

HALIFAX REGIONAL COUNCIL  
MINUTES

October 1, 2013

PRESENT:

Mayor Mike Savage  
Deputy Mayor Reg Rankin  
Councillors: Barry Dalrymple  
David Hendsbee  
Bill Karsten  
Lorelei Nicoll  
Gloria McCluskey  
Darren Fisher  
Waye Mason  
Jennifer Watts  
Linda Mosher  
Russell Walker  
Stephen Adams  
Matt Whitman  
Brad Johns  
Steve Craig  
Tim Outhit

REGRETS:

None

STAFF:

Mr. Richard Butts, Chief Administrative Officer  
Mr. Martin Ward, Municipal Solicitor  
Ms. Cathy Mellett, Municipal Clerk  
Mr. Liam MacSween, Legislative Assistant

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**1. INVOCATION**

The Mayor called the meeting to order at 1:01 p.m. with the Invocation being led by Councillor Outhit.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillors noted a number of community announcements and acknowledgements.

**3. APPROVAL OF MINUTES – None**

**4. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

Additions:

13.2 In Camera – Legal Matter

14.1 Councillor Outhit– Staff Report on an amendment to Administrative Order 35 respecting Procurement Policy.

**MOVED by Councillor McCluskey, seconded by Councillor Mason that the agenda, as amended, be approved.**

**MOTION PUT AND PASSED.**

**5. BUSINESS ARISING OUT OF THE MINUTES – NONE**

**6. MOTIONS OF RECONSIDERATION – NONE**

**7. MOTIONS OF RESCISSION – NONE**

**8. CONSIDERATION OF DEFERRED BUSINESS –NONE**

**9. PUBLIC HEARINGS - NONE**

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**10.1 Correspondence - NONE**

**10.2 Petitions - NONE**

**10.3 Presentations**

**10.3.1 Provincial Party Leaders**

Correspondence from Tara Erskine, Campaign Chair - PC Party of Nova Scotia was before Regional Council.

The Mayor provided an introduction of the representatives from the three Provincial Parties; Mr. Andrew Black, Progressive Conservative Party, Ms. Becky Kent, New Democratic Party and Mr. Stephen McNeil, Leader of the provincial Liberal Party. The Mayor noted that Council had waived the rules in regard to questions or debate following the presentations. The Mayor noted that each speaker would have between 15 to 20 minutes to address Council on matters of interest to the Municipality including Transportation, Water and Waste Water and strengthening the Urban Core.

The Mayor introduced Mr. Andrew Black, Progressive Conservative Candidate for Halifax Citadel - Sable Island.

Mr. Black began his presentation to Regional Council at 1:20 p.m.

Mr. Black noted that HRM is the economic engine of the Province of Nova Scotia and addressed issues surrounding outmigration, high energy rates, debt and an aging population. Mr. Black addressed that 4272 Nova Scotians have left the province over the past year and that attracting people to Nova Scotia is vital to long term prosperity.

Mr. Black stated that a PC government would improve, modernize and expand all forms of transit across the Province through the creation of a 5 year Transportation Strategy in consultation with municipal governments and the private sector.

Mr. Black outlined the Progressive Conservatives' intention to negotiate with HRM to create a Halifax Regional Transportation Authority which would merge the Halifax Harbour Bridges, Metro Transit, and other similarly aligned agencies under one roof to improve public transit in Nova Scotia's capital city.

Mr. Black addressed the Progressive Conservatives' intention to implement a Comprehensive Program Review that will help find savings for reinvestment in infrastructure projects like water and waste water upgrades

Mr. Black stated that the Progressive Conservatives recognize the importance of the strengthening HRM's urban core. Mr. Black alluded to a recent Conference of Canada study that suggested that Halifax is projected to grow by 1.7 % based on a reduction in the Harmonized Sales Tax. Mr. Black remarked that a PC government will decrease taxes, freeze power rates, and encourage job creation by making Nova Scotia a tax-free zone for small businesses.

Mr. Black stated that he believes that the arts are central to ensuring a vibrant downtown core. Mr. Black outlined a proposal by the Progressive Conservative party to create an Endowment Incentive Program whereby the Provincial and Federal Government will match private donations to arts organizations in HRM.

Mr. Black stressed the importance of attracting people back to the urban core through tax incentives and increasing completion among business to encourage job growth and a stronger economy.

Mr. Black concluded at 1:36 p.m.

The Mayor introduced Becky Kent, NDP MLA for Cole Harbour - Eastern Passage, as the New Democratic Party's representative to address Council

Ms. Kent began her presentation at 2:00 p.m.

Ms. Kent stated that she served as a Councillor for HRM in the past and understands first hand, the concerns of municipalities.

Ms. Kent outlined that NDP will work with HRM to attract new-comers and investment opportunities and stated that the NDP are committed to competing for more jobs in HRM. Ms. Kent referenced the 11,500 shipbuilding jobs that the NDP government have secured for HRM.

Ms. Kent addressed the shared goals of her party and Regional Council in attracting young people to the area.

Ms. Kent outlined the NDP government's stance on Transportation. Ms. Kent referenced the current service exchange with respect to transportation between the Province and HRM. Ms. Kent stated that she understands the pressures that Council face regarding reliable public transportation and that the NDP is always open to working with HRM to explore amending that service agreement.

Ms. Kent outlined the NDP's past and present support regarding Active Transportation including the NDP's involvement in building new mixed use trails, a relationship in which they will continue to build on to encourage healthy lifestyles and the connectivity of communities.

Ms. Kent acknowledged that wastewater and water management is an important issue for municipalities and that costs in these areas are a concern, especially in designated growth areas. Ms. Kent stated that the NDP will work with all levels of government to find a cost sharing agreement for water and wastewater management. Ms. Kent suggested that opportunities may be available within the Build Canada Fund.

Ms. Kent addressed HRM's 5 year Capital Improvement plan and that NDP government was happy to work with HRM on the shipbuilding program, Nova Centre, Central Library and HRM by Design. Ms. Kent stated that the NDP government has supported the HRM charter and various Legislative Requests from the Municipality. Ms. Kent stated that the NDP government would continue to work with HRM to strengthen the Urban Core.

Ms. Kent concluded her presentation at 2:12 p.m.

Mr. McNeil began his presentation at 3:12 p.m.

The Mayor introduced Mr. Stephen MacNeil, Leader of the Opposition and Leader of the Liberal Party of Nova Scotia.

Mr. McNeil began his presentation by stating that the relationship that his party and Regional Council should start with one of mutual respect and thanked Councillors for work that they have been doing in their communities.

Mr. McNeil recognized the need for Liberals to get involved in transit and stated that if his party formed government that they would provide a \$ 2 million investment as a funding partner in Metro Transit. Mr. McNeil reiterated that his party does not want to be in the transit business but rather a funding partner. Mr. McNeil also made reference to funding for alternative transportation societies for rural parts of HRM and the Province.

Mr. McNeil focused on HRM`s Infrastructure and stated that it is important to lay out a collective plan of priorities in which a his government would work to communicate to the Federal Government.

Mr. McNeil stated that he would like to continue working on a Memorandum of Understanding (MOU) regarding service exchange with the province, an initiative that was taken on by a past provincial government. Mr. McNeil stated that he would work with the Union of Nova Scotia Municipalities to establish common goals in terms of responsibility of provincial services and municipal services.

Mr. McNeil addressed local challenges such as the issue of protecting lighthouses. Mr. McNeil stated that a mature province needs to recognize the history of these structures and the municipal and provincial leaders can work together with community groups to take this to the federal government.

Mr. McNeil identified opportunities to work together with HRM to enhance the growth of the Discovery Centre with help from the private sector.

Mr. McNeil stated that his party, if elected, would address the issue of land use. Mr. McNeil asserted that he views land use as the responsibility of the municipality and recognized that the provincial government has to be involved in consultations regarding land use but ultimately must respect the decisions of Council.

Mr. McNeil stated that the biggest single challenge is to build on the trust issue between the province and HRM. Mr. McNeil stated that he believes the provincial government and HRM should be partners in decision making province should not be making unilateral decisions on issues that impact HRM.

Mr. McNeil stated that a Liberal government will work with HRM to develop the waterfront on both sides of the harbour and the port so that goods and services can be moved all around the province. Mr. McNeil commented that a strong and vibrant economy in HRM will lead to strong and vibrant rural economy and will benefit the rest of the province.

Mr. McNeil concluded his presentation at 3:23 p.m.

## **11. REPORTS**

### **11.1 CHIEF ADMINISTRATIVE OFFICER**

#### **11.1.1 Duke Tower Lease Proposal, Suite 418**

A staff report dated September 12, 2013 was before Council.

**MOVED by Deputy Mayor Rankin, and seconded by Councillor Karsten, that Halifax Regional Council authorize the Mayor and Clerk to enter into an Amending Agreement to the current lease at Duke Tower, between Crombie REIT (Landlord) and Halifax Regional Municipality (Tenant), pending Ministerial Approval, for the subject premises as outlined in the recommendation report dated September 12, 2013.**

Councillor Mason inquired as to the whether or not the lease terms will be declassified to the public after the negotiations are completed.

Mr. Peter Stickings, Manager of Real Property, replied that as soon as the lease is signed by both parties that it will be declassified and released to the public.

Councillor Mason inquired as to the length of the lease in question. Mr. Stickings replied that the head-lease for HRM's space in Duke Tower is a ten year term and will expire in 2021.

Councillor McCluskey asked Mr. Stickings if there is enough space at Alderney Gate to accommodate the staff that are being transferred given the recent move of staff from Alderney Gate to the Ferry Terminal. Mr. Stickings stated that an assessment of Alderney Gate was completed and the space available there is fully programmed.

Councillor McCluskey asked for an update on the future use of 90 Alderney Drive, the former Dartmouth City Hall, as the report had not been brought forward yet.

Mr. Stickings indicated that the report will be coming to Council in the near future and that a recommendation for the future use of 90 Alderney Drive could be paired with that report.

Councillor Fisher inquired as to whether a shorter term sublease could be arranged in

the event that the current World Trade and Convention Centre building is acquired in the next five years. Mr. Stickings replied that the time on the current lease arrangement is in keeping with the process associated with the Trade Centre.

Councillor Fisher asked for further explanation as to why 3000 square feet of space could not be found at Alderney Gate and whether or not space at 90 Alderney Drive could be used. Mr. Stickings affirmed that Alderney Gate is currently programmed for internal staff requirements. Mr. Stickings also stated that 90 Alderney Drive represents 30,000 square feet of space of which having 10 percent occupancy would not be an efficient use of the space. Further to this, staff must first address the motion by Council to consider the use and disposition of 90 Alderney Drive.

Councillor Nicoll noted that the report mentioned functional improvements to the fourth floor of City Hall and asked the CAO to engage Council on this matter. Mr. Terry Gallagher, Manager of Facility Development stated that he has commenced engagement with staff in the Councillor Support Office relating to improvements to the fourth floor of City Hall.

Councillor Hendsbee stated that he would like to ensure that the Councillors get input in that process as well. Councillor Hendsbee also commented that he would like to see a Committee of the Whole presentation on the future use of municipal office spaces. The presentation should include future moves, timeframes, and consolidations where possible, and a clear strategy ensuring that assets are being utilized efficiently.

Councillor Craig inquired as to whether or not Government Relations and External Affairs staff must be in one location as stated in the report. Mr. Gallagher responded that it is important to have the group in one space for the effective management of the unit. Currently, this department is split and efficiencies have been identified by having all of the unit in same location.

Councillor Craig asked how many staff members are in the group that requires space. Mr. Gallagher replied that there are approximately 15 staff members.

Councillor Craig asked how much space will be available in City Hall after the renovations are complete. Mr. Gallagher noted that there may be about 2000 square feet available.

Deputy Mayor Rankin commented that the motion is subject to Ministerial approval. Mr. Richard Butts, Chief Administrative Officer, stated that Ministerial approval is a Charter requirement when entering into contracts where certain amounts of money are being spent over a period of time.

**MOTION PUT AND PASSED.** (16 in favour; 1 opposed)



Those voting in favour: Mayor Mike Savage; Deputy Mayor Reg Rankin; and Councillors Dalrymple; Hendsbee; Karsten; Nicoll; McCluskey; Mason; Watts; Mosher; Whitman; Johns; Adams; Walker; Craig; Outhit

Those voting against: Councillors Fisher

### **11.1.2 2013 Fall Debenture and Temporary Borrowing Resolution**

A staff reported dated August 28, 2013 was before Council.

**MOVED by Councillor Karsten, and seconded by Councillor McCluskey, that Halifax Regional Council:**

- 1. Authorize the Mayor and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance, subject to interest rate confirmation not to exceed 5.0%, to enable the Halifax Regional Municipality to issue a 10-year debenture of \$3,670,000; and**
- 2. Halifax Regional Council approve a Temporary Borrowing Resolution (TBR) of \$ 97,630,153 for financing of the debt funded portion of 2013/14 and previous years' capital projects.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

### **11.1.3 Signing of the Federation of Canadian Municipalities' Annual Conference and Trade Show, 2018 Hosting Agreement**

A staff report dated September 20, 2013 was before Council.

**MOVED by Councillor Karsten, and seconded by Councillor Walker, that Halifax Regional Council authorize the Mayor and Clerk to sign the Hosting Agreement for the 2018 FCM Annual Conference and Trade Show on behalf of the Municipality.**

Councillor Karsten expressed that the Federation of Canadian Municipalities is growing and represents over 90% of Canadians coast to coast.

Councillor Hendsbee stated that it would be an honor to host the FCM conference in Halifax again and that Halifax is able to accommodate the growing number of delegates that will be travelling as a result of this conference.

**MOTION PUT AND PASSED UNANIMOUSLY**

## **11.2 AUDIT AND FINANCE STANDING COMMITTEE**

### **11.2.1 Commercial Taxation – Moving toward a Three-Year Average Assessment**

A report from the Audit and Finance Standing Committee dated September 19, 2013 was before Regional Council.

**MOVED by Councillor Karsten, and seconded by Deputy Mayor Rankin that Halifax Regional Council add to the proposed legislative changes a request to work with Service Nova Scotia and the Property Valuation Services Corporation (PVSC) to change the commercial tax assessment so it is based on three past years of assessment rather than one year.**

The Mayor indicated that the discussion this item may be interrupted to accommodate the presenters from the Provincial parties.

Councillor Karsten stated that there was an agreement at the Audit and Finance Standing Committee after this was discussed that this is the appropriate action with regard to commercial tax assessments.

Councillor McCluskey added that it is new building construction that causes spikes in assessments. She stated further that three (3) year averaging would be detrimental to small businesses as they will ultimately carry the tax burden imposed by larger businesses erecting new buildings. Councillor McCluskey stated that she views this as unfair and will not be supporting the motion.

Councillor Hendsbee stated that a presentation on this matter would be helpful for the Councillors and the viewing public. The Mayor replied that there was a presentation given at Audit and Finance and would see if it could be made available.

The Mayor noted that the guest scheduled to address Council had arrived and that the discussion on this matter would have to be interrupted. Discussion on the matter was suspended at 1:58 p.m.

The discussion on this item resumed at 2:12 p.m.

Mr. Bruce Fisher, Manager of Financial Policy and Planning, gave a presentation entitled Commercial Assessment Averaging, which was also given to members of the Audit and Finance Standing Committee at the meeting of September 18, 2013. Mr. Fisher outlined that moving to a three year average with respect to Commercial assessment will allow more predictability, as to what businesses can expect in assessments.

Deputy Mayor Rankin stated that in his experience, the three top concerns for small business owners are power rates, lack of skilled labour, and unpredictability in taxes and that three year averaging could address at least one of those concerns.

Councillor Outhit remarked that there is a need to help small businesses in HRM and a need to find a way to target tax initiatives to small businesses. He suggested that moving to a three year averaging system is a step in the right direction and asked whether or not this can be applied to help small businesses deal with assessment spikes as opposed to that of larger businesses.

Mr. Fisher stated that it is difficult to tie a property tax structure based with commercial tax structure. In many cases spikes are driven by the underlying value of the land which can be more difficult for smaller businesses.

Councillor Adams inquired as to whether or not businesses will pay the same amount of tax but just spread over three (3) years under this proposed system.

Mr. Fisher responded that what businesses will pay is dependent on where the tax rates are set for years two and three. Mr. Fisher stated that the system is about smoothing out increases and decreases in assessments and providing commercial tax payers more predictability and time to adjust to assessment increases.

Councillor Adams noted that that staff needs to explore options regarding the freezing of assessments and potentially eliminating the use of the assessment system.

Councillor Watts noted that the Audit and Finance Standing Committee had passed two motions requesting further information on targeting small business and other commercial taxation options and she looks forward to receiving those reports.

Councillor Fisher asked whether this system is a tool that Council is looking for that may or may not be used and whether or not implementation of those tools would be back before Council for further debate.

Mr. Fisher responded that staff's suggestion is that this system is a tool which Council could use if that is what it decides. It would have to be brought back before Council to be implemented at a later date.

Councillor McCluskey inquired as to who pays the differences in the three averaging system. Mr. Fisher responded that other businesses will pay the differences.

Further discussion on the matter ensued.

Councillor Whitman stated that he would not be able to support the motion as taxes will be paid from neighboring businesses.

Councillor Dalrymple left the meeting at 2:58 p.m.

Councillor Karsten noted that he is still supporting the motion and acknowledged Councillor McCluskey's concerns regarding spikes in assessment are correct. Councillor Karsten commented that Council is not carving anything in stone and that the

direction for staff is to see what yields can be gained with the averaging system and that Council should support the motion.

Councillor Whitman asked for clarification on Councillor McCluskey's previous question regarding who pays the differences in tax over the three year average.

Mr. Bruce Fisher stated that under the proposed system assessment spikes will be smoothed out over the three (3) year averaging. Taxes that would have been collected in years one and two would need to be shifted across the commercial assessment base unless Council determined otherwise.

**MOTION PUT AND PASSED.** (11 In favour; 5 opposed)

Those voting in favour: Mayor Mike Savage; Deputy Mayor Reg Rankin; and Councillors Karsten; Nicoll; Fisher; Mason; Watts; Mosher; Walker; Craig; Outhit

Those voting against: Councillors Hendsbee; McCluskey; Adams; Whitman; Johns

Not present for the vote: Councillor Dalrymple

### **11.3 SPECIAL EVENTS ADVISORY COMMITTEE**

#### **11.3.1 Friends of the Halifax Common Exception Committee**

A report from the Special Events Advisory Committee dated September 13, 2013 was before Council.

**MOVED by Councillor Johns, and seconded by Councillor McCluskey that Halifax Regional Council approve a one-time event grant from the 2013/14 Marketing Levy Special Events Reserve (MLSER), Q315, in the amount of \$5000 to the Friends of the Halifax Common Association to fund the event Celebrate the Common 250.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present for the vote: Councillor Dalrymple.

### **12. MOTIONS - NONE**

### **13. IN CAMERA**

The mayor requested a motion to move to In-camera.

**MOVED by Councillor Walker and Seconded by Councillor McCluskey to convene to In Camera**

**MOTION PUT AND PASSED.**

Council convened to In-camera at 3:26 p.m. Council resumed the public session at 4:38 p.m.

**13.1 Labour Relations**

**13.1.1 CUPE 108 Memorandum of Understanding – Private and Confidential Report**

This item was considered during an In Camera session. Council ratified the following motion in public session:

**MOVED by Councillor Walker and seconded by Councillor McCluskey, That Halifax Regional Council:**

- 1. Approve the signing of the revised Winter Works Memorandum of Understanding (MOU) between HRM and CUPE Local 108 to allow coverage over the 2013/14 Winter season; and**
- 2. That the MOU not be released to the public until the MOU has been ratified by CUPE Local 108**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present for the vote: Deputy Mayor Rankin; Councillors Adams; Johns.

**13.2 Legal Matter – Oral**

This matter was discussed In Camera.

**14. ADDED ITEMS**

**14.1 Councillor Outhit – Staff report on Amendment to Administrative Order 35**

This item was added to the agenda during approval of the order of business.

Councillor Outhit remarked that the purpose of this added item is to provide Halifax Regional Council with the information required in order to consider local benefit in the procurement evaluation process.

**MOVED by Councillor Outhit and seconded by Councillor Nichol that Halifax Regional Council request a staff report that outlines the options for, the pros and cons of, an amendment to Administrative Order 35 to permit consideration of**

**local benefit in the evaluation of submissions for procurement. The report would include the limitations imposed by the various trade agreements that impact the HRM.**

Councillor Johns requested that the staff report address whether the policy could contain a formula for local companies based on a percentage range of dollar value against bids by foreign or non-local companies and whether or not this percentage is taken into consideration in the procurement process.

Councillor Fisher requested that the report address the matter of awarding bonus points for local procurement and the effect it would have on the local economy.

Councillor Nicoll requested that the report address how to weigh the benefits of a local procurement policy, and how such a policy will impact HRM's operating expenses.

Councillor Hendsbee requested that the staff report include a matrix of measurement that outlines the benefit that local businesses have on the local economy. The report should illustrate contributions made by local companies such as property tax and income tax contributions, community support programs, and local endorsements and how these factors can be taken in to consideration in terms of procurement.

Councillor Mosher requested that the report address the definition of 'local' as it relates to procurement. The report should address the importance of supporting local businesses with the importance of ensuring fiscal responsibility for taxpayers. The report should clearly define HRM's mandate with regard to local procurement.

Councillor Nicoll requested that the report also include criteria to consider when considering a local firm for a Request for Proposal (RFP).

Councillor Watts requested that the report include best practices in considering the full life cycle of costs when supporting local business.

**MOTION PUT AND PASSED.** (14 in favour; 2 opposed)

Those voting in favour: Mayor Mike Savage; Deputy Mayor Reg Rankin; and Councillors Hendsbee; Karsten; Nicoll; McCluskey; Fisher; Mason; Watts; Mosher; Whitman; Johns; Craig; Outhit.

Those voting against: Councillors Adams and Walker.

Not present for vote: Councillor Dalrymple.

## **15. NOTICES OF MOTION**

### **15.1 Deputy Mayor Rankin**

“Take Notice that, at a subsequent meeting of Halifax Regional Council, I intend to bring forward a motion, as directed by Halifax Regional Council on March 5th, 2013 to adopt Administrative Order 53 respecting Alcohol in Municipally owned and operated Facilities and at Municipal Events”

The Mayor suggested that Council take a short break in preparation for the final provincial party representative.

Council took a five minute break at 3:06 p.m.

**16. ADJOURNMENT**

The meeting was adjourned at 4:42 p.m.

Cathy J. Mellett  
Municipal Clerk

**INFORMATION ITEMS**

1. Proclamation – Children’s Vision Month – October 2013
2. Proclamation – Halifax Common Day – October 4, 2013
3. Memorandum from the Chair of the Audit and Finance Standing Committee dated September 19, 2013 re: Investment Policy Advisory Committee Report – Quarter Ending March 31, 2013
4. Memorandum from the chair of the Audit and Finance Standing Committee dated September 20, 2013 re: Investment Activities – Quarters Ending March 31, 2013
5. Memorandum form the Municipal Clerk dated September 23, 2013 re: Requests for Presentation to Council – None.