

**ADMINISTRATIVE ORDER NUMBER 2017-012-GOV
RESPECTING THE COMMEMORATION OF EDWARD CORNWALLIS AND THE RECOGNITION AND
COMMEMORATION OF INDIGENOUS HISTORY SPECIAL ADVISORY COMMITTEE**

WHEREAS Mi'kma'ki are the traditional ancestral lands of the Mi'kmaq;

AND WHEREAS the Council of the Halifax Regional Municipality adopted the Statement of Reconciliation on December 8, 2015 in which Council committed to learning from the lessons of the Truth and Reconciliation Commission and to a new equal partnership with Aboriginal people in Canada based on truth, dignity, and mutual respect;

AND WHEREAS on April 25, 2017, the Council of the Halifax Regional Municipality directed the establishment of an expert panel to review and advise the Council regarding changes to the commemoration of Edward Cornwallis on municipal assets, and recommendations to recognize and commemorate the indigenous history in the lands now known as Halifax Regional Municipality;

AND WHEREAS the Council of the Halifax Regional Municipality acknowledges the importance of working together with indigenous communities to appropriately commemorate and reflect the history of the Municipality;

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipal under the authority of the *Halifax Regional Municipality Charter*, S.N.S. 2008, c. 39, as amended, as follows:

Short Title

1. This Administrative Order may be cited as the *Commemoration of Edward Cornwallis and the Recognition and Commemoration of Indigenous History Special Advisory Committee* Administrative Order.

Purpose

2. The purpose of this Administrative Order is to establish a Special Committee which will advise the Council on:

(a) proposed changes to the commemoration of Edward Cornwallis on municipal assets, including Cornwallis Park and Cornwallis Street; and

(b) recognizing and commemorating the indigenous history in the lands now known as Halifax Regional Municipality.

Interpretation

3. In this Administrative Order,

(a) "Administrative Order One" means the *Procedures of the Council Administrative Order*, as adopted by Council on November 10, 2015 and all amendments thereto;

(b) "CAO" means the Chief Administrative Officer of the Municipality, or delegate;

(c) "Committee" means the Commemoration of Indigenous History Special Advisory Committee;

(d) "Council" means the Council of the Municipality; and

(e) "Municipality" means the Halifax Regional Municipality.

Establishment of Committee

4. The Committee is hereby established.

Duties

5. The duties of the Committee are to provide advice and make recommendations to the Council, through Municipal staff, on:

(a) proposed changes to the commemoration of Edward Cornwallis on municipal assets, including Cornwallis Park and Cornwallis Street; and

(b) recognizing and commemorating the indigenous history in the lands now known as Halifax Regional Municipality.

6. The Committee shall have three main areas of work:

(a) research;

(b) outreach and engagement; and

(c) formulation of advice and recommendations.

Research

7. (1) The Committee shall consider such research and literature as it considers relevant on:

(a) Edward Cornwallis;

(b) indigenous-settler relations in the area now known as the Municipality;

(c) Mi'kmaq and indigenous culture;

(d) the local and regional military history;

(e) municipal policies and procedures;

(f) asset naming and commemoration;

(g) reconciliation; and

(h) any additional research it deems relevant.

(2) The Committee shall seek out additional experts as it determines necessary and engage with them as necessary, subject to the budget made available to the Committee.

Outreach and Engagement

8. (1) The Committee shall conduct public engagement and provide opportunities for organizations and members of the public to participate in discussion of issues within the mandate of the Committee.
- (2) Public engagement shall be conducted in accordance with the principles articulated in this Administrative Order.
- (3) The Committee shall provide such public engagement opportunities as it determines appropriate to permit and encourage as wide a range of persons as reasonably possible to participate in discussion and make submissions to the Committee.
- (4) The Committee shall ensure public engagement is welcoming and shall take into consideration indigenous cultural practices when determining engagement strategies, processes, and locations.

Formulation of Advice and Recommendations

9. The Committee shall provide advice and recommendations to the Council, to be communicated through a staff report, in accordance with their duties.

Phased Approach

10. The Committee may choose to phase its work, dealing first with the question of the commemoration of Edward Cornwallis, and later making recommendations on the recognition and commemoration of indigenous history.

Vision, Mission and Values

11. The Committee shall conduct its work in accordance with the vision, mission and values of the Municipality, as articulated in the Municipality's Strategic Plan 2017-2021, and in a manner that is:
 - (a) accessible;
 - (b) truthful;
 - (c) representative;
 - (d) transparent;
 - (e) accountable;
 - (f) open and honourable;
 - (g) inclusive, educational, holistic, just, and fair;
 - (h) respectful; and
 - (i) forward looking in rebuilding and renewing relationships between indigenous and nonindigenous persons.

Membership

12. (1) There shall be ten (10) members of the Committee, who shall be as appointed by the Council by resolution.
 - (2) Five (5) members of the Committee shall be appointed from a slate of nominations put forward by the Assembly of Nova Scotia Mi'kmaq Chiefs.
 - (3) The Public Appointment Policy shall not apply to appointments to this Committee, except Part 3 (Terms and Length of Service), Part 7 (Privacy Issues and Conflict of Interest) and Part 8 (Standards of Conduct for Agency, Board and Committee Appointees), which shall continue to apply.
 - (4) A member may resign from the Committee at any time by delivering to the Clerk a signed resignation and such a resignation is effective on delivery by the Clerk to the next meeting of the Council.
13. The role of all members of the Committee is to, with an open mind:
 - (a) listen to those members of the public who contribute during the engagement process;
 - (b) read and reflect on the relevant research and literature identified by the Committee; and
 - (c) deliberate on the issues raised.
14. The advice and recommendations of the Committee shall be informed by its members' listening, reflection, and deliberation, as well as their expertise, experience and judgement.

Co-Chairs

15. (1) Council shall appoint two co-chairs.
 - (2) One co-chair shall be appointed from the members of the Committee nominated by the Assembly of Nova Scotia Mi'kmaq Chiefs.
16. The role of the co-chairs is to:
 - (a) lead and guide the process and to facilitate meetings, including determining the frequency, location, format, and agenda for all meetings;
 - (b) suggest alternative methods and procedures;
 - (c) encourage participation by all members of the Committee;
 - (d) work with Municipal staff in preparing agendas and meeting summaries;
 - (e) guide in drafting products and summaries of the Committee; and
 - (f) act on behalf of the Committee as spokespersons to the Council and the media as required.

17. If either of the co-chairs desires to participate in the discussion that co-chair shall leave their chair, and the second co-chair shall continue to chair the meeting. The co-chair shall return to their chair before a vote is taken.
18. In the event of a dispute between the co-chairs, the issue shall be put to the Committee to be decided by majority vote.

Meetings of Committee

19. The provisions of Administrative Order One shall not apply to the Committee, except those portions the Committee adopts by resolution by majority vote.
20. The Committee may create its own procedures.
21. A majority of the numbers of members of Committee is a quorum for a meeting of the Committee.
22. (1) The recommendations of the Committee shall be agreed upon unanimously by those members present and voting.

(2) Notwithstanding 21(1), where unanimity cannot be achieved, the minority recommendations may be provided to the Co-Chairs, who shall provide them to Municipal staff, along with the majority recommendations, for presentation to the Council.
23. The Committee's meetings shall be in accordance with section 19 of the *Halifax Regional Municipality Charter*.
24. (1) In the absence of one of the Co-Chairs, the remaining Co-Chair may chair the meeting, subject to the prior consent of the absent Co-Chair.

(2) In the absence of both of the Co-Chairs, the members of the Committee may appoint a member of the Committee to chair the meeting from those members present.
25. Pursuant to clause 20(1)(c) of the *Halifax Regional Municipality Charter*, Council delegates the power to direct Municipal staff to prepare reports to the Committee provided that the topic of the report is consistent with the duties of the Committee as expressed in this Administrative Order.

Committee Support

26. A budget of up to fifty thousand dollars (\$50,000.00) will be used to support the Committee and shall be managed by Municipal staff.
27. The budget may be used for:
 - (a) research;
 - (b) public engagement; and
 - (c) other supports for the Committee's work, as identified by the Co-chair.
28. The Committee shall be supported by Municipal staff as assigned by the CAO, to:

- (a) source and compile research;
- (b) provide secretarial support for the Committee;
- (c) provide logistical and communications support for public engagement; and
- (d) provide advice on Municipal policies and procedures.

Remuneration

29. A Member of the Committee shall be entitled to an honorarium of one hundred fifty dollars (\$150.00) per meeting of the panel, to a maximum of \$2,100.

Done and passed in Council this 3rd day of October A.D. 2017.

Mayor

Acting Municipal Clerk

I, Sherryll Murphy, Acting Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above-noted By-law was passed at a meeting of the Halifax Regional Council held on October 3, 2017.

Sherryll Murphy, Acting Municipal Clerk

Notice of Motion:
Approval:

September 19, 2017
October 3, 2017

Amendment #1:

Notice of Motion:
Approval:

June 19, 2018
July 17, 2018