



**HALIFAX REGIONAL COUNCIL
MINUTES
January 28, 2015**

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

REGRETS: Councillor Steve Craig

STAFF: Mr. Richard Butts, Chief Administrative Officer
Mr. John Traves, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Ms. Jennifer Weagle, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

A video recording of this meeting is available:
http://archive.isiglobal.ca/vod/halifax/archive_2015-01-28_live.mp4.html

The agenda, supporting documents, and information items circulated to Council are available online:
<http://www.halifax.ca/council/agendasc/150127rc-agenda.php>

This meeting was originally scheduled for Tuesday, January 27, 2015 but due to inclement weather the meeting was rescheduled to Wednesday, January 28, 2015.

The meeting was called to order at 1:00 p.m. Council moved into an In Camera session at 1:58 p.m. and reconvened to the public session at 3:05 p.m. Council adjourned at 3:10 p.m.

1. INVOCATION

The Mayor called the meeting to order with the Invocation being led by Councillor McCluskey.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

Councillor Mosher requested that the Mayor, on behalf of Council, write a letter to the CEO of the United Way Halifax, expressing Council's appreciation for organizing the Living on the Edge Poverty Experience event on January 23, 2015, at the Halifax Central Library.

3. APPROVAL OF MINUTES – December 9, 2014

MOVED by Deputy Mayor Nicoll, seconded by Councillor Whitman, that the Regional Council minutes of December 9, 2015 be approved as amended. MOTION PUT AND PASSED.

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

Additions:

- 14.1 Award - Request for Proposals No. 14-336, Provision of Services for Collection and Transportation of Source-Separated Solid Waste

Due to time constraints, the order of business was prioritized to address the following time-sensitive items first: 11.1.1, 11.3.3, and 14.1, as well as any Notices of Motion.

Councillor Adams requested that Information Item No. 6 "Memorandum from the Director of Parks and Recreation, dated January 12, 2015, re: Administrative Order 50 – Disposal of Surplus Real Property – Latter Pond Lane" be added to the next Regional Council agenda for discussion.

MOVED by Councillor Rankin, seconded by Councillor Whitman, that the order of business 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

The Clerk noted that correspondence was received for item 11.4.1. This correspondence was circulated to Council.

For a detailed list of correspondence received refer to the specific agenda item.

10.2 Petitions - NONE

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Proposed Administrative Order SC-78, Respecting Closure of a Portion of Portland Street, Dartmouth

The following was before Council:

- A staff recommendation report dated December 15, 2014.

MOVED by Councillor McCluskey, seconded by Councillor Mason, that Halifax Regional Council adopt Administrative Order No. SC-78 as outlined in Attachment “A” of the December 15, 2014 report, to direct staff to close Parcel PSC1 of the Portland Street right-of-way immediately, as shown on Attachment “C”, to be consolidated with 90 Alderney Drive to facilitate its disposal.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Craig

11.1.2 Designation under the Fences and Detention of Stray Livestock Act

The following was before Council:

- A staff recommendation report dated November 17, 2014.

Due to time constraints, this item was deferred to the next meeting.

11.1.3 Cost Sharing Agreement – Nova Scotia Department of Transportation and Infrastructure Renewal – Rehabilitation to Various Bridges

The following was before Council:

- A staff recommendation report dated December 22, 2014.

Due to time constraints, this item was deferred to the next meeting.

11.1.4 Capital Cost Contributions

The following was before Council:

- A staff recommendation report dated December 23, 2014

Due to time constraints, this item was deferred to the next meeting.

11.2 HARBOUR EAST AND MARINE DRIVE COMMUNITY COUNCIL

11.2.1 Case 18255 – Dartmouth Municipal Planning Strategy (MPS) Amendments and Amending Development Agreement 530 Portland Street and 104 Green Village Lane, Dartmouth

The following was before Council:

- A recommendation report dated January 12, 2015 from Harbour East-Marine Drive Community Council, with attached staff recommendation report dated December 15, 2014.

Due to time constraints, this item was deferred to the next meeting.

11.3 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

11.3.1 Use of the HRM-owned Pavilion

The following was before Council:

- A recommendation report dated January 8, 2015 from the Community Planning and Economic Development Standing Committee, with attached staff information report dated December 2, 2014.

Due to time constraints, this item was deferred to the next meeting.

11.3.2 Parks and Recreation Strategic Policy Framework

The following was before Council:

- A recommendation report dated January 13, 2015 from the Community Planning and Economic Development Standing Committee, with attached 'Request for Committee's Consideration' form.

Due to time constraints, this item was deferred to the next meeting.

11.3.3 Centre Plan – Community Engagement Plan

The following was before Council:

- A recommendation report dated January 13, 2015 from the Community Planning and Economic Development Standing Committee, with attached Revised Centre Plan Community Engagement Strategy, and a recommendation report dated December 16, 2014 from the Community Design Advisory Committee.

MOVED by Councillor Mason, seconded by Councillor Watts, that the Community Planning and Economic Development Standing Committee recommend that Halifax Regional Council adopt the Engagement Strategy for the Centre Plan as revised to include input from the Community Design Advisory Committee and outlined in the document entitled, *Centre Plan, Community Engagement Strategy* dated December 5, 2014.

Councillor Watts commented on the importance of reaching out to diverse neighbourhoods and groups and inquired whether this will be tracked or measured. Mr. Bob Bjerke, Director, Planning and Development, indicated that the Stakeholder Engagement Strategy is diverse, and includes many different tools, to reach out to those that haven't been engaged in the past. He noted that staff will be looking at the type of input received to ensure that they are getting good engagement levels. Mr. Jacob Ritchie, Urban Design Manager, advised that staff have been deliberate in reporting to the Community Design Advisory Committee (CDAC) at each step of the process, and will be relying on the CDAC for guidance in terms of how well the engagement is working. Councillor Watts suggested that staff keep an annotated list of who was involved in the engagement process.

Referencing page 5 of the Engagement Strategy which indicates that a new Municipal Planning Strategy (MPS) for the Regional Centre will replace current Municipal Planning Strategies (MPS) and their associated Land Use By-laws (LUB), Councillor Watts inquired about taking the good from the current MPSs and LUBs to carry forward. Mr. Bjerke clarified that this will be a comprehensive process building on existing Plans.

Councillor Mosher noted that Regional Council had previously directed staff to re-examine urban/suburban boundaries in the Regional Plan, noting several high-rise residential developments in her district that are classified as suburban, and asked for more information on this. Councillor Dalrymple suggested that advertisements for the public meetings should be placed in all community newspapers, including suburban and rural newspapers.

Deputy Mayor Nicoll suggested that it would be beneficial for residents if staff were to help the public to better understand the difference between community boundaries, electoral districts, planning areas and sub-planning areas within Municipal Planning Strategies.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Craig

11.4 EXECUTIVE STANDING COMMITTEE

11.4.1 Campaign Finance Reform

The following was before Council:

- A recommendation report dated November 24, 2014 from the Executive Standing Committee, with attached 'Request for Committee's Consideration' form.
- Correspondence dated January 10, 2015 from Patricia Kidd.

Due to time constraints, this item was deferred to the next meeting.

11.5 MEMBERS OF COUNCIL

11.5.1 Councillor Watts – African Nova Scotia Affairs Integration Office

The following was before Council:

- An information report dated January 6, 2015 from the Executive Standing Committee, with attached staff information report dated November 21, 2014.

Due to time constraints, this item was deferred to the next meeting.

11.5.2 Councillor Adams – Formation of a Domestic Animal Advisory Committee

The following was before Council:

- A 'Request for Council's Consideration' form from Councillor Adams.

Due to time constraints, this item was deferred to the next meeting.

12. MOTIONS

12.1 Councillor Watts

That Halifax Regional Council request staff to submit requests to the Royal Canadian Mint and Canada Post for consideration to produce a Coin and Stamp respectively to commemorate the 100th Anniversary of the Halifax Explosion on December 6, 2017, and that the Mayor provide letters of support for these submissions.

Due to time constraints, this item was deferred to the next meeting.

13. IN CAMERA

13.1 Legal Advice

13.1.1 Legal Advice – Private and Confidential Report

The following was before Council:

- A Private and Confidential staff recommendation report dated January 21, 2015.

Due to time constraints, this item was deferred to the next meeting.

Private and Confidential Information Item:

1. Private and Confidential In Camera Information Report dated November 27, 2014, re: Use of the Halifax Commons for Recreational Activities

Due to time constraints, this item was deferred to the next meeting.

14. ADDED ITEMS

14.1 Award – Request for Proposals No. 14-336, Provision of Services for Collection and Transportation of Source-Separated Solid Waste

The following was before Council:

- A staff recommendation report dated January 16, 2015.

MOVED by Councillor Rankin, seconded by Councillor Whitman, that Halifax Regional Council award RFP No. 14-336, Collection and Transportation of Source-Separated Solid Waste to the highest scoring proponents for the total prices in Areas 1 to 8 as follows and as outlined in Table A of the January 16, 2015 staff report, at the monthly and other unit prices provided in the RFP responses, and in accordance with the requirements of RFP No. 14-336. The total price over four years for the collection service scope as outlined in the RFP is approximately \$60,488,373.45 plus net HST of \$2,592,531.69 for a total of \$63,080,905.14. There is an option to renew the contracts for two additional one-year periods. Funding is from the Solid Waste Operating Account R322 6399, as outlined in the Financial Implications section of the January 16, 2015 staff report and as follows:

- **Area 1/Halifax to RE Group in the amount of \$12,586,538.09 (including net HST);**
- **Area 2/Dartmouth to RE Group in the amount of \$8,591,257.81 (including net HST);**
- **Area 3/Bedford, Hammonds Plains to RE Group in the amount of \$5,330,804.72 (Including net HST);**
- **Area 4/Western to GFL in the amount of \$6,636,770.33 (including net HST);**
- **Area 5/Sackville, Fall River to GFL in the amount of \$9,721,393.61 (including net HST);**
- **Area 6/Cole Harbour, Eastern Passage to RE Group in the amount of \$6,190,737.60 (including net HST);**
- **Area 7/Preston, Lawrencetown, Chezzetcook to RE Group in the amount of \$6,595,442.97 (including net HST);**
- **Area 8/Eastern & 2 Depots operations & Haulage to Eastern Shore Cartage (3006877 NS Ltd) in the amount of \$7,426,960.01 (including net HST).**

Councillor Rankin noted that an important feature of previous solid waste contracts was the inclusion of a band to manage rising or falling gas prices to reduce risk for contractors, and to reduce costs for the Municipality, although this was not discussed in the staff report. Mr. Matthew Keliher, Acting Manager, Solid Waste Resources, advised that there is a clause within the agreements which allows for contractors to be paid an increase or the Municipality to get a rebate in the case of gas prices rising or falling 30% beyond the November rack rate.

Councillor Rankin noted that Council has the right to limit the award of a maximum of three areas to one proponent, although staff have recommended the award of five areas to one proponent. He questioned, in the interests of maintaining a healthy competitive marketplace, whether this is in the Municipality's best interest, and if this is setting a precedent. Mr. Keliher commented that staff believe the proponent in question to have a solid work plan for delivering work to service standard. He further noted that the proponent had no areas in the previous contract, which shows there is competition within the market, even for new businesses.

Responding to a question from Councillor Walker, Ms. Keliher indicated that 70% of the scoring was financially based.

Responding to an inquiry from Councillor Dalrymple, Mr. Robert Orr, Coordinator, Collection and Processing, advised that areas recommended to a new contractor are areas 1, 2, 3, 5, 6, and 7.

Councillor Karsten noted concern with the close scoring between the two proponents for area 7. He inquired as to Council's options for supporting a lower scoring proponent.

Mr. John Traves, Municipal Solicitor, clarified that Council should move to an In Camera session if it wishes to discuss contract details.

MOVED by Councillor Karsten, seconded by Councillor Rankin, that Council convene In Camera.

Councillor Whitman noted concern with the close scoring between the top two proponents in area 6, and also that there was only one proponent for area 8.

Responding to questions from Councillor McCluskey, Mr. Traves, referring to page 3 of the report, indicated that the work plan and completed form of proposals, scored out of a possible 30 points, included submissions for qualifications, experience, references, equipment, maintenance, management, personnel, customer service, training programs, safety plans, and operating plans.

MOTION TO MOVE IN CAMERA PUT AND PASSED.

Council recessed at 1:58 p.m. to move In Camera.

The public session reconvened at 3:05 p.m.

MOVED by Councillor Karsten, seconded by Councillor Rankin, that Halifax Regional Council, for the purpose of ensuring continued competitive options within the market place and in accordance with the provisions of the RFP no. 14-336 reserving the right to limit to three (3) the number of collection areas awarded, amend the main motion in order to award to the second highest scoring proponent being area three (3) and area seven (7), by awarding area three (3) to GFL Environmental in the amount \$5,242,373.78 plus net HST and awarding area seven (7) to Leo J. Beazley in the amount of \$6,338,713.74 plus net HST.

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

In favour: Mayor Savage; Deputy Mayor Nicoll, and Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Walker, Adams, Rankin, Whitman, Johns, and Outhit.

Against: Councillor Mosher

Not present: Councillor Craig

The main motion, as amended, was voted on at this time.

MOVED by Councillor Karsten, seconded by Councillor Rankin, that Halifax Regional Council award RFP No. 14-336, Collection and Transportation of Source-Separated Solid Waste to the highest scoring proponents in Areas 1, 2, 4, 5, 6 and 8 and, for the purpose of ensuring continued competitive options within the market place and in accordance with the requirements of RFP No. 14-336, reserving the right to limit to three (3) the number of collection Areas awarded, award to the second highest scoring proponent being areas three (3) and (7) at the monthly and other unit prices provided in the RFP responses. The total price over four years for the collection service scope as outlined in the RFP is approximately \$60,632,405.48 plus net HST of \$2,598,704.90 for a total of \$63,231,110.38. There is an option to renew the contracts for two additional one-year

periods. Funding is from the Solid Waste Operating Account R322 6399, as outlined in the Financial Implications section of the January 16, 2015 staff report and as follows:

- Area 1/Halifax to RE Group in the amount of \$12,586,538.09 (including net HST);
- Area 2/Dartmouth to RE Group in the amount of \$8,591,257.81 (including net HST);
- Area 3/Bedford, Hammonds Plains to GFL Environmental in the amount of \$5,467,061.92 (including net HST);
- Area 4/Western to GFL in the amount of \$6,636,770.33 (including net HST);
- Area 5/Sackville, Fall River to GFL in the amount of \$9,721,393.61 (including net HST);
- Area 6/Cole Harbour, Eastern Passage to RE Group in the amount of \$6,190,737.60 (including net HST);
- Area 7/Preston, Lawrencetown, Chezzetcook to Leo J. Beazley in the amount of \$6,610,391.01 (including net HST);
- Area 8/Eastern & 2 Depots operations & Haulage to Eastern Shore Cartage (3006877 NS Ltd) in the amount of \$7,426,960.01 (including net HST).

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

In favour: Mayor Savage; Deputy Mayor Nicoll, and Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Walker, Adams, Rankin, Whitman, Johns, and Outhit.

Against: Councillor Mosher

Not present: Councillor Craig

15. NOTICES OF MOTION

15.1 Councillor Dalrymple

"Take notice that, at the next meeting of Halifax Regional Council to be held on February 3, 2015, I propose to introduce proposed Administrative Order 2014-018-ADM, Respecting Grants to volunteer Search and Rescue Organizations, the purpose of which is to provide for cash grants from the Municipality to volunteer search and rescue organizations located within the geographic boundary of the Halifax Regional Municipality to support and promote volunteer participation in emergency preparedness, emergency response, public safety, and the provision of compassionate aid to citizens."

15.2 Councillor Johns

"Whereas the Local Improvement Policy usually requires approval by the property owners receiving the local improvement, who collectively own at least 50% of the total frontage; and

Whereas the Local Improvement Policy allows Council to initiate or proceed with a project without such approval if Council determines the project ins in HRM's best interest;

Take notice that, at the next meeting of Halifax Regional Council, to be held on February 3, 2015, I intend to introduce a motion to direct staff to prepare a report for Regional Council recommending whether or not to proceed with the paving of Canavan Drive, Beaver Bank and where the Local Improvement Charges will apply."

15.3 Councillor Mosher

"Take notice that, at the next meeting of Halifax Regional Council to be held on February 3, 2015, I propose to move two motions respecting:

1. Administrative Order 2014-020-GOV, *Respecting Marketing Levy Special Event Reserve Grants*, which will include repealing the “Civic and Events Granting Framework and Policy” adopted by Council on March 27, 2007; and
2. Administrative Order 2014-021-GOV, *Respecting Regional Special Events Grants*.

the purpose of these Administrative Orders are to increase efficiency, equity and transparency in Municipal event grant funding.”

16. ADJOURNMENT

Meeting adjourned at 3:10 p.m.

Cathy J. Mellett
Municipal Clerk