



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 12.1.2
Executive Standing Committee
October 28, 2019

TO: Chair and Members of Executive Standing Committee

SUBMITTED BY: Original Signed
John Traves, Q.C., Director, Legal, Municipal Clerk & External Affairs

Original Signed
Jacques Dubé, Chief Administrative Officer

DATE: October 17, 2019

SUBJECT: Amendments to Administrative Order One – Recorded Votes at Committee of the Whole and Budget Committee Meetings

ORIGIN

On May 14, 2019 Halifax Regional Council passed the following motion:

THAT Halifax Regional Council request a staff report on amending Administrative Order One, Respecting the Procedures of Council, to require the recording of votes at Committee of the Whole, including Committee of the Whole on Budget.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (Charter) clause 20(1)(b) as follows:

The Council may make policies

(b) regulating its own proceedings and preserving order at meetings of the Council.

Schedule 6 of the *Procedure of the Council Administrative Order*, the Terms of Reference of the Executive Standing Committee, section 8 “The Executive Standing Committee shall act as a review committee for matters related to the general self-governance and administration of Council as directed by the Council.”

Administrative Order 1, the *Procedure of the Council Administrative Order*, sections 91, 139 and Schedule 4, Section 7a with respect to voting procedures.

See Recommendation on Page 2

RECOMMENDATION

It is recommended that Executive Standing Committee recommend that Halifax Regional Council adopt the amendments to Administrative Order One, the *Procedures of Council Administrative Order*, as set out in Attachment 2 of this report to enable recorded votes at Committee of the Whole, and the Committee of the Whole on Budget meetings.

BACKGROUND

At the May 29, 2012 meeting of Halifax Regional Council passed a motion requesting that all votes at Halifax Regional Council be recorded votes. Prior to this, recorded votes could be requested, but were not required. On June 19, 2012 the proposed amendments to Administrative Order One requiring recorded votes at all meetings of Halifax Regional Council with the exception of procedural motions was adopted.

Since this time, recorded votes have been held at Halifax Regional Council meetings through use of existing technology in the Chamber. It is the practice of the Municipal Clerk's Office to publish recorded vote results on Halifax.ca the Friday following the meeting for the public.

At present, recorded votes are not conducted at Committee of the Whole, Committee of the Whole on Budget (Budget Committee). Administrative Order One, section 93, allows for a member to request a recorded vote, which would be accommodated by a manual process.

On May 14, 2019 Halifax Regional Council requested a staff report on amending Administrative Order One, to require the recording of votes at Committee of the Whole, including Committee of the Whole on Budget.

DISCUSSION

In 2018, the Municipal Clerk's Office and Information Communications Technology (ICT) commenced work on the Council Chamber Technology Upgrade (CCTU) project. The purpose of this project was to replace all end of life technology (implemented 2008) in the Council Chamber and the broadcast room, along with technical infrastructure which includes all wiring and cabling. The installation of the new technology was completed in January 2019.

Administratively, allowing for recorded votes at Committee of the Whole and Budget Committee meetings would be straightforward and would not require additional resources. Electronic recorded votes is ideal for these bodies as they include all 17 members of Council. Under this current system, fewer resources are required to manage meetings of Regional Council, and vote results are issued in a format that requires less time to prepare for posting to Halifax.ca

Administrative Order One currently requires that when a vote is taken on any motion at a meeting other than a meeting of the Council, the Presiding Officer determine whether the vote is taken orally or by show of hands (section 92). If the vote is to be taken orally or by show of hands, Administrative Order One allows for a member to require that a recorded vote be taken (section 93). Amending the procedures to require recorded votes for meetings of Committee of the Whole, and Budget, Committee could be achieved through amendments to sections 91, and 92, clause 139 4(a) and Schedule 4, clause 7(a). Recorded votes can be accommodated with the current technology and with no administrative burden to meeting operations or to the Municipal Clerk's Office.

Housekeeping Amendment

Staff is recommending one housekeeping amendment to Administrative Order One, as the word "secretary" is misspelled in the title on page 44.

FINANCIAL IMPLICATIONS

None.

RISK CONSIDERATION

There are no risks associated with Regional Council approving the amendments contained in this report.

COMMUNITY ENGAGEMENT

No community engagement was performed. If approved, recorded votes for Committee of the Whole and Budget Committee meetings would be posted on Halifax.ca by end of day Friday following the meeting. Recorded votes may enhance transparency for Committee of the Whole and Budget Committee meetings.

ENVIRONMENTAL IMPLICATIONS

None.

ALTERNATIVES

Regional Council may determine not to approve the amendments. If this happens, the current practise as discussed in the discussion section of the report will continue to apply.

ATTACHMENTS

Attachment 1 Showing Proposed Changes to Administrative Order One
Attachment 2 Amending Administrative Order

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: Kevin Arjoon, Municipal Clerk, 902.490.6456

ATTACHMENT 1

(Showing Proposed Changes to Administrative Order One)

VOTING

Method of Voting in Meetings of the Council, Committee of the Whole and Standing Committee of the Whole on Budget

91. (1) A vote on any motion at the Council, Committee of the Whole, and Standing Committee of the Whole on Budget shall be taken by recorded vote except for Approval of Minutes, Approval of the Order of Business, Motion to Convene In Camera (In Private), Motion to Rise and Report from Committee of the Whole, Motion to extend the time of the meeting past 10:00 p.m., and Adjournment.

(2) When the electronic voting system is utilized for recorded votes at the Council, Committee of the Whole, or Standing Committee of the Whole on Budget,

(a) when the Presiding Officer calls for the question to be taken, each Member shall indicate whether they are in favour of or opposed to the question by pressing the "Yea" or "Nay" button provided at their desk;

(b) after the vote is completed, the Clerk shall display when technically possible, the total number of votes for and against the motion and the Presiding Officer shall declare whether the motion is carried or lost;

(c) the Clerk shall print off and maintain in the records the total votes on each question and the result as to how each Member voted on each question, and include those results in the Minutes, and such records shall be open to the public; and

(d) when the results of how each Member voted on the question are displayed or stated, a Member shall immediately bring any error in the result due to the Member's vote either not being recorded or being recorded improperly, to the attention of the Clerk and the Presiding Officer, and the Clerk shall make a note of the error and record it in the Minutes of the meeting and the Presiding Officer shall declare any change in the result if necessitated by the error.

(3) The requirement for recorded votes for all motions shall apply to the Council, Committee of the Whole, and Standing Committee of the Whole on Budget and shall not apply to ~~Committee of the Whole~~, Community Council, or committees of the Council, other than Standing Committee of the Whole on Budget.

92. When a vote is taken on any motion at a meeting other than a meeting of the Council, Committee of the Whole, and Standing Committee of the Whole on Budget, the Presiding Officer shall determine whether the vote shall be taken orally or by show of hands.

PROCEDURES AT COMMITTEE OF THE WHOLE

....

Presiding Officer

139. (1) Whenever it shall be moved and carried that the Council go into Committee of the Whole, the Presiding Officer shall preside unless otherwise ordered, and shall maintain order in the Committee and shall report the proceedings of the Committee.

(2) The Presiding Officer shall be referred to as Chair.

(3) The Presiding Officer may appoint another Member of the Committee of the Whole to so act while the Presiding Officer is temporarily absent from the meeting.

(4) The rules of governing the procedure of the Council shall be observed in Committee of the Whole, so far as they are applicable, except that:

(a) ~~no vote shall be recorded~~ repeal;

(aa) votes shall be recorded in accordance with section 91;

(b) the number of times of speaking on any question shall not be limited and;

(c) no motion to call for the question shall be allowed.

(5) No Member shall speak more than once except to make an explanation until every Member who desires to speak has spoken.

SCHEDULE 4

STANDING COMMITTEE OF THE WHOLE ON BUDGET TERMS OF REFERENCE

....

Administration and Procedure

7. Administrative and the meeting procedures shall be in accordance with this *Administrative Order* except for the following:

(a) ~~no vote shall be recorded~~ repeal;

(aa) votes shall be recorded in accordance with section 91;

(b) the number of times of speaking on any question shall not be limited and;

(c) no motion to call for the question shall be allowed.

**ATTACHMENT 2
(Amending Administrative Order)**

**HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER ONE
RESPECTING THE PROCEDURES OF COUNCIL**

BE IT RESOLVED as an Administrative Order that Administrative Order One, the *Procedures of the Council Administrative Order*, is further amended as follows:

1. The header of section 91 is amended by adding “, **Committee of the Whole and Standing Committee of the Whole on Budget**” after word “Council”.

2. Subsection 91(1) is amended by:
 - (a) adding the words and comma “, Committee of the Whole, and Standing Committee of the Whole on Budget” after the word “Council” and before the word “shall”;;
 - (b) adding the words and comma “, Motion to Convene In Camera (In Private), Motion to Rise and Report from Committee of the Whole, Motion to extend the time of the meeting past 10:00 p.m.,” after the word “Business” and before the word “and”.

3. Subsection 91(2) is amended by adding the words and comma “Committee of the Whole, or Standing Committee of the Whole on Budget” after words “the Council,” and before the comma.

4. Subsection 91(3) is amended by:
 - (a) adding the comma and words “, Committee of the Whole, and Standing Committee of the Whole on Budget” after the words “the Council” and before the word “and”;
 - (b) striking out the words and comma “Committee of the Whole,” after the word “apply” and before the words “Community Council”; and
 - (c) adding the words and comma “, other than Standing Committee of the Whole on Budget.” after the words “committees of Council” and before the period at the end of the subsection.

5. Section 92 is amended by adding the words and commas “Committee of the Whole, and Standing Committee of the Whole on Budget,” after the word and comma “Council,” and before the words “the Presiding”.

6. Clause 139(4)(a) is repealed and clause 139(4)(aa) is added after the repealed clause 139(4)(a) and before clause 139(4)(b) as follows:
 - (aa) votes shall be recorded in accordance with section 91;

7. Schedule 4, Standing Committee of the Whole on Budget Terms of Reference, is amended by:

- (a) repealing clause 7(a); and
- (b) adding clause 7(aa) after the repealed clause 7(a) and before clause (b) as follows:
 - (aa) votes shall be recorded in accordance with section 91;

8. The title of the part before the header of section 122 is amended by:

- (a) striking out the word “SECREATRY” before the word “FOR”; and
- (b) adding the word ““SECRETARY” before the word “FOR.

Done and passed this day of , 2019.

Mayor

Municipal Clerk