

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL COMMITTEE OF THE WHOLE MINUTES December 5, 2001

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Robert P. Harvey
Councillors: Steve Streach
Gary Hines
Keith Colwell
Ron Cooper
Harry McInroy
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Diana Whalen
Linda Mosher
Len Goucher
Reg Rankin
Gary Meade

ABSENT:

Councillors: Blumenthal (regrets)
Adams
Johns

STAFF:

Mr. George McLellan, Acting Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Julia Horncastle, Assistant Municipal Clerk

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The meeting was called to order at 3:00 p.m.

1. APPROVAL OF MINUTES - November 6, 2001

Councillor Cunningham referenced his motion on page 3 of the minutes and requested the words "recommendation in the" be inserted before the word report.

MOVED by Councillor Cunningham, seconded by Councillor Hetherington, that the minutes be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

2. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

MOVED by Councillor Hines, seconded by Councillor Goucher, that the Order of Business be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. HARBOUR SOLUTIONS

MOVED by Councillor Rankin, seconded by Councillor Cunningham, that the motion made by Councillor Cunningham on November 6, 2001 respecting the approval in principle of the recommendation of the Proposal Selection Committee, tabled at that meeting, be taken up from the table. MOTION PUT AND PASSED.

MOVED by Councillor Rankin, seconded by Councillor Cunningham that it be recommended to Council that:

- 1. Council adopt the recommendation of the Proposal Selection Committee of the Halifax Harbour Solutions Project, as presented to Council on October 29, 2001.**

In response to this recommendation, Council accept, in principle, the recommendation and direct staff to enter into negotiations with the selected Proponent. Further, that staff return to Council within a mandated time frame, with the terms of any amendments to the form of the Project Agreements that may be necessitated by a review of the current situation regarding available sites and financing for the overall project.

- 2. In reviewing the Committee's report and recommendations, that Council continue to emphasize open and objective dialogue, recognizing we have a responsibility to protect the municipality from any undue risks legally and**

procedurally.

3. **Should Council, in its review and discussion of the recommendations, opt to consider alternate courses of action citing specific Cause that represent material deviation from the RFP process and the current status of the RFP, that it abandon its current process.**

Councillor Hetherington noted for the record that the Proponent is the Halifax Regional Environmental Partnership.

The Councillor noted there is currently an "off ramp" in the RFP which allows the Municipality to change direction within fifteen years and expressed concern that this may be too long a time frame and placed the following amendment to the motion.

MOVED by Councillor Hetherington, seconded by Councillor Goucher that Halifax Regional Municipality negotiate with the Proponent (HREP) for an "off ramp" (HRM assuming operation of treatment plant) at six (6) and twelve (12) years in addition to the fifteen (15) and twenty (20) years already provided for in the agreement. MOTION PUT AND PASSED.

The motion, as amended:

MOVED by Councillor Rankin, seconded by Councillor Cunningham that it be recommended to Council that:

1. **Council adopt the recommendation of the Proposal Selection Committee of the Halifax Harbour Solutions Project, as presented to Council on October 29, 2001.**

In response to this recommendation, Council accept, in principle, the recommendation and direct staff to enter into negotiations with the selected Proponent. Further, that staff return to Council within a mandated time frame, with the terms of any amendments to the form of the Project Agreements that may be necessitated by a review of the current situation regarding available sites and financing for the overall project.

2. **In reviewing the Committee's report and recommendations, that Council continue to emphasize open and objective dialogue, recognizing we have a responsibility to protect the municipality from any undue risks legally and procedurally.**

3. **Should Council, in its review and discussion of the recommendations, opt to consider alternate courses of action citing specific Cause that represent material deviation from the RFP process and the current status of the RFP, that it abandon its current process.**
4. **that Halifax Regional Municipality negotiate with the Proponent (HREP) for an “off ramp” (HRM assuming operation of treatment plant) at six (6) and twelve (12) years in addition to the fifteen (15) and twenty (20) years already provided for in the agreement.**

Councillor Sloane emphasized that negotiations continue with DND with regards to the siting of the plant in the central Halifax community.

In response to Councillor Cooper, Mr. McLellan advised he would provide a time frame as well as information regarding the negotiating team at the time this recommendation comes before Council on December 11th.

Councillor Hines suggested the negotiating team include members of Council.

MOTION PUT AND PASSED.

4. **ADJOURNMENT**

MOVED by Councillor Hetherington, seconded by Councillor Hines, that the meeting be adjourned at 4:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

**Vi Carmichael
Municipal Clerk**