

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY:

Original Signed by 

Jacques Dubé, Chief Administrative Officer

DATE: November 9, 2020

SUBJECT: 2020 Councillor Appointments to Various Boards, Committees, and Commissions

ORIGIN

Requirement to fill Councillor positions on various Boards, Committees, and Commissions.

LEGISLATIVE AUTHORITY

Administrative Order One - *The Procedures of the Council Administrative Order.*

4 (2) Notwithstanding subsection (1), any one or more of the rules of procedures contained herein except for sections 5 and 41 and subsections 12(5) and 59(3) may be suspended by Council, Committee of the Whole, Community Council or a Standing Committee by the affirmative vote of two-thirds (2/3rds) of the Members present and voting.

119. A report with recommendations for nomination and appointment shall be brought forward to the appropriate nominating or appointing body in accordance with the *HRM Charter*, the Public Appointment Policy and Terms of Reference adopted by the Council.

120. (1) The motion for the election of Members by the Council to Standing Committees shall be made in November of every second year.

Police Board By-law

4 (5) Where Council is appointing or reappointing a member of the Board, Council shall consider:

- (a) if the Board reflects the diversity of the community it represents;
- (b) if the Board has a member with legal knowledge or knowledge of the justice system; and
- (c) if the Board has a member with financial knowledge.

RECOMMENDATION

It is recommended that Halifax Regional Council:

- 1) Suspend the rules of procedures requiring the Executive Standing Committee and Community Councils to review the nominations outlined in this report and make a recommendation to Halifax Regional Council;
- 2) Appoint the Councillors to Boards, Committees and Commissions for a term to November 2022, as outlined in Attachment 1; and
- 3) Appoint the Councillors to Boards, Committees and Commissions who are the successful candidates after a vote by secret ballot for a term to November 2022, (and two of the Councillors to the Halifax Water Board of Commissioners for a term to November 2023), as outlined in Attachment 2.

BACKGROUND

Halifax Regional Council has a number of Boards, Committees and Commissions on which members of Council serve in accordance with the Terms of Reference of those bodies. Current appointments expire on November 30, 2020 and new appointments are required to fill vacancies on Standing Committees as well as Boards, Committees and Commissions.

DISCUSSION

An expression of interest was issued from the Office of the Municipal Clerk to all duly elected members of Regional Council regarding interest in serving on various Standing Committees, Boards, Committees and Commissions. The results of the survey have been compiled into two attachments, Attachment 1 outlines where there are sufficient vacancies to accommodate each Councillor, and Attachment 2 reflects where there are more applications from members of Council than vacancies.

The report does not reflect the full slate of appointments required by Regional Council. Some committee appointments, such as to the Executive Standing Committee and the Heritage Advisory Committee, will be made by recommendation from the newly formed Standing Committees and then be ratified by Regional Council.

It is customary for the appointments of Members of Council to be presented to the Executive Standing Committee for review. However, staff has recommended that Council suspend section 4, Membership Selection of Schedule 6 of Administrative Order One (AO1), Executive Standing Committee Terms of Reference. Section 4 states:

4. The Executive Standing Committee shall act as the Membership Selection Committee of the Council with a mandate to function as the nomination committee for appointment to Boards and Committee, including at large nomination to Standing Committees, except as delegated to other Standing Committees of Council.

Regional Council is required, by motion, to confirm the appointment of Members of Council to these bodies. In accordance with AO1, clause 120 (3)(c) "where more than the required for the committee of Council stand for election, a vote shall be taken by secret ballot." Because the meeting is being held virtually, the Clerks Office has engaged ICT to use Survey Monkey to conduct the votes as required. Use of Survey Monkey for this purpose has been reviewed by Access and Privacy who have given general approval as there are no means to identify how people vote.

Halifax Regional Water Commission Terms

As set out in Schedule 5 of AO1 and section 12 of the *Halifax Regional Water Commission Administrative*, one of the four Councillors appointed to the Halifax Regional Water Commission Board of Directors is to be nominated by the Environment and Sustainability Standing Committee (ESSC), and the remaining three appointments are nominated by the Executive Standing Committee. To follow the same approach for other appointments, only the requirement for a nomination by the Executive Standing Committee is being suspended. Accordingly, the recommendation in this report is to proceed to make three out of the four total appointments. The remaining appointment will come forward at a later date once the ESSC has made its nomination.

Halifax Water has requested that Council consider staggering terms for the four (4) Councillors appointed to the Halifax Water Board of Commissioners to provide better continuity.

The *Halifax Regional Water Commission Act* states:

4 (4) Each Commissioner appointed pursuant to clause (1)(a) holds office for a term of **two or three years at the discretion of the Council**

Accordingly, it is recommended that Regional Council:

- appoint two Councillors to the Halifax Water Board for terms until November 2023,
- appoint one Councillor to the Halifax Water Board for a term to November 2022, and
- following the nomination made by ESSC approve an additional Councillor appointment for a term to November 2022.

Ex-Officio Appointments

A number of bodies include Members of Council in their composition Ex-Officio (by right of office). Since the membership is defined by the office of the Member, a motion of Council is not required. Ex officio appointments involving Members of Council include:

Point Pleasant Park Advisory Committee	Councillor Mason, District 7
Peggy's Cove Commission	Councillor Lovelace, District 13
Community Liaison Committee – Ragged Lake	Councillor Cuttell, District 11
Community Monitoring Committee	Councillor Cuttell, District 11
Community Monitoring Committee	Councillor Stoddard, District 12

Mayor Savage serves as Chair of the Executive Standing Committee and Ex-Officio to all HRM Committees

FINANCIAL IMPLICATIONS

There are no budget implications to this report that are not already included in the Operating Budget.

RISK CONSIDERATION

There are no significant risks associated with the recommendations in this Report. The risks considered rate Low.

COMMUNITY ENGAGEMENT

None.

ENVIRONMENTAL IMPLICATIONS

None.

ALTERNATIVES

It may be determined that the rules should not be waived in order to expedite Councillor appointments. This approach is not recommended because delays in appointments will result in significant delays to the composition of other boards, committees and commissions.

ATTACHMENTS

Attachment # 1 – Committees with Sufficient Vacancies to Accommodate each Councillor
Attachment # 2 – Committees with More Applications than Vacancies

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, Acting Municipal Clerk, Legal & Legislative Services 902.490.4211

Attachment 1

Committees with Sufficient Vacancies to Accommodate each Councillor

Expressions of Interest for Councillor Appointments to Boards, Committees, and Commissions - Sufficient Vacancies to Accommodate Interested Councillors

Board, Committee, or Commission	Current Members	Action Required	Very Interested (1st or 2nd choice)	Moderately Interested (3rd - 4th choice)	Recommended Action
Alderney Landing Association	Councillor Austin	Appoint up to two (2) members at large (Councillors or Citizens)	Councillor Austin		Appoint Councillor Austin
Canada Games Centre	N/A	Appoint up to one (1) Councillor at large	Councillor Morse		Appoint Councillor Morse
Chain of Lakes Trail	Councillor Cleary	Appoint up to two (2) Councillors from Districts 9 & 10	Councillor Cleary	Councillor Morse	Appoint Councillors Cleary, Morse
Cole Harbour Place	N/A	Appoint up to one (1) Councillor at large	Councillor Purdy`		Appoint Councillor Purdy
Community Monitoring Committee	Councillor Cuttell	Appoint up to one (1) Councillor at large (Councillors for Districts 11 & 12 are ex officio)			No appointments required as District 11 & 12 are ex officio
	Councillor Stoddard				
Halifax Forum Community Association	Councillor Smith	Appoint up to 1 Councillor at large		Councillor Smith	Appoint Councillor Smith
Shubenacadie Canal Commission (Nominating Body: Harbour East Marine Drive Community Council)	Councillor Mancini	Appoint up to two (2) Councillors from HEMDCC	Councillor Mancini	Councillor Austin	Appoint Councillors Mancini, Austin
	Councillor Austin				
Zatzman Sportsplex	Councillor Austin	Appoint up to one (1) Councillor at large	Councillor Austin		Appoint Councillor Austin

Attachment 2

Committees with More Applications than Vacancies

Expressions of Interest for Councillor Appointments to Standing Committees - 2020

Standing Committee	Current Members	Action Required	Very Interested (1st or 2nd choice)	Interested (3rd - 5th choice)	Recommended Action
Appeals	Councillor Hendsbee	Appoint two (2) Councillors from each of HWCC, NWCC, and HEMDCC	Councillor Hendsbee (HEMDCC)	Councillor Cleary (HWCC)	Appoint Councillors Hendsbee, Austin from HEMDCC
	Councillor Blackburn		Councillor Blackburn (NWCC)	Councillor Austin (HEMDCC)	Appoint Councillors Blackburn, Russell from NWCC
			Councillor Mason (HWCC)	Councillor Cuttell (HWCC)	Appoint two (2) Councillors from HWCC
				Councillor Russell (NWCC)	
Audit and Finance	Councillor Russell	Appoint one (1) Councillor from each of HWCC, NWCC, and HEMDCC and three (3) Councillors at large	Councillor Deagle Gammon (NWCC)	Councillor Purdy (HEMDCC)	Appoint one (1) Councillor from HWCC
			Councillor Hendsbee (HEMDCC)	Councillor Mason (HWCC)	Appoint one (1) Councillor from NWCC
			Councillor Russell (NWCC)	Councillor Lovelace (NWCC)	Appoint one (1) Councillor from HEMDCC
			Councillor Cleary (HWCC)		Appoint three (3) Councillors at large
			Councillor Outhit (NWCC)		
Community Planning and Economic Development	Councillor Mason	Appoint one (1) Councillor from each of HWCC, NWCC, and HEMDCC and three (3) Councillors at large	Councillor Purdy (HEMDCC)	Councillor Deagle Gammon (NWCC)	Appoint one (1) Councillor from HWCC
	Councillor Austin		Councillor Lovelace (NWCC)	Councillor Outhit (NWCC)	Appoint one (1) Councillor from NWCC
	Councillor Smith		Councillor Austin (HEMDCC)	Councillor Morse (HWCC)	Appoint one (1) Councillor from HEMDCC
	Councillor Russell		Councillor Cuttell (HWCC)	Councillor Russell (NWCC)	Appoint three (3) Councillors at large
	Councillor Outhit		Councillor Kent (HEMDCC)		
			Councillor Smith (HWCC)		
			Councillor Blackburn (NWCC)		

Standing Committee	Current Members	Action Required	Very Interested (1st or 2nd choice)	Interested (3rd - 5th choice)	Recommended Action
Environment and Sustainability	Councillor Mancini	Appoint one (1) Councillor from each of HWCC, NWCC, and HEMDCC and three (3) Councillors at large	Councillor Morse (HWCC)	Councillor Kent (HEMDCC)	Appoint one (1) Councillor from HWCC
	Councillor Hendsbee		Councillor Cleary (HWCC)		Appoint one (1) Councillor from NWCC
	Councillor Blackburn		Councillor Mancini (HEMDCC)		Appoint one (1) Councillor from HEMDCC
	Councillor Cleary		Councillor Lovelace (NWCC)		Appoint three (3) Councillors at large
			Councillor Austin (HEMDCC)		
			Councillor Cuttell (HWCC)		
			Councillor Deagle Gammon (NWCC)		
			Councillor Russell (NWCC)		
Transportation	Councillor Outhit	Appoint one (1) Councillor from each of HWCC, NWCC, and HEMDCC and three (3) Councillors at large	Councillor Stoddard (HWCC)	Councillor Austin (HEMDCC)	Appoint one (1) Councillor from HWCC
	Councillor Austin		Councillor Outhit (NWCC)	Councillor Cuttell (HWCC)	Appoint one (1) Councillor from NWCC
	Councillor Cleary		Councillor Mason (HWCC)	Councillor Russell (NWCC)	Appoint one (1) Councillor from HEMDCC
	Councillor Mason		Councillor Morse (HWCC)	Councillor Blackburn (NWCC)	Appoint three (3) Councillors at large
	Councillor Smith		Councillor Mancini (HEMDCC)	Councillor Cleary (HWCC)	
			Councillor Kent (HEMDCC)	Councillor Lovelace (NWCC)	
			Councillor Purdy (HEMDCC)	Councillor Deagle Gammon (NWCC)	
			Councillor Smith (HWCC)		

Expressions of Interest for Councillor Appointments to Boards, Committees, and Commissions - More Councillor Interest than Vacancies

Board, Committee, or Commission	Current Members	Action Required	Very Interested (1st or 2nd choice)	Moderately Interested (3rd - 4th choice)	Interested (5th+ choice)
Board of Police Commissioners	Councillor Blackburn	Appoint <u>exactly</u> three (3) Councillors at large	Councillor Kent	Councillor Cuttell	
	Councillor Mancini		Councillor Purdy	Councillor Lovelace	
	Councillor Smith		Councillor Smith		
			Councillor Russell		
			Councillor Mancini		
			Councillor Cleary		
			Councillor Morse		
			Councillor Blackburn		
Discover Halifax Board of Directors	Councillor Blackburn	Appoint up to 1 Councillor at large	Councillor Blackburn	Councillor Mancini	Councillor Morse
			Councillor Cuttell		Councillor Lovelace
Halifax Harbour Bridges Board of Commissioners	Councillor Hendsbee	Appoint <u>exactly</u> two (2) Councillors at large	Councillor Hendsbee	Councillor Lovelace	
	Councillor Smith		Councillor Austin	Councillor Russell	
			Councillor Smith	Councillor Deagle Gammon	
Halifax Partnership	Councillor Cleary	Appoint up to 2 Councillors at large		Councillor Lovelace	Councillor Mason
	Councillor Mason			Councillor Mancini	
				Councillor Morse	
Halifax Regional Library Board	Councillor Blackburn	Appoint <u>exactly</u> two (2) Councillors at large	Councillor Mancini	Councillor Cuttell	
	Councillor Outhit		Councillor Morse	Councillor Russell	
			Councillor Deagle Gammon		
			Councillor Blackburn		
			Councillor Cleary		
			Councillor Outhit		
			Councillor Lovelace		

Board, Committee, or Commission	Current Members	Action Required	Very Interested (1st or 2nd choice)	Moderately Interested (3rd - 4th choice)	Interested (5th+ choice)
Halifax Water Board of Commissioners (Nominating Body for 3 positions: Executive Standing Committee)	Councillor Hendsbee	Appoint <u>exactly</u> 3 Councillors at large.	Councillor Lovelace	Councillor Blackburn	
			Councillor Cuttell	Councillor Morse	
			Councillor Deagle Gammon	Councillor Cleary	
			Councillor Russell		
			Councillor Mason		
			Councillor Hendsbee		
			Councillor Purdy		
			Councillor Kent		
Nova Scotia Federation of Municipalities	Councillor Mason	Up to 2 Councillors at large	Councillor Mason	Councillor Russell	
			Councillor Lovelace	Councillor Kent	