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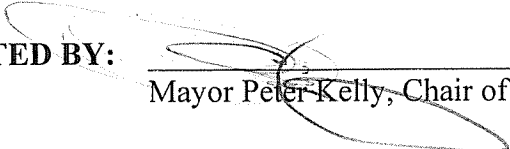
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Item No. 7
Halifax Regional Council
Committee of the Whole
November 10, 2009

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: _____

Mayor Peter Kelly, Chair of the Membership Selection Committee

DATE: November 5, 2009

SUBJECT: **Committees of Council Reform**

ORIGIN

At Halifax Regional Council January 17, 2006 (Item 9.2.1 ii) Council directed the Membership Selection Committee to review all committees of Council and make recommendations regarding whether some should be added, removed or moved as advisory committees to Council or Community Council.

At Committee of the Whole February 3, 2009 (Item 3) Council confirmed that Committees of Council Reform was one of Council's three priorities under Council's governance priorities.

At the Membership Selection Committee meeting of August 4, 2009 the following recommendations for revising the Committees of Council structure were adopted:

1.   to adopt six (6) Standing Committees of Council as outlined in the staff presentation
2.   to adopt in principle the consolidation of the mandates and terms of reference of the current committees of Council under the six (6) Standing Committees of Council
3.   to hold an information session with Council as soon as possible in preparation for a formal report to Council
4.   and, to direct staff to commence to prepare the detailed Terms of Reference for the six (6) Standing Committees, ensuring compliance with the MGA, Charter and applicable legislation

(Recommendations on Page 2)

RECOMMENDATION

It is recommended that Council confirm the direction adopted by the Membership Selection Committee and:

1. Adopt in Principle the six (6) Standing Committees of Council, as recommended by the Membership Selection Committee.

2. Direct staff to prepare the detailed Terms of Reference and implementation plan for the six (6) standing committees and related subcommittees, ensuring compliance with the Municipal Government Act (MGA), HRM Charter, and any applicable legislation.

BACKGROUND

Council has reviewed its committee structure on a number of occasions.

In the Beginning: Formation of Committee of the Whole

One of the first issues dealt with by Regional Council at the time of Municipal Amalgamation was to examine its advisory and decision-making structure. In a March 27, 1996 report to Regional Council entitled, "Standing & Advisory Committees," Council made the following decisions:

- Council will meet as Committee of the Whole (COW) for standing committee purposes in the near term.
- [That there would be] a few region-wide citizen advisory committees which were few in number and broad in scope.

As a result of this meeting, Committee of the Whole was adopted for the purpose. The decision on region-wide citizen advisory committees was not implemented at that time.

Proposed Advisory Committee Structure: Roundtables

On June 17, 1997, a COW report entitled "Proposed Advisory Committee Structure" proposed the adoption of a Round Table model which would act as Regional Council's primary liaison with the public. The Round Table would report to Council, reduce the number of advisory committees to Council, reduce the number of committees on which Councillors sat, and increase the opportunity for input by citizens. Six roundtables were proposed to be comprised of elected officials, citizens and organizations:

- Community Resources & Relations
- Economic Development
- Environment & Natural Resources
- Heritage & Culture
- Development & Transportation
- Administrative & Corporate

This concept was debated in COW, but was never formally adopted.

Membership Selection Committee: Assigned to conduct Committee Review

At the meeting of Regional Council January 17, 2006 (Item 9.2.1ii) the Membership Selection Committee was given the mandate to review the advisory and ad hoc committees of Council & Community Council and make recommendations regarding whether some should be added, removed or moved as advisory committees to Council or Community Council.

Staff were requested to conduct the review and bring back to the Membership Selection Committee a report on best practice, consideration of the Municipal Government Act, and linkages to Council's priority areas, and bring forward recommendations for the consideration of the Committee, which they did in the fall of 2008. The review determined that a) many municipalities across Canada are looking at best practice to make Committees of Council as effective as possible and, b) that Standing Committees of Council, focusing on functional areas of priority for council are becoming a more common practice. At that time the Membership Selection Committee was not ready to bring forward a recommendation to Council without further discussion and consultation

In January 2009 Regional Council confirmed that Committees of Council Reform was one of Council's three priorities under Council's governance priorities. The Membership Selection Committee undertook a review and discussion of the options for Committees of Council Reform including:
- Consolidation of existing Committees under the current structure
- Adopting an Advisory Committee Structure (Councillors & citizens)
- Adopting a Standing Committee Structure (Councillor Committees with citizen advisory & consultation). Under the Standing Committee Structure a number of options for the number and focus of the proposed Standing Committees were reviewed.

At the Membership Selection Committee meeting of August 4, 2009 the proposed standing Committee Structure of Council, as presented in this report, was endorsed.

DISCUSSION

The Membership Selection Committee has recommended adoption of six (6) Standing Committees of Council as the best recommended structure to meet the objectives of Council.

In January 2009 Council adopted the following objective for deliberations regarding governance reform:

> *To meet council's objective of creating a council & committee governance structure that is efficient, effective, scaled appropriately, and where decisions are made at the appropriate level.*

Council has indicated a clear desire to review and implement revisions to the Council Committee Structure that better supports the strategic requirements of the Municipality and matches the appropriate community input to the tasks and challenges at hand.

Linkage to other HRM initiatives:
- HRM's Community Engagement Strategy
- The recommendations from the review of the Planning Application Process, led by Austin French & Kurt Pyle have been incorporated into the proposed Committee Structure.

Best Practice Survey
- Most municipalities struggle to some extent with advisory committees.
- Most cities / municipalities studied use a Standing Committee structure.
- Advisory committees generally report to a Standing Committee and not Regional Council.
- A table outlining the findings on comparative Municipalities' committee structure is included as Attachment "A."

Councillor Consultation
While there appears to be no general consensus among Council, general themes have emerged:
- Councillors believe they can be more effective by focusing on a smaller number of strategically focused Standing Committees.
- Councillors see a need to improve and broaden the committee selection process for advisory Committees.
- Councillors want public participation on committees to match their purpose and be mindful of the commitment of time & energy being made by the public.

The recommendations coming from that discussion are as follows:

1. HRM should adopt a Standing Committee Structure

A Standing Committee structure is a municipal best practice and should be adopted. Committees which currently report to Council would instead report to, or be collapsed into the mandate of a Standing Committee. Most, but not all external committees would be realigned to have a liaison relationship with a Standing committee. The Standing Committees would report to Council through Committee of the Whole.

The Benefits of Standing Committees
- Reduce number and complexity of advisory committees.
- Improve efficiency and effectiveness of Council decision-making.
- Bring strategic Council focus to well defined policy & program areas.
- Fill in any current gaps we have in policy development (Ex. Holistic policy approaches to transportation, economic development, environment, etc)
- Accountability / oversight to the committee structure.

Powers of Standing Committees
- The HRM Charter currently does not enable Regional Council to delegate final decision making authority to a Committee. Establishment of Standing Committees would not override Council's current decision making authority. However, by entrusting Standing Committees to undertake appropriate review and consultation in their respective areas Council's decision-making ability could be enhanced.

- Duties of Standing Committee would include: monitoring of current program delivery, service levels, emerging issues; recommending to Council policy & program changes; and providing a forum for public participation and for detailed discussion to facilitate Council's decision-making.

- Each Standing Committee would have oversight over distinct Municipal policy areas impacting public service delivery and corporate operations.

- Each Standing Committee would have full power to create, disband and manage all advisory committees / groups, ad hoc committees / groups.

- Advisory Committees would report to the Standing Committees.

Alignment of Standing Committee with HRM Outcomes

The adoption of Standing Committees could provide an opportunity for alignment of the efforts of Council, staff and residents by serving to better align HRM's governance and public input

with strategic outcomes, the services delivered in those outcome areas, and the performance measures that Council and the public expect to be achieved. The recommended six (6) outcome areas for Standing Committees are as follows:

- Executive Committee
- Expanded Appeals Committee
- Finance and Audit
- Environment and Sustainability
- Planning and Transportation
- Community and Economic Development

2. Committees of Council Consolidation and Re-establishment

The Membership Selection Committee has suggested how the current Advisory Committees could be consolidated under a Standing Committee structure. Further details would be provided in the implementation plan and Terms of Reference developed for adoption by Council. What is critical is that guiding principles should be followed in establishing advisory or sub committees reporting to the Standing Committees of Council. Those may include:

- Relevance to Municipal work
- Clear mandate & purpose
- Appropriate membership & structure
- Resources (including Clerks' Office impact)
- Level of empowerment / accountability
- Reporting relationships with Council and / or staff

In addition, Standing Committees would be in the position to make informed recommendations on citizen appointments to the external boards and committees with liaison relationship to the mandate of the Standing Committee. For example: recommendations on appointments to committees related to Transportation would be made by the Planning and Transportation Standing Committee.

3. Next Steps

The direction provided by the Membership Selection Committee, if adopted by Regional Council, would allow staff the direction required to establish a staff team dedicated to:

     a) complete the detailed work defined by the framework, including commencing work on the detailed Terms of Reference, policy and by-law changes, and,

     b) develop a transition and implementation plan for approval by Regional Council.

BUDGET IMPLICATIONS

Staff do not anticipate budget impacts for implementation of the recommendations as proposed. Additional staff resources are not anticipated unless substantial new subcommittees are established at the direction of the new Standing Committees of Council.

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.

ATTACHMENTS

Attachment A: Comparative Municipalities Committee Structure
Attachment B: Proposed Consolidation of Committees

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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Report Approved by: Geri Kaiser, Deputy CAO, Corporate Services & Strategy

Committees of Council Structure - Comparative Municipalities -Attachment "A"

Municipality (HRM's reference Municipalities)	Current Structure of Committees	Reporting & Review Periods	Does Council have a community engagement Strategy?
Winnipeg	Council approves the creation/dissolution of Advisory Committees (AC's). Council has adopted a Standing Committee Structure.	A review was attempted in 2005. Council did not reach agreement on downsizing or restructuring. Most AC's report directly to Council - some report to a Standing Committee of Council	No
Vancouver	Each new Council identifies their desired areas in which to establish Advisory Committees (AC's) based on the Council's focus areas. Each Advisory Committee receives a commissioning letter specifically outlining purpose, function, responsibilities, reporting, duration & resourcing	All Advisory Committees are disbanded before the 1st Monday in December in the year of an election. Each new Council reviews and establishes AC's that best suite their needs by March 31st of the year following an election. May report directly to Council or through a Standing Committees	Yes
Surrey	Council approves the creation/dissolution of Advisory Committees (AC's). Council is now leaning more towards "Task Force" model - more time & task defined. Council has 3 Standing Committees of Council/ 4 Select Committees (Council & Community) and 3 Advisory Committees	AC's report directly to Council. Informal review if AC's are not meeting regularly or combining of mandates.	No

London	Council approves the creation/dissolution of Advisory Committees (AC's). Council as a Board of Control and 3 Standing Committees. Also leaning more towards "Task Force" model- more time & task specific for Advisory Committees.	Reviewed AC's in 2000 and reduced. Considering another review. AC's report to Council.	No
Brampton	Council approves the creation/dissolution of Advisory Committees. Brampton Council recently moved to a Standing Committee structure -Committee of the Whole and Planning Standing Committees, 3 Advisory Committees.	A review was conducted earlier in 2000 and moved to a Standing Committees of Council structure which absorbed the focus areas of a number of Advisory Committees. Advisory Committees report through their assigned Standing Committees of Council	No
Hamilton	Council approves the creation/dissolution of Advisory Committees (AC's). Council has identified the need for a standard Terms of Reference adopted a bylaw. Council recently moved to a Standing Committee Structure- COW, Audit & Administration, Emergency & Community, Economic Development & Planning, and Public Works. Advisory Committees generally report through a Standing Committee.	Reviewed at amalgamation but did not reduce committees at that time. Still a relatively large number of Advisory Committees (called sub-committees & volunteer committees) New bylaw calls for review at the start of each Council term.	No

| Regina (added) | Conducted a review similar to HRM in 2008. Council approves the creation/dissolution of Main & Advisory Committees. Revised the Standing/Main committee of Council model to move from 8 to 6 Committees aligned with Council focus areas.- reduced and aligned citizen advisory committees to Standing Committees. Moved other committees to "Task Force" - to be more time & task specific. | Citizen Advisory Committees report through the associated Main/Standing Committee of Council. Main committees report directly to Council. Task Forces may report either to Council or Main Committee depending on their Terms of Reference. Implementation of recommendations will occur over the next year. | Yes |

Proposed Consolidation of Existing Committees of Council under a Standing Committee Structure-ATTACHMENT "B"

Committee Names	Action Recommended	Notes
EXECUTIVE COMMITTEE	**Revised TOR**	
CAO Review	Consolidate in TOR	
Membership Selection	Revise & Consolidate in TOR	
Additional mandate	Oversight of progress on HRM scorecard & Council's priority areas Other as provided by Council to be consolidated in TOR	
Volunteer Awards Recipients	Consolidated into TOR	
EMO Committee (required by legislation)	Consolidate into TOR	
QUASI- JUDICIAL REVIEW COMMITTEE	**Revised TOR**	
Appeals Committee	Consolidate into TOR	
Dangerous & Unsightly	Consolidate into TOR	
Additional Mandate	Appeals of Bylaws (as directed by Council) not requiring judicial processes	
AUDIT & FINANCE COMMITTEE (STANDING)	**Review Terms of Reference to ensure**	
Audit	As per MGA-incorporate in TOR	
Investment Policy Advisory	Advisory committee/expert/citizen members	
Grants Committee	Advisory Committee/citizen members	
Special Events Grants Advisory	Advisory Committee/citizen members	
TRANSPORTATION & PLANNING STANDING COMMITTEE	**Create Terms of Reference**	**TOR**
Accessible Transportation	Consolidate into main TOR	Consultation on active transportation issues would be in TOR
Bikeways Advisory	Consolidate into main TOR	
Active Transportation	Consolidate into main TOR	
Canadian Urban Transit Association	Member appointed from Committee	
Halifax - Dartmouth Bridge Commission	Members appointed from the Committee	
Transportation Association of Canada	Members appointed from Committee	
Halifax International Airport Authority	Committee recommend appointments to RC	

TABLE A - Proposed Consolidation of Existing Committees of Council under a Standing Committee Structure

North West Transit Advisory	Move to Community Council	Consultation on Transit issues would be included in Standing Committee's TOR
Halifax Port Authority	Appointments recommended from the Committee	
Taxi & Limousine Advisory Committee	Advisory committee of industry members	Revise Admin Order 38
Private Roads Committee	Consolidate into TOR as working group	
Regional Planning (Advisory)	Consolidate into main committee TOR retain Advisory Committee during transition	Policy G1- Regional plan
Urban Design Task Force	Ad Hoc Committee	TOR - time limited
Heritage Advisory	Must report directly to Regional Council unless legislation is amended	Amend bylaw H-200& make recommendation on amendment to Heritage Act
Mobile Home Park Advisory	Consolidate into main TOR	
COMMUNITY & ECONOMIC DEVELOPMENT STANDING COMMITTEE	**Create Terms of Reference**	**TOR**
New Mandate	Focus on bringing forward action on Economic development & Community issues Active & passive recreation & related facilities	
Business Districts -Downtown, Dartmouth, Quinpool , Spring Garden, etc	Move to Community Council with taxation recommendations to Regional Council	
Halifax Regional Library Board	Appointments recommended from the Committee	
Trade Centre Limited		Liaison
Destination Halifax & GHP		Liaison
Alderney Landing Board of Directors		Liaison
Neptune Theatre Foundation		Liaison
Marketing Levy Board	Appointments recommended from the Committee	

TABLE A - Proposed Consolidation of Existing Committees of Council under a Standing Committee Structure

Advisory Committee for Persons with Disabilities	Advisory Committee - citizen representative only	
2011 Winter Games Board	No Change	Time limited
Canada Day/Natal Day/other specific Events committees	Working Committees	new TOR required
ENVIRONMENT & SUSTAINABILITY STANDING COMMITTEE	**Create Terms of Reference**	**TOR**
Solid Waste/Resource Advisory	Consolidate into TOR	
Energy & Underground Services Committee	Incorporate into TOR	revise TOR
Halifax Water	Appointments recommended from Council Members of the Committee	to create synergy/liaison
Regional Watershed Policy Advisory Group	Create as advisory - new policy based TOR	
Western Region Common Wilderness Advisory Committee	Move to Committee of Community Council	Apts from Community Council
Community Monitoring Committee	Move to Committee of Community Council	Apts from Community Council
New mandate --		
Focus on Parks, Trails & Open spaces		
Focus on Energy & Sustainability issues coming out SEMO or Council		
OTHER COMMITTEES		
Watershed Advisory Committees	Consolidate into one policy based advisory under E & S	development issues controlled by policy
Dartmouth Lakes Advisory Board	cease as per planning recommendation	Conduct a visioning exercise with Waters & Lakes Advisory Boards as to new policy role under Environment & Sustainability Standing Committee
Halifax Watershed Advisory Board	cease as per planning recommendation	
Bedford Watershed advisory Board	cease as per planning recommendation	
Board of Police Commissioners	Unchanged	
Planning Advisory Committees	At Community Council Only (no Regional or District PACs) - at discretion of the Community Council	
Planning Advisory Committees	No PAC's to be established at the District level as per Council's direction to streamline processes PAC as Community Council level at the discretion of the CC.	

North West Planning Advisory	Continue as discretion of Community Council/under CC	
District 12 PAC	District PAC NOT recommended - Community Council Level only at discretion of CC	
Point Pleasant Park Advisory Committee	Move to Community Council	amend TOR
AD HOC COMMITTEES OF COUNCIL/TASK FORCE	**Time Limited**	
Tax Reform	Report - Council decision to continue	Motion of Council September/09
District Boundary Review	New - time limited	Motion of Council August/09
FCM 2011 Conference Planning Committee	New - time limited	Motion of Council August/09
OTHERS		
Appointment to External Committees - except as relates to liaison with Standing Committees outside of scope of this exercise		TBD
Shubenacadie Canal Commission	Move to Community Council	TBD
Metro Regional Housing Authority	Suggest renegotiating number of citizen appointments to Board	TBD