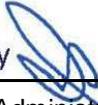


TO: Chair and Members of Executive Standing Committee

SUBMITTED BY: Original Signed
John Traves, Q.C., Director, Legal and Legislative Services

Original Signed by 
Jacques Dubé, Chief Administrative Officer

DATE: May 14, 2020

SUBJECT: Terms of Reference for Committees

INFORMATION REPORT

ORIGIN

October 23, 2017 Executive Standing Committee resolution:

That the Executive Standing Committee request a staff report regarding possible modifications to Committees' Terms of Reference to include:

1. Recommending and reviewing policies regarding Council Support and Mayor's Office including but not limited to local and out-of-province travel, levels and standards for office support, advertising, discretionary and district capital funds.
2. Council Support and Mayor's Office budget review during budget process.
3. Policies regarding elected officials' office space as well as public spaces of City Hall and Grand Parade.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (Halifax Charter), S.N.S. 2008, c. 39

- s. 2 The purpose of this Act is to
- (a) give broad authority to the Council, including broad authority to pass by-laws, and respect its right to govern the Municipality in whatever ways the Council considers appropriate within the jurisdiction given to it;
 - (b) enhance the ability of the Council to respond to present and future issues in the Municipality; and
 - (c) recognize that the functions of the Municipality are to
 - (i) provide good government,

- (ii) provide services, facilities and other things that, in the opinion of the Council, are necessary or desirable for all or part of the Municipality, and
 - (iii) develop and maintain safe and viable communities.
- s. 20 (1) The Council may make policies
- (c) providing for committees and conferring powers and duties upon them, except the power to expend funds;

Administrative Order One, *The Procedure of the Council Administrative Order*, Schedule 6

s. 8 The Executive Standing Committee shall act as a review committee for matters related to the general self-governance and administration of the Council as directed by the Council.

BACKGROUND

This information report is in response to a request for a staff report made by the Executive Standing Committee on October 23, 2017. Due to the ongoing Covid-19 pandemic, meetings of the Executive Standing Committee have been cancelled indefinitely. Therefore, this information report is being submitted by staff directly to Halifax Regional Council.

The Executive Standing Committee requested a report regarding possible modifications to the Committee's terms of reference to provide for development and oversight of key policies regarding Councillor's Support and Mayor's Office, budget review of the same offices, and policies regarding elected officials' office space and public spaces of City Hall and Grand Parade.

Since 2017, administration and other reports on District Funds have responded to a majority of the concerns outlined in the Executive Committee motion. Consequently, with the agreement of the Mover, staff prepared an information report which outlines the existing situation with the various issues included in the motion.

DISCUSSION

Relevant Authority of Executive Standing Committee

The authority of the Executive Standing Committee is conferred by Regional Council through Schedule 6 of Administrative Order One, *The Procedure of the Council Administrative Order*. Section 1 sets out that the purpose of the Committee is "to fulfill the self-governance functions of the Council." Section 7 adds specifically that the Committee "shall oversee and provide advice on Administrative Order 32 the *By-law Development Administrative Order* and other policy matters related to the By-laws, Ordinances, Administrative Orders and Policies of the Council." Any change to the duties of the Executive Standing Committee would require an amendment to Schedule 6 of Administrative Order One.

These sections confer to the Executive Standing Committee the power and duty to provide oversight of policies, including those respecting the Councillor's Support and Mayor's Office and public spaces of City Hall and Grand Parade.

Relevant Authority of the Standing Committee of the Whole on Budget

Through Administrative Order One, Schedule 4, section 1, Council has delegated authority to the Standing Committee of the Whole on Budget (Budget Committee) to consider "the proposed operating and capital budgets and business plans of the Municipality for the next fiscal year." The general practise has been for the Budget Committee to receive presentations from each Business Unit with draft budgets and business plans for consideration. Each year, Regional Council approves a budget schedule outlining when each subject will be debated.

The Business Unit of the Chief Administrative Officer (CAO) comprises the Mayor's Office, Councillor's Support Office, and CAO Administrative Office. The Office of the Mayor coordinates constituent relations,

communications and administrative support to the Mayor, and the Councillor's Support Office coordinates the same for members of Council. Budgets for these offices are presented to the Budget Committee as part of the CAO Business Unit, at which time Members of Council may debate and request changes be made prior to presentation and consideration of the annual budget.

To task the Executive Standing Committee with responsibility for reviewing the budgets of the Mayor's Office and Councillor's Support Office would duplicate the work already be undertaken by the Budget Committee. Further, this would conflict with Council's direction to pursue red tape reduction and create an inefficiency by requiring the Executive Standing Committee and Budget Committee to consider the same matter prior to a recommendation being made to Regional Council.

District Capital and District Activity Funds

On October 8, 2019 Council passed the *District Fund Administrative Order* that repealed the District Capital Fund Policy and the District Activity Fund Policy and Procedures. The purpose of this new Administrative Order is to enable members of Council to better support the community through:

1. the provision of grants to any non-profit organizations and registered charities; and
2. the allocation of funds to HRM capital projects, or to goods or services provided by the Municipality.

Reimbursement of Local and Out of Town Travel

The Mayor and members of Council are subject to the Employee Expense Reimbursement Policy which is the policy that governs the reimbursement of expenses including mileage, meals, travel within the municipality and out of town travel, and hospitality expenses. The *Financial Reporting and Accounting Manual* (FRAM) which is the regulation supporting the financial sections 20 and 79D of the Halifax Charter, provides additional information on hospitality and expenses that the Mayor and Councillors are required to follow. FRAM also requires that the amount of remuneration and expenses paid to or on behalf of the Mayor and Councillors be reported and audited. The Consolidated Financial Statements contains the required statement. Salary disclosure is required under the *Salary Disclosure Administrative Order* for all individuals being paid more than \$100,000 per year. The Salary disclosure report currently contains the Mayor as no Councillor has been paid more than \$100,000.

Level and Standards for Office Support

The mandate of the Councillors' Office is to address the issues of HRM citizens and to support the goals of HRM by providing a high level of service to HRM elected officials and their residents. The Office is committed to providing this service in a timely and equitable manner, while being sensitive to the needs of HRM's diverse communities. The Office strives to support Councillors in a manner that promotes strong, effective and accountable municipal government.

The present staff complement includes the Manager, an Administrative Coordinator, a Senior Constituency Coordinator, and eight (8) Full Time Constituency Coordinators. All staff are HRM employees. Constituency Coordinators provide support to 16 Councillors with the Senior Coordinator supporting one Councillor while being responsible for oversight of aspects of the work of the other Coordinators. The remaining eight Coordinators have designated responsibility to support one or two Councillors/Deputy Mayor.

A designated Senior Service Desk Analyst provides Executive (White Glove) support to the Councillors and their support staff during core working hours.

Councillor Office Space

Leasing & Tenant Services is committed to providing appropriate and cost effective accommodations services for staff in all HRM business units. The multi-year plan to renovate and revitalize HRM's administrative offices is underway; the initial projects, for Human Resources and Solid Waste, were completed in January 2019. The objectives of the Program include reducing leased space to obtain long term cost savings; modern workplaces which are inviting, open, accessible and inclusive; and ensuring consistency and fairness in the allocation of workspace. Standards have been established in these areas and are being applied in new and renovated space.

Policy Regarding Public Spaces in City Hall and Grand Parade

The Corporate Customer Service, Municipal Facility Maintenance and Operations division is responsible for preventative maintenance care and control of City Hall. This includes the maintenance and operation of the entire building envelope, such as mechanical and electrical systems, plumbing and heating systems, elevator systems, cleaning, all fire and life safety equipment. Inspection and repair of the structural systems such as roofing, and windows & doors are also the responsibility of the division. Parks & Recreation coordinates requests for artwork or cultural pieces within City Hall spaces.

Halifax Hall

Bookings for Halifax Hall are managed through Outlook by the Municipal Clerk's Office. Official functions of the Mayor, Council, and CAO including meetings, receptions and HRP swearing in or promotion ceremonies are 'as-of-right'. All other booking requests are reviewed by the Clerk to determine if the use is appropriate. There have been increasing requests for staff use of the room for large team meetings that cannot be accommodated by other corporate facilities due to size. These have been reviewed on a case-by-case basis. While external users may not book the room directly, the Mayor's Office and Councillors routinely book the room on behalf of external groups.

The Downie Wenjack Room

The Downie Wenjack Room is automatically booked through Outlook in the same manner as all other HRM meeting room. The room is available to any member of staff requiring a meeting room.

Halifax Regional Council Chamber

The Clerk's office is responsible for the management of the Council Chamber. By practice use of the Halifax Regional Council Chamber is limited to meetings of Halifax Regional Council, the Standing Committees and Community Council. On occasion the Chamber is used by other bodies such as the Atlantic Mayors' Congress. Viewed as the municipal seat of government, the Chamber is considered a special place. A significant investment has been made in audio/video equipment and software to facilitate meetings. Additionally, Councillors seats are considered to be their workspace. For these reasons limited use is appropriate.

Grand Parade

Grand Parade is protected under By-law P-600 the Municipal Parks By-law. The By-law sets out what is and is not permitted in any HRM Park. Use of Grand Parade is also subject to the Grand Parade – Criteria Guidelines for Event Approval. HRM Facility Scheduling is responsible for booking of Grand Parade. Requests for booking of the space are reviewed to ensure conditions are met and applicable contracts are issued. Facility Scheduling staff liaise with City Hall to ensure requested bookings do not conflict with any scheduled municipal activities in Grand Parade, such as flag raisings, etc. Out of the ordinary requests are reviewed with the Office of the CAO.

The above review of relevant policy, programs, guidelines and practices clearly outlines the framework for each within HRM. The mandate of the Executive Standing Committee clearly sets out that the Committee has oversight on all By-laws, Administrative Orders and policies. Budget responsibility falls to the Budget Committee of the Whole and Corporate Policies are within the mandate of the CAO. As noted above many of the concerns which prompted this motion have been dealt with in other reports or changes to practice and policy. This being the case, changes to the Executive Committee Terms of Reference would appear not to be necessary at this time.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

COMMUNITY ENGAGEMENT

No community engagement was conducted in the development of this report.

ATTACHMENT

1. [Councillor Mason - Request for Consideration Form](#)

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Phoebe Rai, Deputy Clerk

Report Approved by: Sherryll Murphy, Acting Municipal Clerk, 902-292-5902

Request for Consideration		
<input type="checkbox"/> Agenda Item (Submitted to Municipal Clerk's Office by Noon at least 5 working days prior to the meeting)	<input type="checkbox"/> Added Item (Submitted to Municipal Clerk's Office by Noon at least one day prior to meeting)	<input type="checkbox"/> Request from the Floor <input checked="" type="checkbox"/> Notice of Motion
Council or Committee: Executive Standing		Date of Meeting: Monday, July 17, 2017
Subject: Executive Terms of Reference		
<p>Motion for Council to Consider: Executive Standing Committee request a staff report regarding possible modification to the committees terms of reference to include:</p> <ol style="list-style-type: none">1. Recommending and reviewing policies regarding Council Support and Mayor's Office including but not limited to local and out of province travel, levels and standards for office support, advertising, discretionary and district capital funds.2. Council Support and Mayor's office budget review during budget process.3. Policies regarding elected officials office space as well as public spaces of City Hall and Grand Parade.		
<p>Reason: Policy should be codified as an Administrative Order to ensure transparency and accountability. Policy is usually recommended and reviewed by a standing committee before being presented to Regional Council. The Executive Committee, composed of the Mayor, Deputy Mayor and representatives of the other standing committees already has a terms of reference direct that it shall "fulfil the self-governance functions of the Council."</p> <p>A number of policy pieces regarding Council funds that have been under review for four or more years. Advertising and discretionary policies also require review. All three policies should be codified as admin orders. Some councillors have suggested advertising and discretionary should be combined into one fund. Some municipalities provide Councillors with a single fund for out of town travel, conference, advertising, and discretionary and leave it to the Councillors to determine ward or district spending priorities.</p> <p>A more dynamic and thorough process for review and recommendation on Mayor and Council Support budgets should take place before the Budget COW discussion, to allow detail discussions and changes with adequate lead time to research and debate budget impacts.</p> <p>Additionally, there is an increasing desire to use the renovated public spaces in City Hall and Grand Parade. Halifax Hall often sought as a site for public events while Grand Parade remains under used as an event plaza and active centre. Council should develop policy establishing when these spaces may be used and under what conditions.</p>		
<p>Outcome Sought: Amendment to ESC TOR to allow development and oversight of needed policy</p>		
<i>Councillor Wayne Mason</i>		<i>District 7</i>