

Administrative Standing Committee

March 28, 2011

Review of HRM Administrative Order #1

Item No: 4.2

Origin

- Motion of the Administrative Standing Committee meeting of January 24, 2011
- To commence a review of Administrative Order #1
- Report back to the Committee

Legislative Framework

HRM Charter/ MGA

Administrative Order #1

Rules of the NS Legislature: Clause 3 (3)

Robert's Rules of Order (guidance only)



2/3rd
Vote of
Council

Background

- Administrative Order #1 was one of the first orders of business adopted by HRM Council at amalgamation – April 2, 1996
- Currently on amendment #32 – which trace the history of procedural issues raised and resolved or clarifications asked for and adopted by successive HRM Councils.
- Has been a living evolving document for successive Councils and has served Council well



Current State

- Procedural rules are meant to enable the conduct of business of Council – not interfere or burden the business of Council
- Administrative Order #1 is understood by Elected officials and members of Administration who work with in the conduct of the business of Council
- Procedures applied across Council, Community Council and Boards and Committees of Council (consistent)
- Could benefit by rewrite/restructure to make it easier to read and reference
- Does require updating to capture some of the procedural changes adopted by Council and not yet incorporated into the Administrative Order

Action to Date

- Put out a call to Members of Council for any recommendations/suggestions for changes
- Clerk's Office captured administrative updates required due to motions of Council or operational concerns
- Legal Services committed staff resources to the task (Kirby Grant , Sr. Solicitor)

Status of Actions to Date

- 1) Response from Members of Council
 - Relatively few suggestions for changes by Members of Council – none substantive.
 - Suggestions: Eliminate points of information/clarification/point of order retain only a point of privilege.
 - Assumption:
 - Council appears comfortable with the general procedural rules as contained in Administrative Order 1

Status of Action to Date

2. Updates Required due to Council Direction

- a) Motion of Aug 10/10 Section 9 – In Camera Meetings
 - o That a solicitor be present at all in Camera meetings of Regional Council and Community Councils
- b) Review Section 61 (a) – Procedure for appointments to Committees to include delegation of nominations to Standing Committees under Terms of Reference
- c) Clarify Section 68 to ensure the intent is half of the current members (not possible membership)
- d) Update Section 25 – Information provided to Members to reflect Council's direction to post agenda and reports for the public by 5pm Friday prior to Council
- e) Clerk's office would like to review, with Legal Services, any opportunities for the use of conference calling to facilitate quorum for Advisory Committees only. This would not include Council, Community Councils or Standing Committees of Council

Status of Action To Date

3. Rewrite/Restructure for ease of reading and reference
 - General agreement that the Administrative Order could benefit from a review/rewrite to facilitate easier reading and reference.
 - Legal Services & Clerk's Office are prepared to take that task on and bring it back to the Administrative Committee to review and forward to Council.

Next Steps

- Confirmation from Administrative Committee of scope and timing of review:
- Recommendation:
 - Retain current procedural rules in Administrative Order #1
 - Update as outlined in the presentation
 - Undertaken a rewrite/restructuring of the Administrative Order for readable
 - Bring the proposed changes to the Administrative Order back to the Administrative Committee by September 2011 for review and recommendation
- Alternatives:
 - Option 1: to provide alternative direction to staff
 - Option 2: to strike a working group of the Administrative Committee to work with Legal Services & Clerk's office to undertake a more substantive review of Administrative Order #1
 - Other Options as determined by the Administrative Committee