

4.




PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
September 4, 2007

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Dan English, Chief Administrative Officer

DATE: August 29, 2007

SUBJECT: Commonwealth Games Bid Information

INFORMATION REPORT

ORIGIN

1. Interim staff update on the time lines and details of further release of information with respect to the bid to host the 2014 Commonwealth Games, and;
2. Halifax Regional Council meeting, July 31, 2007, Item 11.4.2, Councillor McInroy - Request for Report re: Commonwealth Games Bid Finances. A staff report, including a legal opinion, was requested regarding the provision of further financial details to Council and the public. Specifically, clarification was requested on the extent to which detailed financial information can be disclosed to Council and the manner in which Council can proceed to obtain disclosure.

BACKGROUND

On March 9, 2007 Halifax Regional Council passed a motion advising the Halifax 2014 Board of Directors to discontinue the bid to host the 2014 Commonwealth Games. On July 12, the Halifax 2014 Board of Directors passed a motion to officially dissolve the Board. While the H2014 Board has discontinued meeting, for accounting reasons the 2014 Bid Society will not officially surrender its certificate of incorporation until November 1, 2007. The last H2014 staff ceased working on July 13, 2007. HRM staff who were seconded to the Bid Society have begun returning to their former positions after taking vacation time due to them. All seconded staff will return to their positions with HRM by October 2007.

Since the withdrawal of the Games Bid and the pending dissolution of the Bid Society, there have been several inquiries from Council, the media and members of the public regarding the availability of information related to the Bid process. This report outlines the process by which Bid information has been archived and can be accessed, including the results of a request for a legal opinion regarding the availability and release of information.

DISCUSSION

Many times throughout the Bid effort and after, Council and others were advised that all relevant information related to the Bid process would be made available. The release of information has been an ongoing process since the withdrawal of the bid, but has become progressively more detailed and complex. The goal has always been full disclosure of all relevant information but has been a lengthy process due to the sheer volume of material, detailed work required to organize the information, and time and resource constraints.

The 2014 Bid legal and financial records are being held by the Bid Society until the entity ceases to exist on November 1, at which time these records will be warehoused as per the legislative requirements of the Canada Revenue Agency. These records are predominantly financial or administrative material that may be required to respond to any potential claim, or to a regulatory or auditing requirement. This includes material relevant to contracts and financial transactions, human resources, regulatory compliance (including Income Tax Act, Employment Insurance Act, Workers' Compensation Act, and Canada Pension Plan), audit requirements, and contingent liabilities or potential future claims. It also includes the records of the Halifax 2014 Bid Society's incorporation and the minutes of the Board of Directors' meetings. In September, two senior employees of HRM Financial Services who were seconded to the Society during the international bid process will oversee the organization of all information and documents related to Halifax 2014. Organizing the information into a comprehensive inventoried package prior to its availability will ensure ease of access and timely responses to appropriate and reasonable requests for specific information.

In addition to the legal and financial records, there is a “Historical 2014 Society Archive” which will be housed by Commonwealth Games Canada (CGC). The contents of this archive include information related to the Bid itself such as detailed plans, reports, background information, etc. Because this information may be useful for future Bids on a local, national, or international level, the information will be accessible for use by each of the partners via a transfer of knowledge agreement with CGC. An inventory of this information is attached to this report. Because this archive is physically located in Ottawa, there is some potential that the turnaround time to access this material may be lengthy. Therefore, future requests for any of this information should be specified in detail to ensure receipt as quickly as possible.

In addition to the above material, complete packages of the information prepared by the Province of Nova Scotia and HRM for the Legislature’s Public Accounts Committee were made available via the Province’s legislative library in early April this year, and to Council via the Council Support Office. This information included the 2014 detailed budget, business plan, consultant reports, and other key documents. As well, Council was subsequently provided copies of the Bid Society’s last Audited Financial Statements and Final Report.

A legal opinion sought by HRM from external counsel regarding availability of Halifax 2014 information reinforces the position of full disclosure agreed upon by both the Province and HRM. The opinion states, in part, “HRM is willing to produce whatever is requested/required, to the extent of its ability to do so, however, it needs to ensure that by doing so, it is not in breach of its obligations to the other participants in the process. (Commonwealth Games Canada, Province of Nova Scotia, Sport Nova Scotia, Halifax 2014 Bid Society). HRM will work with the other participants to ensure as much information as possible is available through routine access. This routine access will be done in accordance with the principles of FOIPOP in that the personal privacy of third parties, if necessary, will be protected. If acceptable arrangements or agreements cannot be made on the routine release of information, the option of the FOIPOP process is available. If the FOIPOP process is initiated, then HRM, as stated in the legal opinion “must comply with FOIPOP legislation requirements.”

BUDGET IMPLICATIONS

There are no direct budget implications as a result of the material discussed herein.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

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

Schedule A: "Historical 2014 Society Archive"

I. Print and Other Media Materials – 7 boxes, 1 roll tube

Box 1 of 7 Contents: Communications

International Venue Booklet	1 copy
International Sport Federation Sign Off Booklet	1 copy Weightlifting 1 copy Triathlon
International Brochure (Melbourne 2006 version)	5 copies
International Brochure (International version)	4 copies
International Video	4 copies
International Note Cards w/ Envelopes	4 copies
Hight Commission Information Kit	4 copies
Halifax 2014 Bid Information Kit	4 copies
Sport Announcement Media Kit	4 copies
Supporters Breakfast Information Kit	4 copies
Local Ad Campaign Images & Artwork Catalogue	1 copy
Halifax 2014 Support 4 Sport Lottery Ticket	1 Copy
Disclosure Media Kit	4 copies
Bid Detail Release Media Kit	4 copies
Various photos, video and presentation CDs	1 copy

Box 2 of 7 Contents: Communications

Original Halifax 2014 Web Site (before Sept '06 redesign)	1 Binder
Halifax 2014 International Stickers (clear with maple leaves)	3 samples
"HERE we support the bid" window decals	3 samples
"ICI nous appuyons la candidature" window decals	3 samples
Halifax 2014 generic lapel pins	3 samples
Halifax 2014 silver lapel pins (international)	3 samples
Halifax 2014 coloured logo lapel pins (international)	3 samples
Halifax 2014 buttons	3 samples
Halifax 2014 paper flags	3 samples
Halifax 2014 coasters	3 samples
Halifax 2014 flags	3 samples
Halifax 2014 frisbees	3 samples
Halifax 2014 tattoos	3 samples
Halifax 2014 keychains	3 samples
9 Halifax 2014 pens (red, blue & orange)	3 samples
Halifax 2014 thundersticks	3 samples
Halifax 2014 t-shirts	9 samples
Halifax 2014 golf shirts	3 samples

Box 3 of 7 Contents: Communications Archive

Print Media Coverage (Jan – May 2007)	1 Binder
Print Media Coverage (June – Dec 2006)	1 Binder
Broadcast Media Coverage Synopses (November 2006 – March 2007)	1 Binder

Box 4 of 7 Contents: Miscellaneous – Confidentiality agreements, Photos, etc.

Signed confidentiality agreements	2 binders
CWG Stock image photos	1 binder
Victoria 1994 CWG - Miscellaneous folders	11 envelopes

Box 5 of 7 Contents: Supplemental Reports

District Heating Study Report – October 2006	2
Shannon Park Archaeological Resource Impact Assessment – October 2006	2
Transportation Master Plan Draft #1 – November 2006	2
Transportation Plan Review – October 2006	1
Geotechnical Investigation at Shannon Park – October 2006	2
Geotechnical Investigation at Wallace Heights – October 2006	2
Solar Solutions (Commonwealth Park) – October 2006	2
Tufts Cove Marine Benthic	2
Market Analysis for Athletes Village Apartments	2
Adjacency of Games Park to Millbrook First Nation Proposed Development at Tufts Cove	2
Ambient Air Quality in HRM	1
Preliminary Scoping Report Ocean Breeze Estate & Commercial Properties on Windmill Road	2
Order of Magnitude Ocean Breeze – September 2006	2
Preliminary Real Estate Strategy – September 2006	
Civil Works Order of Magnitude Cost Estimate – Athlete's Village October 2006	2
Halifax 2010 ERA	1
Halifax 2014 Domestic Bid	1
Halifax 2014 CWG Bid Society Architect – WHW Proposal, response to RFP 06-156	1
EDM Supplement to WHW Proposal	1

Box 6 of 7 Contents: Miscellaneous Reference Materials

Athlete testimonials	1 video
Toronto media on Halifax domestic win	1 video
Sport announcements & 2014 public presentations	12 videos
Richmond skating oval	1 CD
Melbourne 2006 promotional materials	2 sets

Melbourne 2006 CWG	5 CDs
Melbourne 2006 CWG miscellaneous brochures	
CBC coverage of CWG – 1998, 2002, 2006	3 CDs
London 2012	1 DVD
Melbourne 2006 Canadian reception video	1 DVD
Delhi 2010	1 CD
Hamilton 2010	1 CD
Manchester 2002 post-games report	1 set

Box 7 of 7 Contents: CEO's Print Files







Various Files with relevant original / copy print material	Folders

Roll Tube Contents: Printed Drawings

Sports Venues Issued for Class C Costing, November 1, 2006	1 set of drawings
Shannon Park Flow Diagram	1 drawing

II. Electronic Files – Expanded Tree Directory of Folders

Set of Two (2) DVD discs: 5.2 GB, 4620 files – Main Folders

- [-]  Records Retention (Historical) Dsk1
 - [+]  CGC ONLY
 - [+]  Society Operations
- [-]  Records Retention (Historical) Dsk2
 - [+]  Games Planning
 - [+]  TOK Reports (11)