

EXECUTIVE STANDING COMMITTEE
MINUTES

January 27, 2014

PRESENT: Mayor Mike Savage, Chair
Councillor Reg Rankin
Councillor Russell Walker
Councillor Matt Whitman
Councillor Bill Karsten
Councillor Steve Craig

REGRETS: Councillor Linda Mosher, Vice Chair
Councillor Brad Johns

OTHERS PRESENT: Deputy Mayor Fisher

STAFF: Mr. Chris Bryant, Senior Advisor, Government Relations &
External Affairs
Ms. Cathi Mullally, Director of Human Resources
Mr. Eddie Robar, Director of Metro Transit
Mr. John Traves, Director of Legal Services
Ms. Cathy Mellett, Municipal Clerk
Ms. Krista Vining, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER.....	3
2.	APPROVAL OF MINUTES – November 25, 2013.....	3
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	3
4.	BUSINESS ARISING OUT OF THE MINUTES – NONE.....	3
5.	CONSIDERATION OF DEFERRED BUSINESS – NONE.....	3
6.	CORRESPONDENCE, PETITIONS AND PRESENTATIONS	3
	6.1 Correspondence	3
	6.1.1 Halifax Water dated December 11, 2013 re: Water Board Appointments	3
	6.2 Petitions – None	3
	6.3 Presentations – None	3
7.	REPORTS.....	3
	7.1 Governance Review Update	3
	(i) Councillor Appointments to External Committees	3
	(ii) Consideration of Committee of the Whole	5
	7.2 HRM Workforce	6
	(i) Presentation	6
	(ii) Workforce Profile April 1, 2013 to June 30, 2013	6
	(iii) Workforce Profile July 1, 2013 to September 30, 2013.....	6
8.	STANDING COMMITTEE REPORTS	6
	8.1 Transportation Standing Committee	6
	8.1.1 Public Participation at Standing Committee Meetings.....	7
9.	COMMITTEE MEMBERS – NONE.....	7
10.	ADDED ITEMS – NONE.....	7
11.	IN CAMERA.....	7
	11.1 In Camera Minutes – November 25, 2013	7
	11.2 Personnel Matter – CAO Review – verbal update	7
	11.3 Personnel Matter – 2014 HRM Volunteer Award Recipients	7
	11.4 Legal Matter – Heritage Advisory Committee – verbal update.....	7
	11.5 Personnel Matter – Citizen Appointment to Design Review Committee	8
	Private and Confidential Information Items.....	8
12.	DATE OF NEXT MEETING – February 24, 2014.....	8
13.	ADJOURNMENT	8

1. CALL TO ORDER

Mayor Savage called the meeting to order at 10:03 a.m. in Council Chambers, 3rd Floor City Hall, Halifax.

2. APPROVAL OF MINUTES – November 25, 2013

MOVED by Councillor Whitman, seconded by Councillor Craig that the minutes of November 25, 2013 be approved as circulated. MOTION PUT AND PASSED.

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

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

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CONSIDERATION OF DEFERRED BUSINESS – NONE

6. CORRESPONDENCE, PETITIONS AND PRESENTATIONS

6.1 Correspondence

6.1.1 Halifax Water dated December 11, 2013 re: Water Board Appointments

The Committee reviewed the correspondence from Halifax Water and it was **MOVED by Councillor Walker, seconded by Councillor Whitman that the Executive Standing Committee request a staff report outlining options for appointments to the Halifax Water Board. MOTION PUT AND PASSED.**

6.2 Petitions – None

6.3 Presentations – None

7. REPORTS

7.1 Governance Review Update

(i) Councillor Appointments to External Committees

A staff report dated January 21, 2014 was before the Standing Committee.

Mr. Chris Bryant, Senior Advisor, Government Relations and External Affairs provided an overview of the reports for items 7.1(i) and (ii); indicating that the final governance review report is projected to come to the Committee end of June for recommendation to Regional Council.

The Standing Committee entered into discussion on councillor appointments to external committees.

Councillor Walker noted a correction on page 6 of the January 21, 2014 staff report under Union of Nova Scotia Municipalities: HRM is *two* of three members of the Regional Municipality caucus. Effectively, HRM always has *two* members on the Board of UNSM. He clarified that at any given time a Councillor from HRM or Cape Breton Regional Municipality (CBRM) is on the Executive; either as one of the three sitting positions or Chair of the caucus, which is also true of the Executive.

Councillor Walker questioned who would make the recommendation on the competency based resident appointments as the primary appointments to all boards/committees; identified at the bottom of page 6. He highlighted that the staff report does not identify whether there will be a nominating committee or a search committee. Mr. Bryant agreed that this piece could be expanded on; noting that there is a current Public Appointments Policy, but that this would have to be worked out.

In regard to the Financial Implications section of the staff report, Councillor Walker asked staff to re-visit and identify whether a Councillor is the appropriate member to be on a particular external board/committee. He questioned the value of staff sitting on an external board/committee rather than a member of Council.

During the discussion, Mr. Bryant pointed out that there does appear to be a limited quantity of Councillor time and the intent is to ensure that this time is allocated to maximize the value and be mindful of the circumstances of the individual organization.

Councillor Rankin suggested that once operating agreements are in place as part of the business approach, Council should be monitoring those agreements through staff. He did not see a requirement perceived in the past to have political representation when operating/management agreements are in place (i.e. arenas, Canada Games Centre, St. Margaret's Centre, Cole Harbour Place, etc.). Councillor Rankin was reluctant to move away from the political branch's responsibility of making appointments and delegating to staff.

In response to Councillor Rankin, Mr. Bryant advised that there is no intent to change the Appointment Policy, it may be tightened up, but Council would still make the appointments whether citizen, staff or Councillor.

In response to a question raised by Councillor Whitman, Mr. Bryant clarified that HRM can avoid some of the conflict of interest issues by not putting people in areas that lead to conflicts of interest. He provided an example wherein HRM has an agreement with the Halifax Water Commission and Halifax Library Board, and is unable to change the number of Councillors on the board/committee. Consequently, HRM would have to engage with other levels of government to make changes.

Mr. John Traves, Director of Legal Services pointed out that as a project sponsor, he suggested that one area the Committee may want to review is the thought around

performance management (i.e. if someone has been appointed, what process to consider in terms of assessing whether or not the mandate is being fulfilled or how well it is being done when the times comes for reappointment). Secondly, what sort of mechanism is required in regard to agreements in place or on the performance of the board that comes back to satisfy Council that the board to which the Councillor is appointed is functioning well.

On the conflict of interest piece, Mr. Traves advised that in a situation like this where Councillors are actively engaged in the community, there are going to be conflicts. The issue becomes how the Councillor deals with the conflict, which is a personal requirement and where they sit in terms of Council and the external board/committee.

Mr. Bryant indicated that rather than address the recommendation outlined in the January 21, 2014 staff report, he suggested that the team consider the feedback received from today's meeting and bring forward all the recommendations at one time in the full report to the Committee in June; to which the Committee agreed.

(ii) Consideration of Committee of the Whole

A staff report dated January 17, 2014 was before the Standing Committee.

Mr. Chris Bryant, Senior Advisor, Government Relations and External Affairs advised that through his conversations with Councillors there were two views: preference for the old Committee of the Whole process (preferred by a smaller group of Councillors) and the current process for Standing Committees and Committee of the Whole (preferred by a larger group of Councillors); staff is recommending status quo. He noted that staff is working with Legal Services to help tighten up the current status quo practice.

Councillor Walker spoke in support of the status quo but was concerned and questioned sections outlined in Attachment A of the January 17, 2014 staff report in regards to the speaking order; Section 70(5) and *Motion to Rise from Committee of the Whole – Section 71*. Mr. John Traves, Director of Legal Services advised that it would be unusual for any process of a body like this (i.e. Municipal, Provincial, Federal) to not have a process to start conversations in a Committee and bring them to an end at some point. The underlying principle is majority rules, which is reflected in either a motion to rise or a motion to put the question without debate. A majority of members either agree or disagree that the matter has had enough discussion.

Further discussion was held on past practice and the status quo for Committee of the Whole, as well as concerns around the wording of Administrative Order One, Section 71 Motion to Rise from Committee of the Whole and the possibility of Councillors taking advantage of ending a conversation before full discussion has been held. It was noted that staff would consider feedback received and further discussion could be held when the matter goes to Council.

Mayor Savage stepped down as Chair and Councillor Walker assumed the Chair.

7.2 HRM Workforce
(i) Presentation
(ii) Workforce Profile April 1, 2013 to June 30, 2013
(iii) Workforce Profile July 1, 2013 to September 30, 2013

Ms. Cathi Mullally, Director of Human Resources delivered a presentation on the HRM Workforce, outlining the first and second quarter data on: attendance, headcount, jobs filled and turnover rates; a copy of the presentation and workforce profiles are on file.

Mayor Savage resumed the Chair and Councillor Walker took his seat.

Councillor Karsten entered the meeting at this time.

The Standing Committee entered into discussion with staff responding to questions around addressing/improving vacancy management, pensions and overtime; specific to the Chief Administrative Office and Halifax Regional Police Business Units.

Councillor Whitman questioned whether staff's work with ICT to have more detailed data would lead to lower Workers Compensation Rates. Ms. Mullally advised that the data will help staff with actively managing/better decision making and in turn could lead to lower rates, but WCB would still be a separate entity.

Councillor Rankin commented on reducing transit rates for Workers Compensation and questioned the Board's responsiveness as the rates do not correlate with the reduction costs to Workers Compensation over the last seven years.

In response to Councillor Rankin, Ms. Mullally advised that HRM has a partnership with the Workers Compensation Board. All of HRM's employee groups have third party insurance through WCB; except Halifax Regional Police and Halifax Fire Services who are self-insured. Metro Transit's numbers have been high for a number of years, which is reflected in the rates. The Director of Metro Transit has been working with the union to reduce their WCB experience; reflected in the 2013 figures. Metro Transit has not shown a reduction in their injuries up until 2013. Therefore, HRM will not see that trend (i.e. downward rating of rates) for two years, as Metro Transit will have to sustain the reduction before a change is made to the rates.

Mr. Eddie Robar, Director of Metro Transit referenced the trends of the pre and post-strike outlined in the presentation. He identified that staff is working on healthy strategies for the 2014-2015 and these will be presented to Council during budget deliberations.

8. STANDING COMMITTEE REPORTS

8.1 Transportation Standing Committee

8.1.1 Public Participation at Standing Committee Meetings

A report from the Transportation Standing Committee dated January 22, 2014 was before the Committee.

MOVED by Councillor Rankin, seconded by Councillor Karsten that the Executive Standing Committee, under the scope of the ongoing Governance Review project, outline possible changes to Administrative Order One and the Standing Committee Terms of Reference, to allow a public participation section at the Standing Committee meetings that follows the Community Council model.

Councillor Rankin spoke on the recommendation and requests being made for public participation at the Standing Committee level at the end of the session; similar to Community Council's public participation structure.

MOTION PUT AND PASSED.

9. COMMITTEE MEMBERS – NONE

10. ADDED ITEMS – NONE

11. IN CAMERA

MOVED by Councillor Karsten, seconded by Councillor Whitman that the Executive Standing Committee convene into In Camera at this time to address Items 11.1, 11.2, 11.3, 11.4 and 11.5. MOTION PUT AND PASSED.

The Standing Committee convened into In Camera at this time.

11.1 In Camera Minutes – November 25, 2013

The October 28, 2013 minutes were approved during the In Camera session.

11.2 Personnel Matter – CAO Review – verbal update

This matter was addressed during the In Camera session.

11.3 Personnel Matter – 2014 HRM Volunteer Award Recipients

This matter was addressed during the In Camera session.

11.4 Legal Matter – Heritage Advisory Committee – verbal update

This matter was addressed during the In Camera session.

11.5 Personnel Matter – Citizen Appointment to Design Review Committee

This matter was addressed during the In Camera session.

Private and Confidential Information Items

1. Private & Confidential Information Report dated January 23, 2014 re: Councillor Appointments to External Committees

12. DATE OF NEXT MEETING – February 24, 2014

13. ADJOURNMENT

The meeting was adjourned at 12:25 p.m.

Cathy Mellett
Municipal Clerk