTERNATIVES

Executive Committee could choose either to

- (1) make additional changes to the current practice
- (2) maintain the practice of referring issues to Standing Committees

ATTACHMENTS

Attachment A – Excerpt from Administrative Order #1 Covering Committee of the Whole.

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.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 : Chris Bryant, Project Manager, Governance Review Project, 490-3729

Attachment A – Excerpt from Administrative Order #1 covering Committee of the Whole

Procedure in Committee of the Whole

69. (1) When a report of a committee is presented to the Council, the chairman of the committee presenting the report may move that the Council go into Committee of the Whole to discuss the report.

(2) When all the items of the report have been dealt with, the chairman may move the adoption of the report with amendments, if any.

70. (1) Whenever it shall be moved and carried that the Council go into Committee of the Whole, the presiding officer shall be in the Chair unless otherwise ordered, and shall maintain order in the committee and shall report the proceedings of the Committee.

(2) The presiding officer shall be referred to as Chair.

(3) The Chair may appoint another member of the Committee to so act while the Chair is temporarily absent from the meeting.

(4) The rules of governing the procedure of the Council shall be observed in Committee, so far as they are applicable, except that:

a) no vote shall be recorded;

b) the number of times of speaking on any question shall not be limited and;

c) no motion to call for the question shall be allowed.

(5) No member shall speak more than once except to make an explanation until every member who desires to speak shall have spoken.

Motion to Rise from Committee of the Whole

71. (1) On motion in Committee of the Whole to rise and report, the question shall be decided without debate.

(2) A motion in Committee of the Whole to rise without reporting shall always be in order and shall take precedence over any other motion.

(3) On an affirmative vote to rise without report, the subject of the reference to the committee shall be considered as disposed of in the negative.

Agenda in Committee of the Whole

72. (1) The Clerk shall have prepared and printed for the use of the members at any regular meeting of Committee of the Whole, an Agenda setting forth the business to be considered at such meeting.

(2) The business of the committee shall be considered in the order set forth on the Agenda, provided however, that the Chairman of the committee, with the approval of the committee, may vary the order of business to better deal with matters before the committee.

Public Submissions at Committee of the Whole

73. (1) The Committee may hear and consider a submission or representation from any person who wishes to be heard, upon each item in the agenda as the item is reached by the Committee and each submission shall be limited to 5 minutes.

(2) If more than one person appears representing a group or association in relation to a particular item, the Committee may require that the persons designate a spokesperson who shall speak on behalf of the group or association so appearing.