

HALIFAX REGIONAL COUNCIL
MINUTES

September 24, 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
Matt Whitman
Brad Johns
Steve Craig
Tim Outhit

REGRETS:

Councillor Stephen Adams

STAFF:

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

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1. INVOCATION

The Mayor called the meeting to order at 1:00 p.m. with the Invocation being led by Councillor Craig.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Members of Council noted a number of community announcements and acknowledgements.

Councillor Mosher joined the meeting at 1:10 p.m.

3. APPROVAL OF MINUTES – NONE

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

Additions:

- 13.1 In Camera - Property Matter – Sandy Lake Property - Councillor Hendsbee
- 14.1 Transportation Standing Committee – Letter of Support for TRANSED Conference 2018
- 14.2 Audit and Finance Standing Committee – 2013/14 Gas Tax Funding Allocation
- 14.3 Audit and Finance Standing Committee – Operational Review - Halifax Metro Centre
- 14.4 Audit and Finance Standing Committee – Halifax Metro Centre - Interim Management Agreement
- 14.5. Audit and Finance Standing Committee – Bank Accounts for Investment Purposes

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

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Award – Unit Price Tender No. 13-212, Caldwell Road and Hines Road, Pulverization – East Region

A staff report dated September 11, 2013 was before Council.

MOVED by Councillor Karsten, seconded by Councillor Nicoll, that Halifax Regional Council award Tender No. 13-212, Caldwell Road and Hines Road, Pulverization – East Region, to the lowest bidder meeting specifications, Basin Contracting Limited for a Total Tender Price of \$666,753.58 (net HST included) with funding from Project Account No. CYX01345 – Street Recapitalization, as outlined in the Financial Implications section of the September 11, 2013 report.

MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour, 0 against)

Councillor Adams was not present for the vote.

11.1.2 Award – Sole Source SAP Business Intelligence Software

A staff report dated September 3, 2013 was before Council.

MOVED by Councillor Craig, seconded by Councillor McCluskey, that Halifax Regional Council, in accordance with the sole source provisions of Administrative Order 35 Section 8(11)(A)(k):

- 1. Approve:**
 - a) The procurement of software licenses for SAP's *BA&T Data Services – Accurate Analytics Option*, and *SAP Location Intelligence by APOS* from the Province of Nova Scotia at a cost of \$292,000.80 (net HST included); and**
 - b) An annual expenditure for software maintenance of \$64,240.18 (net HST included). The software licenses and maintenance will be procured via an 'Affiliate Use Agreement' with SAP Canada Limited which allows HRM to take advantage of an existing licensing agreement between the PNS and SAP.**

2. **Direct the Chief Administrative Officer to execute the Affiliate Use Agreement for the procurement of the SAP software with annual software maintenance for a term of five (5) years.**

MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour, 0 against)

Councillor Adams was not present for the vote.

11.1.3 Award – Tender No. 13-114 - Four (4) Tandems with Plow, Wing and Insert Spreaders

A staff report dated July 23, 2013 was before the Council.

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee, that Halifax Regional Council award Tender No. 13-114, for the supply of four (4) Tandems with Plow, Wing and Insert Spreaders, to the lowest bidder meeting specifications, MacKay's Truck & Trailer, for a Total Tender Price of \$1,016,076.69 (net HST included), with funding from Project Account No. CVD01087 – Fleet Vehicle Replacement, as outlined in the Financial Implications section of the September 3, 2013 report.

Responding to questions from Councillor Karsten, Mr. Ken Reashor, Director, Transportation and Public Works, clarified that staff undertake a condition assessment of fleet equipment, which takes into account the performance and maintenance required on a vehicle. He noted that the life span of this specific equipment is about seven years, and with the new fleet focus software, staff will be able to better determine when costs are beginning to exceed the value of equipment.

Councillor Fisher noted that tenders having to do with winter works services and equipment should be dealt with earlier in the year. Mr. Reashor clarified that the intent is not to have this equipment for the upcoming season, but staff are planning for the next season.

Responding to further questions from Councillor Fisher, Mr. Reashor advised that although it is not policy, unsuccessful bidders are generally notified after a tender is awarded. Councillor Fisher requested, as a way to encourage companies to do business with HRM, that communication be improved with bidders that do not qualify, to inform them sooner that they have not qualified and the reason(s) for not qualifying.

MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour, 0 against)

Councillor Adams was not present for the vote.

11.2 GRANTS COMMITTEE

11.2.1 HRM Community Grants Program 2013-2014: Appeals

A report from the Grants Committee dated September 13, 2013 was before Council.

MOVED by Councillor Walker, seconded by Councillor Nicoll, that Halifax Regional Council approve:

- 1. Ten (10) awards as detailed in Attachment 1 of the August 27, 2013 staff report for a combined value of \$50,178 from operating account (M31 1-8004);**
- 2. Reinstatement of a grant in the amount of \$2,000 to the Williams Lake Conservation Company as detailed in Attachment 1 of the August 27, 2013 staff report;**
- 3. Amendments to the conditions of funding for the YWCA Halifax and the Community Care Network as detailed in Attachment 2 of the August 27, 2013 staff report;**
- 4. The decline of five (5) appeals as detailed in Attachment 3 of the August 27, 2013 staff report.**

Responding to an inquiry from Councillor Mosher with regard to the grant for the Williams Lake Conservation Company, Mr. Bruce Fisher, Manager, Financial Policy & Planning, indicated that he understood the terms of the grant to be acceptable as the company had permission to collect samples from private property.

MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour, 0 against)

Councillor Adams was not present for the vote.

11.3 SPECIAL EVENTS ADVISORY COMMITTEE

11.3.1 We Day Event

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

MOVED by Councillor Johns, seconded by Councillor McCluskey, that Halifax Regional Council approve a 2013/14 payment of \$50,000 to fund the hosting fee for the We Day event from the Marketing Levy Special Events Reserve (Q315).

MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour, 0 against)

Councillor Adams was not present for the vote.

12. MOTIONS - NONE

13. IN CAMERA

13.1 Property Matter – Sandy Lake Property - Councillor Hendsbee

Council agreed to move to an In Camera session to deal with this matter following the completion of all regular agenda items. Refer to page 9.

14. ADDED ITEMS

14.1 Transportation Standing Committee – Letter of Support for TRANSED Conference 2018

A report from the Transportation Standing Committee dated September 18, 2013 was before Council.

MOVED by Deputy Mayor Rankin, seconded by Councillor Dalrymple, that Halifax Regional Municipality provide a letter of support in principal for the TRANSED Conference 2018 bid.

Responding to questions from Councillor Karsten, Deputy Mayor Rankin clarified that the letter of support would come from Mayor Savage on behalf of Council, and that Dalhousie University is taking the lead on the bid to host the conference.

Councillor Dalrymple advised that the Crosswalk Safety Advisory Committee and the Transportation Standing Committee unanimously supported HRM providing a letter of support in principle for the conference bid.

MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour, 0 against)

Councillor Adams was not present for the vote.

14.2 Audit and Finance Standing Committee – 2013/14 Gas Tax Funding Allocation

A report from the Audit and Finance Standing Committee dated September 18, 2013 was before Council.

MOVED by Councillor Karsten, seconded by Councillor McCluskey, that Halifax Regional Council approve a \$2,885,800 unbudgeted reserve withdrawal from Reserve Q134 – Gas Tax Reserve, to fund Project No. CM02005 – New Transit Technology.

Responding to questions from Councillor Fisher, Mr. Greg Keefe, Director, Finance & ICT/CFO, clarified that this item was missed from the list of reserve fund transactions that were included in a motion approved during the approval of the capital budget.

MOTION PUT AND PASSED. (15 in favour, 1 against)

Those voting in favour were: Mayor Savage, Deputy Mayor Rankin, and Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Johns, Craig, and Outhit.

Councillor Whitman voted against the motion.

Councillor Adams was not present for the vote.

14.3 Audit and Finance Standing Committee – Operational Review - Halifax Metro Centre

A report from the Audit and Finance Standing Committee dated September 18, 2013 was before Council.

MOVED by Councillor Karsten, seconded by Councillor McCluskey, that Halifax Regional Council direct staff to enter into negotiations with Trade Center Limited regarding the commission received from Ticket Atlantic.

MOTION PUT AND PASSED. (14 in favour, 1 against)

Those voting in favour were: Mayor Savage, Deputy Mayor Rankin, and Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Mason, Watts, Walker, Whitman, Craig, and Outhit.

Councillor Mosher voted against the motion.

Councillors Adams and Johns were not present for the vote.

14.4 Audit and Finance Standing Committee – Halifax Metro Centre - Interim Management Agreement

A report from the Audit and Finance Standing Committee dated September 18, 2013 was before Council.

MOVED by Councillor Karsten, seconded by Councillor McCluskey, that Halifax Regional Council authorize the Mayor and Municipal Clerk to execute the Interim Management Agreement (Attachment 1 of the September 18, 2013 report) with Trade Centre Limited for the management of the Halifax Metro Centre.

MOTION PUT AND PASSED UNANIMOUSLY. (15 in favour, 0 against)

Councillors Adams and Johns were not present for the vote.

14.5. Audit and Finance Standing Committee – Bank Accounts for Investment Purposes

A report from the Audit and Finance Standing Committee dated September 18, 2013 was before Council.

MOVED by Councillor Karsten, seconded by Councillor Nicoll, that Halifax Regional Council:

- 1. Authorize staff to open accounts for investment purposes with the Canadian Imperial Bank of Commerce, Toronto Dominion Bank, Royal Bank of Canada and Bank of Montreal.**
- 2. Authorize the HRM bank signing officers for these accounts to be the Chief Administrative Officer, the Deputy Chief Administrative Officer, the Director of Finance and Treasurer and the Deputy Treasurer.**
- 3. Authorize any two of the HRM bank signing officers to execute any Agreements required and any disbursements from these accounts with the exception of transfers to other HRM bank accounts which may be authorized by one signing officer or individuals as designated by the Treasurer.**

MOTION PUT AND PASSED UNANIMOUSLY. (15 in favour, 0 against)

Councillors Adams and Johns were not present for the vote.

15. NOTICES OF MOTION – NONE

13. IN CAMERA

13.1 Property Matter – Sandy Point Property - Councillor Hendsbee

MOVED by Councillor Hendsbee, seconded by Councillor Karsten, that Regional Council move to an In Camera session to deal with the above noted matter.

MOTION PUT AND PASSED.

Council recessed at 1:50 p.m. to move to an In Camera session.

The public meeting resumed at 2:30 p.m.

MOVED by Councillor Craig, seconded by Councillor Outhit, that Regional Council agree to add a motion to the agenda to request a staff report on the expropriation process available to Council for future consideration.

The Mayor clarified for Council that a 2/3 majority vote would be required to allow adding the motion to the agenda.

MOTION PUT AND PASSED. (13 in favour, 2 against)

Those voting in favour were: Mayor Savage, Deputy Mayor Rankin, and Councillors Dalrymple, Hendsbee, Nicoll, Fisher, Mason, Watts, Mosher, Walker, Whitman, Craig and Outhit.

Those voting against were: Councillors Karsten and McCluskey.

Councillors Adams and Johns were absent from the vote.

MOVED by Councillor Craig, seconded by Councillor Outhit, that Regional Council request a staff report on the expropriation process available to Council for future consideration.

Councillor Hendsbee requested that the report discuss section 26 of the *Expropriation Act*, relating to the aggregate of items to be compensated. He noted that in the past the cost of reimbursement of expenses has been questioned by members of Council, and he would like this clarified.

Councillor Watts requested some brief, general discussion on instances when expropriation has been used by HRM in the past, to provide context for future discussions.

MOTION PUT AND PASSED. (14 in favour, 1 against)

Those voting in favour were: Mayor Savage, Deputy Mayor Rankin, and Councillors Dalrymple, Hendsbee, Karsten, Nicoll, Fisher, Mason, Watts, Mosher, Walker, Whitman, Craig and Outhit.

Councillor McCluskey voted against the motion.

Councillors Adams and Johns were absent from the vote.

16. ADJOURNMENT

The meeting was adjourned at 2:36 p.m.

Cathy J. Mellett
Municipal Clerk

INFORMATION ITEMS

1. Memorandum from the Chair of the Audit and Finance Committee dated September 13, 2013 re: First Quarter 2013/2014 Financial Report
2. Memorandum from the Municipal Clerk dated September 16, 2013 re: Requests for Presentation to Council – None