

HALIFAX

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Item No. 14.1.4
Halifax Regional Council
October 3, 2017

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY:

Original Signed by 

Jacques Dubé, Chief Administrative Officer

DATE: September 26, 2017

SUBJECT: Special Advisory Committee on the Commemoration of Edward Cornwallis and the Recognition and Commemoration of Indigenous History - Terms of Reference

ORIGIN

April 25, 2017 motion of Halifax Regional Council:

That Halifax Regional Council, in the spirit of the Council-adopted Statement of Reconciliation of December 8, 2015, request a staff report with terms of reference and a recommended composition for an expert panel to review and advise Council regarding any changes to the commemoration of Edward Cornwallis on municipal assets, including Cornwallis Park and Cornwallis Street, and recommendations to recognize and commemorate the indigenous history in the lands now known as Halifax Regional Municipality.

LEGISLATIVE AUTHORITY

Power to expend money

79 (1) The Council may expend money required by the Municipality for

...

(ai) public grounds, squares, halls, museums, parks, tourist information centres and community centres;

Standing, special and advisory committees

21 (1) The Council may establish standing, special and advisory committees.

(2) Each committee shall perform the duties conferred on it by this Act, any other Act of the Legislature or the by-laws or policies of the Municipality.

(3) The Council may appoint persons who are not members of the Council to a committee and may establish a procedure for doing so.

(4) A committee shall operate in accordance with the procedures provided in this Act and the procedural policy for the Council applies to committees unless the Council, by policy, decides otherwise.

(5) A member of a committee established by the Council who is a Council member is not entitled to additional remuneration for serving on the committee but may be reimbursed

for expenses incurred as a committee member.

(6) A committee member who is not a Council member may be

(a) paid an annual honorarium for serving on the committee, as determined by the Council by policy, and an honorarium may be a different amount if the person is chair of a committee and honorariums may differ for different committees; and

(b) reimbursed for expenses incurred as a committee member.

RECOMMENDATION

It is recommended that Halifax Regional Council adopt Administrative Order Number 2017-012-GOV, Respecting the Commemoration of Edward Cornwallis and the Recognition and Commemoration of Indigenous History Special Advisory Committee, as set out in Attachment 1, to establish a special advisory committee to Council.

BACKGROUND

In December, 2015 Halifax Regional Council adopted a Statement of Reconciliation. The statement committed the municipality to learning from the lessons of the Truth and Reconciliation Commission, and to acting to ensure the needs and aspirations of Indigenous people are fully acknowledged in the city we wish to build. In April 2017, Council requested a staff report with terms of reference and a recommended composition for an expert panel to review and advise Council regarding any changes to the commemoration of Edward Cornwallis on municipal assets, including Cornwallis Park and Cornwallis Street, and recommendations to recognize and commemorate the indigenous history in the lands now known as the Halifax Regional Municipality.

Edward Cornwallis was appointed governor of Nova Scotia in March 1749 and was governor until succeeded by Peregrine Hopson in 1752. Cornwallis arrived in Halifax on June 21, 1749 charged to fulfill a plan to establish a settlement on Chebucto Bay. A biography can be found at the Dictionary of Canadian Biography website here: http://www.biographi.ca/en/bio.php?id_nbr=1819 . There are many accounts of Cornwallis' time and activities in Nova Scotia. Much has also been written of Cornwallis' interactions with the Mi'kmaq. If Council approves the attached terms of reference it will be the decision of the panel, with the support of staff, to select and consider such research, literature and expert opinions as it considers relevant on Edward Cornwallis, indigenous -settler relations in Halifax, and other relevant topics.

In 1931, the Canadian National Railway erected the statue of Edward Cornwallis in Park Nova Scotian now known as Cornwallis Park. The commissioning of the statue and its production were overseen by the Cornwallis Memorial Committee. Costs associated with the erection of the statue were \$20,422.48, the large majority of which was the fee paid to the sculptor at \$20,000. Contributors were the Canadian National Railways (\$11,600), the province of Nova Scotia (\$2,500), the City of Halifax (\$2,500) and other contributors (\$3,758.89). Other contributors included corporations, and subscribers from the public including school children. The statue was created by renowned sculptor J. Massey Rhind who also created the cenotaph on Grand Parade. The inclusion of the statue was intended to contribute to the monumental character of the park and promote Halifax as a destination for tourists. The statue was unveiled on June 22, 1931. The unveiling featured an honour guard, acceptance from the city by Mayor George E. Ritchie, a twenty-one-gun salute from the Citadel and the singing by pupils of the Halifax of schools of the centenary ode "All Hail to the Day" [when the Britons came over]. Edward Cornwallis was recognized under the Historic Sites and Monuments Act on May 18, 1974 as a National Historic Person. Parks Canada owns and is responsible for the plaques on the base of the statue.

In May of 1968, due to poor maintenance by CNR and the opportunity to develop a children's play area and public recreation space, Halifax City Council approved the City entering an agreement with Canadian National Railway to take over Cornwallis Park for at least 20 years at a rent of \$1.00 per year. Another lease was signed in 1980. When CNR was privatized, Cornwallis Park was deemed surplus to rail needs and turned over to the Federal Government. Canada Lands Company determined that the lands valued at

over 1.3 million dollars, should be given to the people of Halifax Regional Municipality. Canada Lands made two stipulations, 1) that it remain a public park and 2) that the Municipality work with its citizens and park stakeholders to develop a vision for the park prior to the transfer. A park stakeholders' committee was formed to oversee the process to develop a vision for the park in accordance with the terms set out by Canada Lands. Park ownership was transferred to HRM in September 2000.

Municipal records dating back at least to 1966 refer to the park as Cornwallis Park. The programme for the Order of Service for the unveiling of the statue of Cornwallis referred to the park as "Plaza, Nova Scotian Hotel."

In the preparation of this report, definitive information was not found on the naming of Cornwallis Street. The earliest reference found to the name was on John G. Toler's 1817 Plan of the Town of Halifax.¹ The Cornwallis Street Baptist Church has indicated its intention to rename the church.

The only other municipal asset named after Cornwallis that was identified during the preparation of this report was the ferry Cornwallis. In the fall of 1941 the Dartmouth Ferry Commission asked Dartmouth schoolchildren to suggest names for the new Dartmouth ferry, and then rank twelve finalists in order of merit: Victory and Churchill, were the top two choices with distant contenders King George, Hood, Queen Elizabeth, Haldar, Alderney, Kent, Acadian, Cornwallis, Mayflower, and Micmac. The Ferry Commission forwarded the 12 names to the Registrar of Shipping to make sure they were acceptable, with the intention to then select from among them. The federal Registrar wrote back reporting that the Director of Marine Services had approved the name "Hood". Samuel Hood was Britain's Lord of the Admiralty during the American Revolutionary War. No record was found as to why "Hood" was chosen, or subsequently why the Ferry Commission suggested "Governor Cornwallis" instead. Dartmouth Mayor Isnor asserted Dartmouth's right to name the ferry after Governor Cornwallis "the person intended to honour, being the first Governor of the Province in 1749 and the man who named Dartmouth and signed the first Ferry Charter for John Connor in 1752." After a relatively short time in service, on December 22, 1944 when the ceiling of the engine room caught fire; vehicles and passengers on board were disembarked but by the time fire engines arrived the crew had been ordered to leave and the ferry was towed to George's Island and beached.

DISCUSSION

Since the early 1990's, particularly with the publishing of Dr. Daniel Paul's book *We Were Not the Savages; Collision between European and Native American Civilizations* and related news articles, there has been increasing focus on how Edward Cornwallis is commemorated. In 2008/2009 a petition was circulated by Cheryl LeBlanc-Weldon and Dr. Daniel Paul calling for the removal of the statue of Edward Cornwallis and the renaming of assets bearing his name. On June 22, 2011, the Halifax Regional School Board passed a [motion](#) requiring that Cornwallis Junior High School be renamed. The school was subsequently renamed to Halifax Central Junior High School.

Regulatory and Policy Context

Cornwallis Park and the Edward Cornwallis statue itself do not have protected status as either municipally or provincially registered sites. The park is owned by the Halifax Regional Municipality and maintained by the Parks and Recreation department. As an un-registered property, neither the statue nor the park have protection under the Nova Scotia's *Heritage Property Act* or specific municipal policy. The park does fall under the archaeological buffer for Downtown Halifax known as the "area of elevated archaeological significance". Excavations in this area may require an archaeological assessment to be completed under the requirements of the Nova Scotia Department of Communities Culture and Heritage and the *Special Places Protection Act*.

On May 8, 1974 Edward Cornwallis was recognized as a "national historic person" under the *Historic Sites and Monuments Act*. This designation is commemorative and affords no legal protection to the statue. A Historic Sites and Monuments Board of Canada plaque is attached to the podium of the statue which recognizes Cornwallis as the "Founder of Halifax".

¹ Joan Dawson, *The Mapmakers Legacy*, 2007.

Cornwallis Park is currently identified as being within the boundaries of the proposed Old South Suburb Heritage Conservation District. The plan and bylaw for this district are currently in draft form and is undergoing staff review prior to committee and council consideration. It is currently expected that the plan and bylaw will not go forward to Council until sometime in early 2018, timing which permits staff to take into consideration the deliberations and outcomes from this process.

The municipality currently has two policies which provide direction on commemoration, park and street renaming: the Asset Naming Policies (Administrative Order 46) and the Civic Addressing Policies (Administrative Order 29).

The Asset Naming Policies (Admin Order 46) adopted in 2010 provide direction for staff and Council in commemorating outstanding citizens and events. There are specific policies in the Admin Order that pertain to the renaming of assets. It states that, renaming requests for parks shall only be considered if the existing name is an administrative name (i.e. named after the street) or if the commemorative name is commemorating a living person who no longer meets the criteria for which they were commemorated. Under this policy, any street renaming requests shall only be considered if they comply with the Civic Addressing Policies (Admin Order 29). As Cornwallis Park is not administratively named and Edward Cornwallis is no longer living, the current policy does not permit renaming Cornwallis Park.

Administrative Order 29, Respecting Civic Addressing Policies was approved in February 2002 and provides direction to staff and Council on street naming and renaming to ensure consistency and fairness. Currently the Civic Addressing Policies provide direction on two methods of street renaming. The first, initiated by the municipality, is where the Civic Addressing Public Safety Committee has directed staff to rename a street for public safety reasons. The second, initiated by property owners on the street, is where a property owner may make an application to rename their street. This application requires a \$2,000 street renaming fee and 100% agreement from all the property owners on the street. Cornwallis Street is a unique name within the municipality with no public safety issues. The municipality has not conducted a poll of property owners on Cornwallis Street regarding their opinion on a potential renaming.

Current policies do not allow for the renaming of Cornwallis Park or Cornwallis Street. Pending the results of the expert panel and future deliberations by Council, Council could consider renaming these assets by amending these policies.

As noted above, Council made the motion in the context of its 2015 Statement of Reconciliation. A report is anticipated to come to Regional Council soon that sets out the municipality's broader engagement plan with respect to this statement of reconciliation. The work of the expert panel on commemoration will form but one part of the municipality's actions in relation to the statement on reconciliation. The proposed terms of reference and expert panel also supports Council's strategic priority on diversity and inclusion.

Other Jurisdictions

Many jurisdictions have dealt with or are dealing with the commemoration of historical figures whose legacy has become controversial and/or out of keeping with current values. Examples include many eastern European nations in the post-soviet era, Australia and countries throughout Africa addressing commemorations of colonial figures, and most notably in recent months and years, cities in the southern United States addressing commemorations of confederate figures. Institutions, notably some American universities in the southern US, have also been addressing how they commemorate controversial persons including Confederate leaders and promoters of slavery. The question of what to do with Confederate statues in Baltimore, New Orleans, Richmond and Charlottesville, among other cities in the US have involved long processes and faced some legal challenges.

Former Baltimore Mayor Stephanie Rawlings-Blake and city council appointed a commission to review four Confederate monuments in 2015 and discuss ways to remove them or otherwise diminish their prominence. This was in response to the June 2015 shooting of nine African Americans during a service at Emanuel African Methodist Episcopal Church in Charleston, South Carolina which sparked national debate in the United States about Confederate symbols in current day America. The commission was made up of several local officials and academics, and ultimately voted to remove two of the monuments, while adding balanced interpretive panels to the other two sites. Two of the monuments were dismantled and two more covered

with plywood by the city on the night of August 15 2017.

Monuments in New Orleans were dismantled in April 2017 following a public engagement process that concluded that the monuments "failed to appropriately reflect the values of diversity and inclusion that make New Orleans strong today". The monuments have been relocated to municipal storage facilities while a permanent home can be determined where a balanced narrative and interpretation can be provided, such as a museum.

Growing tension, violence and concerns of violence have in some cases accelerated initiatives by communities in the southern United States to remove confederate monuments. In other cases, such as in Richmond, Virginia, the Monument Avenue Commission – a Commission appointed to solicit public input and make recommendations to the Mayor's Office on how to tell the story of Richmond's Confederate monuments – postponed a public meeting scheduled for September 13, 2017 due to public safety concerns.

In Baltimore and New Orleans, some residents, monument preservation societies and historians have argued that the statues should be given better context in the form of interpretive plaques rather than be removed altogether. In New Orleans, the city was sued by a preservationist who argued the city did not own the P.G.T Beaugregard statue or the land it sits on, therefore it was illegal to remove it. In Baltimore and in other cases, a similar legal argument has been made; that the inheritance of monuments from past generations means the city does not have legal ownership over them, which has led to lawsuits during the process of removing them. In New Orleans and Baltimore, the court has ruled in favour of the city. In all cases, deciding where to put the statues afterwards (if they are not going to be destroyed) has been an issue. Heritage and historic societies have been consulted on what to do, in terms of removal and preservation options as well as from a legal standpoint. Options have included moving them to Confederate cemeteries, or displaying them in museums or established historic sites to act as a teaching tool. Many advocates for removing the statues in these cities would like them destroyed after they are taken down. Removing the statues at night and without any public notice is the practice adopted by some cities that have recently removed their statues, to avoid conflict or delays in the process.

Canadian examples include the June 21, 2017 [announcement](#) by the Prime Minister of the renaming of the Langevin Block due to Sir Hector-Louis Langevin's association with the residential school system. The City of Calgary, by [motion](#) of Council in January 2017, renamed the Langevin Bridge to Reconciliation Bridge. This followed from a recommendation from the report "White Goose Flying: A Report to Calgary City Council on the Indian Residential School Truth and Reconciliation Calls to Action, 2016" by the Calgary Aboriginal Urban Affairs Committee. These examples are not presented as a best practice necessarily but rather serve to underscore the complexity and challenge of responding to questions of commemoration.

Engagement

In the development of the terms of reference staff spoke, met and corresponded with a range of individuals and organizations, including academics and historians, representatives of the provincial office of aboriginal affairs, Parks Canada, the Halifax Military Heritage Preservation society, international experts on complexity studies and human rights advocate Dr. Daniel Paul. Staff asked questions about characteristics and composition of the panel, and aspects of the terms of reference. As well, many citizens wrote staff or Council, or called with suggestions and comments about the panel.

Following Council's direction in the motion for the activity to be undertaken in the spirit of its Statement on Reconciliation, staff met with and shared draft Terms of Reference with representatives identified by the Assembly of Nova Scotia Mi'kmaq Chiefs.

Several themes emerged from discussions. More than one individual suggested that while experts, narrowly defined, have an important role to play in the discussion, the key challenges being addressed – namely - how we choose to remember the past, what do we do in terms of understanding our relationship with the past, and how that informs and influences us today – are questions for community, citizens and politicians rather than for experts. Opinions varied with respect to whether panelists should or could be "objective" and some suggested that anyone with a previously espoused position on what the outcome should be should not be named to the panel. Other themes that emerged included balance among panelists, knowledge and community credibility. It was recommended that respect for all historical narratives be maintained in the

Expert Panel's deliberations.

Discussions with Mi'kmaq leaders raised a serious question of geography and impact. Many Mi'kmaq persons, in particular, in the province move in and out of Halifax and current day borders of the Halifax Regional Municipality align to neither the population impacted by municipal assets commemorating Cornwallis nor to historical areas of relevance. Given the limits of responsibility of the Halifax Regional Council, requiring that the panel engage with the public throughout the province may not be workable however, through social media and by other means, such as by working with organizations with a provincial reach, may facilitate outreach beyond the municipality's borders.

In addition to these discussions, there has been significant media and public interest in this issue. Most recently, there was extensive coverage related to a protest at the site of the Cornwallis statue on July 15, 2017. Prior to the demonstration, the Mayor [released a statement](#) on July 11, encouraging peaceful assembly and a commitment to meaningful dialogue.

Also of note are two public polls relating to the commemoration of Edward Cornwallis. Corporate Research Associates conducted a [poll](#) in May 2017 indicating that 58% of residents in the Halifax Census Metropolitan Area (CMA) disagree that Edward Cornwallis' name should be removed from public infrastructure. An [Angus Reid Poll](#) in August 2017 suggests 41% of Canadians support removing the statue of Edward Cornwallis and changing the square's name, with 36% opposed. In Atlantic Canada, these numbers were roughly reversed with 32% supporting and 40% opposed.

Public input was an underlying theme and there appears to be consensus that providing opportunities for public submissions input are an important part of the panel's work.

Finally, one useful and frequently cited example that may help frame the thinking of the expert panel is the example from Yale University. The President of Yale asked a committee led by Law and History professor John Fabian Witt to develop principles to guide the university in deciding whether to remove "a historical name from a building or other prominent structure or space on campus."

The committee recommended that in considering a name change for a building, structure or significant space, that the following factors guide decision-making:

A. *Presumption: Renaming on account of values should be an exceptional event*

There is a strong presumption against renaming a building on the basis of the values associated with its namesake. Such a renaming should be considered only in exceptional circumstances.

The presumption against renaming is at its strongest when a building has been named for someone who made major contributions to the University.

B. *Principles to be considered: Sometimes renaming on the basis of values is warranted*

Is a principal legacy of the namesake fundamentally at odds with the mission of the University?

Was the relevant principal legacy significantly contested in the time and place in which the namesake lived?

Did the University, at the time of a naming, honor a namesake for reasons that are fundamentally at odds with the mission of the University?

Does a building whose namesake has a principal legacy fundamentally at odds with the University's mission, or which was named for reasons fundamentally at odds with the University's mission, play a substantial role in forming community at the University?

C. *Decisions to retain a name or to rename come with obligations of nonerasure, contextualization, and process.*

When a name is altered, there are obligations on the University to ensure that the removal does not have the effect of erasing history.

When a name is retained, there may be obligations on the University to ensure that preservation does not have the effect of distorting history.

The University ought to adopt a formal process for considering whether to alter a building name on account of the values associated with its namesake; such a process should incorporate community input and scholarly expertise.

The panel may opt to modify these for Halifax's context and use as a framework for deliberations.

An internal staff team with representatives from Parks and Recreation, Planning and Development, Diversity and Inclusion and Government Relations and External Affairs reviewed current policies, researched information on the commemoration of Cornwallis on municipal assets, contributed to the development of the terms of reference and provided advice on the composition of the panel.

Terms of Reference (Administrative Order) and Panel Composition

The attached Administrative Order establishes a special advisory committee of Council, describing the purpose, mandate and principles under which the panel shall operate. Staff propose a framework that leaves considerable room for the panel to determine the most appropriate methods to serve its mandate and achieve its purposes.

Staff suggest that the panel address first the issues related to the commemoration of Edward Cornwallis and return to Council through staff with recommendations on this. Then the panel should address the wider question of the consideration of how we recognize and commemorate indigenous history.

The membership proposed represents the following:

- Co-chairs from indigenous and non-indigenous community with leadership and chairing experience
- An even number of members with experience and expertise in the following areas:
 - History and commemoration
 - Military history
 - Mi'kmaq history
 - Indigenous and non-indigenous community experience

While expertise in many areas would be useful, staff considered that the panel should be small enough to encourage cooperation, engender in depth discussion and increase the possibility of the panel reaching consensus on its recommendations. Staff are recommending a panel of 8 with equal representation from persons of indigenous and non-indigenous backgrounds. The panel may choose to seek input from other experts who could bring valuable insight including anthropologists, ethicists, psychologists, sociologists, landscape architects, urban designers and others that may not be represented in a proposed panel. In addition to experts on history and commemoration on the panel, given the complex nature of the challenge facing the panel, staff are recommending a range of panelists with broad community experience.

The proposed approach with respect to naming panelists is outlined in the accompanying in-camera staff report. Once finalized and confirmed, names of panelists will be released publicly.

The question of the commemoration of Edward Cornwallis, as suggested by Council's linking the work of this panel to its Statement of Reconciliation, is tied to deep, intractable questions of indigenous and non-indigenous relations and history. The panel cannot reasonably be expected to resolve such questions but, it is hoped will exercise a process that helps advance the relationship between indigenous and non-indigenous persons in the Halifax region.

Staff will provide support to the panel in the areas of secretariat, public engagement, advice with respect to municipal policy and practical implications of various options. The municipality is currently in the process of hiring an Indigenous Advisor who will also support the work of the panel. Recommendations of the panel will return to Council through staff so that staff may provide information on the practical implications of the panel's recommendations.

FINANCIAL IMPLICATIONS

Total cost of support for the panel - including secretariat, costs associated with public engagement, and honoraria for panelists - is estimated to be between \$50,000 and \$75,000. Funds can be accommodated within fiscal services, cost centre M310.

RISK CONSIDERATION

There is a risk that some community members will question the validity of the panel, due to concerns with a selection process that differs from the standard Council public appointment process, or perceptions that panelists are seen not to represent a range of interests, to have too strong a bias or insufficient credibility in their communities.

Staff have attempted to mitigate this risk by talking to a range of individuals and organizations in the development of the terms of reference, by having an appropriate number of experts in relevant areas, setting out criteria for the selection of experts and by looking for characteristics of willingness to engage and community credibility in potential panelists.

COMMUNITY ENGAGEMENT

Staff engaged with several persons and organizations in the development of the terms of reference appropriate make-up of the panel, assessment criteria for panelists and potential panelists, as described in the discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications to this report.

ALTERNATIVES

Council may choose not to adopt the proposed terms of reference and appoint an expert panel.

Council may choose to adopt the proposed terms of reference with changes.

ATTACHMENTS

Attachment 1 – Administrative Order Number 2017-012-GOV, RESPECTING THE COMMEMORATION OF EDWARD CORNWALLIS AND THE RECOGNITION AND COMMEMORATION OF INDIGENOUS HISTORY SPECIAL ADVISORY COMMITTEE

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.

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Financial Approval by: Original Signed

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ATTACHMENT 1

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 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 non-indigenous persons.

Membership

12. (1) There shall be eight (8) members of the Committee, who shall be as appointed by the Council by resolution.

(2) Four (4) 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 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 his chair, and the second co-chair shall continue to chair the meeting. The co-chair shall return to his 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 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 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 day of October A.D. 2017.

Mayor

Municipal Clerk