

DECISION PAPER

CONSTITUENCY OFFICE RENTAL FOR NAHENDEH MLA

PROBLEM

The Member for Nahendeh, Shane Thompson, wants to set up a constituency office in the community of Fort Simpson. The Board of Management must approve constituency office lease agreements between the Speaker of the Legislative Assembly and the lessor.

RECOMMENDED DECISION

That the Board of Management authorise the Speaker to enter into leasehold tenant agreement with lessor in the community of Fort Simpson on behalf of member: MLA Nahendeh, Shane Thompson.

Riding	Lessor	Per Month	Per Annum	47 month term total
Shane Thompson Nahendeh	Nahendeh Developments Ltd	\$ 3, 093.75	\$ 37, 125.00	\$ 145, 406.25

BACKGROUND

Constituency office space is required by Members to provide access and service to their constituents. Members must locate constituency office space in their communities that will serve their needs and negotiate a market rental rate with the landlord. Members must then submit a request to the Board of Management for approval to lease the space. The Lease agreement is ultimately between the landlord and the Legislative Assembly.

The policy for leasing constituency office space has been in place since 1987. It was updated and formalized as Board of Management Policy #1.06 on December 2, 1999. With the changes to the Members' Allowances, Indemnities and Expenses effective for the 19th Legislative Assembly, the policy was formalized in the Members' Handbook under Clause 114 – Constituency Office Space.

With the approval of the Board of Management, a Member may choose to have office space in more than one community within their constituency where the need can be justified. A Member must not make any commitment towards a rental or lease agreement without prior approval of the Board. The procedure to obtain Board of Management approval requires that the Member:

- Locate at least two office spaces in the community or communities that will serve the Member's needs. Following a competitive process, evaluate the office spaces based on cost, size and the Member's needs.
- Identify a preferred office space and negotiate with the landlord for a monthly rental rate;
- Submit a request to the Board of Management for approval to lease for the office space. The request must include information regarding the size of each office space in square meters; and
 - Provide supporting documentation from the landlord, which details the total monthly cost of the preferred office space. For comparative purposes, provide the costs of the other office spaces that were considered.

The monthly charges must include all expenses related to the lease, including any of the following expenses that may apply:

- parking;
- alarm systems;
- janitorial services;
- utilities;
- security; and
- telephone lines.

Following Board approval, a contract will be prepared between the Legislative Assembly and the landlord. The lease agreement will be between the Legislative Assembly and the landlord, and payments will be made directly to the landlord. No payments will be made directly to the Member.

Members must not make any commitment towards a rental or lease agreement without prior approval of the Board of Management.

AUTHORITIES

- Members' Handbook – Section: Constituency Office Space; Clause 114, Constituency Offices
- Section 42(1)(b) of the *Legislative Assembly and Executive Council Act*

PRINCIPLES

Members should be provided the necessary resources to conduct constituency business in the proper representation of their constituents.

PROPOSAL SUMMARY

The Member requesting to lease constituency office space followed the procedures set out in the Members' Manual, Clause 114.

It is proposed the Board authorize that contracts between the lessor and the Legislative Assembly be prepared on behalf of the Member.

FACTORS

Financial:

The cost of the proposed lease per annum per square foot of office space is represented in table below.

Riding	Lessor	Annual Cost	Square Footage	Cost/Sq Ft
Shane Thompson Nahendeh	Nahendeh Developments Ltd	\$ 37, 125.00	825 sq ft	\$ 45.00/sq ft

CONSULTATION

The lease price was negotiated between the Member and the Landlord.

Nahendeh

The Member has not provided a second quote for office space availability in Fort Simpson. This location/property was approved in a previous assembly. The member will continue the lease with lessor in the same office, in the same building, for the same rental cost.

CONCLUSION

Nahendeh

The Member has followed the process set out in the Members' Handbook, Clause 114. It is therefore recommended that the Board authorize a lease to be entered into between the above-noted Landlords and the Legislative Assembly.

COMMUNICATIONS

A service contract between the Legislative Assembly and the Landlord will be prepared following Board approval. It will be forwarded to the Landlord for signing and returned to the Assembly for signature by the Clerk to consummate the service contract.

ALTERNATIVES TO RECOMMENDATIONS

The Board may wish to ask the Member to seek quotes for other locations.

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AMENDMENT TO SECTION 97: PROMOTIONAL ITEMS

PROBLEM

The Member for Kam Lake, Caitlin Cleveland, is requesting that Section 97: Promotional Items of the Members' Handbook be amended to allow for the purchase of promotional stickers.

RECOMMENDED DECISION

That the Board of Management authorize the Speaker to approve amendments to the Members' Handbook to include promotional stickers to the list of approved items in Section 97.

BACKGROUND

Section 97 of the Members' Handbook addresses promotional items that Members can purchase with their Constituency Work Expense Allowance (CWEA). The spirit and intent of allowing Members to purchase and distribute promotional items using a portion of their CWEA is to facilitate communications between the Member and their constituents.

The current policy is clear in establishing a list of specific items that are considered to be promotional items, setting a maximum cost of \$30 for products manufactured in the NWT, and \$20 for those manufactured outside of the NWT. There is also a requirement that these products must adhere to the Legislative Assembly's Visual Identity Standards and branding and contain contact information for the Member.

The list of promotional items in the Members' Handbook that are approved for purchase do not include promotional stickers.

AUTHORITIES

- Members' Handbook – Section 97

ALTERNATIVES TO RECOMMENDATION

The Board may wish to ask the Member to provide examples of the costs for promotional stickers.

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**AMENDMENT TO SECTION 97: PURCHASING LIMITS ON LEGISLATIVE
ASSEMBLY PROMOTIONAL ITEMS**

PROBLEM

Legislative Assembly Promotional Items within Public Affairs and Communications (new Visual Identity promo) are manufactured outside of the Northwest Territories and exceed the maximum stipulated within Section 97 'Promotional Items' of the Members Handbook.

RECOMMENDED DECISION

That the Board of Management approve amendments to Section 97 of the Members Handbook regarding Legislative Assembly promotional items to raise the limit to \$30 (regardless of where it is manufactured) when Members are purchasing from Public Affairs and Communications.

BACKGROUND

The Members' Handbook was adopted by the Board of Management as the official record of Board policy and, as such, is provided to all Members of the Legislative Assembly to guide them in the performance of their duties and the fulfillment of their responsibilities as elected representatives in the Northwest Territories Legislative Assembly. By working within the framework provided by the Handbook, Members may be confident that they are acting with respect for the Legislative Assembly, their constituents and their fellow Members.

The Members' Handbook Section 97 'Promotional Items' stipulates that Promotional items shall not exceed \$20 per item if manufactured outside of the Northwest Territories and \$30 per item if manufactured within the Northwest Territories. Members may also purchase, from their Constituency Work Expense Allowance (CWEA), items carried by the office of Public Affairs and Communications that meet the \$20 and \$30 purchase limit for promotional items.

AUTHORITIES

- Sections 97 – 19th Legislative Assembly Members' Handbook

PROPOSAL SUMMARY

It is proposed the Board of Management:

1. adopt and approve the amendment to the Members Handbook to raise the limit to \$30 (regardless of where it is manufactured) for Members to purchase items carried by Public Affairs.

PRINCIPLES

- The Legislative Assembly, while protected by Parliamentary privilege, must uphold the fundamental obligation of public accountability.

FACTORS

Legal

Under the current policy, legal risk is minimal as the limit to allow Members to purchase items to a maximum of \$30.00 (regardless of where it is manufactured) is specific to items carried by Public Affairs and Communications.

Financial

There is a possibility that if the rules are changed to set the limit to \$30.00, a greater portion of Members CWEA budget may be used to purchase items from Public Affairs.

ALTERNATIVES TO RECOMMENDATION

1. That no amendments be made to the Members' Handbook, section 97 and that Members are not able to utilize their CWEA to purchase promotional items carried by Public Affairs that exceed \$20 per item if manufactured outside of the Northwest Territories and \$30 per item if manufactured within the Northwest Territories.