

HALIFAX REGIONAL COUNCIL  
MINUTES

May 1, 2012

PRESENT:

Mayor Peter Kelly  
Deputy Mayor Bill Karsten  
Councillors: Barry Dalrymple  
David Hendsbee  
Lorelei Nicoll  
Gloria McCluskey  
Darren Fisher  
Jackie Barkhouse  
Jim Smith  
Mary Wile  
Jerry Blumenthal  
Dawn Sloane  
Sue Uteck  
Jennifer Watts  
Russell Walker  
Debbie Hum  
Linda Mosher  
Stephen Adams  
Brad Johns  
Robert Harvey  
Tim Outhit  
Reg Rankin  
Peter Lund

REGRETS:

Councillor Steve Streach

STAFF:

Mr. Richard Butts, Chief Administrative Officer  
Mr. Martin Ward, Acting Municipal Solicitor  
Ms. Cathy Mellett, Municipal Clerk  
Ms. Shawnee Gregory, 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 Watts.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillors noted a number of acknowledgements and community events.

At Councillor Blumenthal's request, a moment of silence was held in honour of Mr. Ray Ross, a resident of the North End who had worked as a school crossing guard for many years.

Councillor Adams requested that the Mayor send a letter of condolence to Mr. Bob Richard's and his family on the passing of his wife.

**3. APPROVAL OF MINUTES – Regional Council March 27 (Revised) & April 3, 2012 and Committee of the Whole – April 2 & 3, 2012**

Amendment:

Committee of the Whole, April 3, 2012, Page 5 – youth *advocate* rather than *mentorship*

Councillor Hum thanked staff for the revised March 27, 2012 minutes; advising she would not make any additional changes. She stated that Council meeting recordings could be purchased from the Office of the Municipal Clerk, if residents were interested.

**MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the minutes of March 27 (Revised) & April 3, 2012 and the Committee of the Whole minutes of April 2, 2012 be approved as presented and that the Committee of Whole minutes of April 3, 2012 be approved as amended. MOTION PUT AND PASSED.**

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

Additions:

- 12.1 Councillor Hendsbee – Request for staff report re: possible acquisition of waterfront property for parkland use in Seaforth
- 12.2 Transportation Standing Committee Recommendation re: Metro Transit Ferry Evening Service
- 12.3 Birch Bear Run Homeowner's Association, District 23, Request for Uniform Charge Allocation – Councillor Lund
- 12.4 Information Report 3 – Free Transit Senior's Day – Councillor Blumenthal

**MOVED by Councillor Blumenthal, seconded by Councillor Sloane that the agenda be accepted 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. CORRESPONDENCE, PETITIONS & DELEGATIONS
  - 9.1 Correspondence – None
  - 9.2 Petitions - None
10. REPORTS
  - 10.1 CHIEF ADMINISTRATIVE OFFICER
    - 10.1.1 Sole Source Award for Lighting Efficiency Projects with ENSC (Efficiency Nova Scotia Corporation)

A report dated April 20, 2012 was before Council.

**MOVED by Councillor Nicoll, seconded by Councillor Smith that, in accordance with Section 8(11)(m) of Administrative Order #35, The Procurement Policy, Halifax Regional Council award Project IDs 2375 (Eric Spicer Building) and 1573 (Acadia School) (Terms and Conditions and Project Summaries attached to the report dated April 20, 2012) as a sole source purchase to Efficiency Nova Scotia Corporation (ENSC) for a Total Project Cost of \$55,306.33 (net HST included) with funding from the 2011-2012 Project Budget, Project No. CBX01161 – Energy Efficiency Projects, as outlined in the Budget Implications section of the report dated April 20, 2012. MOTION PUT AND PASSED.**

- 10.1.2 Tender 12-236 – Street Planer Patching, Phase 1 – Various Locations

A report dated April 3, 2012 was before Council.

**MOVED by Councillor McCluskey, seconded by Councillor Fisher that Halifax Regional Council award Tender No. 12-236, Street Planer Patching – Phase 1, Various Locations to the lowest bidder meeting specifications, Dexter Construction Company Limited for a total Tender Price of \$534,152.89 (net HST included) with funding from Project Account No. CYX01345 – Street Recapitalization, as outlined in the Budget Implications section of the report dated April 3, 2012. MOTION PUT AND PASSED.**

**10.1.3 Enabling Legislation – Emera Phase 2 Oval Improvements, Halifax Common**

A report dated April 20, 2012 was before Council.

**MOVED by Councillor Sloane, seconded by Councillor Blumenthal that Halifax Regional Council approve the Resolution (Attachment A to the report dated April 20, 2012) requesting the necessary act of the Provincial Legislature authorizing the Municipality to erect a permanent building structure and common areas on the Halifax North Common required to house the Oval ice resurfacers, washrooms, equipment storage, and interior and exterior common areas. MOTION PUT AND PASSED.**

**10.2 AUDIT & FINANCE STANDING COMMITTEE**

**10.2.1 First Reading Proposed Amendments to Administrative Order 35, Respecting Procurement Policy**

A report dated April 19, 2012 from the Audit & Finance Standing Committee was before Council.

**MOVED by Councillor Walker, seconded by Councillor Wile that Halifax Regional Council give First Reading of the proposed amendments to Administrative Order 35, as outlined in Attachment “A” of the April 1, 2012 staff report with the inclusion of the following bullet for Section 9 Award of Contracts, Sub-sections 4 & 5, as amended on April 18, 2012 by the Audit & Finance Standing Committee, to read:**

**“Where, the Request for Tender is awarded to a supplier based on achieving best value, with best value being determined by an evaluation method and weighted scale of each factor that is contained within the tender documents.”**

A discussion on the motion ensued with staff responding to questions of clarification.

Ms. Anne Feist, Manager of Procurement, advised that the majority of proposed amendments came from a variety of sources, in particular the new Public Procurement Act, which requires that the Policy be amended slightly to state some of the things that are already in the Policy in a manner that is consistent with the Public Procurement Act.

Ms. Feist stated that some of the proposed changes regarding the disposal of surplus assets included a framework where if HRM is unable to sell a surplus asset it may look at other cost effective methods of disposal; noting that it was entirely consistent with that part of the policy to dispose of the surplus asset to a non profit community group. She advised that the evaluation criteria in an RFP was set based on that particular requirement; it could be set in terms of a technical requirement, in combination with the costing and that was weighed to provide best value; noting that the technical criteria was usually set by an evaluation team of experts or stakeholders.

Regarding the disposal of surplus assets, Ms. Feist advised that four essential elements of the policy form the framework for the disposal program including redistribution or reuse of the surplus assets within the Business Units or ABCs, going out to auction, cost effectiveness when an asset is unable to be sold which was where donations could come into play, and the donation of significant assets which would be done through Council.

Councillor Dalrymple advised Council that the donation of smaller surplus assets, such as furniture, was currently being dealt with between the Environment and Sustainability and Audit and Finance Standing Committees.

**MOTION PUT AND PASSED.**

**10.3 SPECIAL EVENTS ADVISORY COMMITTEE**

**10.3.1 HRM (Halifax Regional Municipality) Hallmark Event Grant Renewals**

A report dated April 19, 2012 from the Special Events Advisory Committee was before Council.

**MOVED by Councillor Uteck, seconded by Councillor Sloane that Halifax Regional Council approve the renewal of nine (9) Hallmark Event grants from the 2012/2013 Marketing Levy Special Event Reserve (Q315) for a revised total of \$385,000, as listed below and amended on April 18, 2012 by the Special Events Advisory Committee, and subject to the Budget Implications section of the January 11, 2012 staff report:**

- 1) \$90,000 to the Royal Nova Scotia International Tattoo
- 2) \$60,000 to the Blue Nose International Marathon (an increase of \$10,000)
- 3) \$50,000 to the Halifax International Buskers festival
- 4) \$40,000 to the Atlantic Jazz festival
- 5) \$40,000 to the Atlantic Film festival
- 6) \$40,000 to the Halifax Pride festival (a one time increase of \$15,000 for their anniversary year)
- 7) \$25,000 to the Shearwater East Dartmouth Minor Hockey Association (SEDMA) International Hockey Tournament
- 8) \$15,000 to the Scotia Festival of Music
- 9) \$25,000 to the Halifax Pop Explosion (an increase of \$15,000)

**MOTION PUT AND PASSED.**

**10.3.2 Festival and Events Grant Funding Request – First Intake**

A report dated April 19, 2012 from the Special Events Advisory Committee was before Council.

**MOVED by Councillor Uteck, seconded by Councillor Johns that Halifax Regional Council approve the 2012-2013 Festival and Events grant awards of \$23,700**

funded from the 2012/2013 Operating Budget Account No. C760 Community/Civic Events as identified in Table 1, page 3 of the February 24, 2012 staff report.  
**MOTION PUT AND PASSED.**

**11. MOTIONS**

**12. ADDED ITEMS**

**12.1 Councillor Hendsbee – Request for Staff Report Re: Possible Acquisition of Waterfront Property for Parkland Use in Seaforth**

**MOVED by Councillor Hendsbee, seconded by Councillor Fisher that Halifax Regional Council request a staff report for consideration of acquisition of waterfront property for parkland use in Seaforth. MOTION PUT AND PASSED.**

**12.2 Transportation Standing Committee Recommendation re: Metro Transit Ferry Evening Service**

A report dated April 27, 2012 from the Transportation Standing Committee was before Council.

Correspondence was submitted from John Holm, Chair of the Waterfront Development Corporation; John Pearce, on behalf of Transport Action Atlantic; Bryn Jones-Vaillancourt; Tammi Hayne; and Mr. Paul MacKinnon, on behalf of the Downtown Halifax Business Commission.

**MOVED by Councillor Watts, seconded by Councillor McCluskey that Halifax Regional Council defer the implementation of the cuts to ferry service until the end of August and direct staff to prepare a staff report regarding funding options to maintain status quo service.**

A discussion on the motion ensued with staff responding to questions.

Councillor Watts indicated that the Transportation Standing Committee had reviewed this issue as referred by Regional Council on April 24, 2012 and, through discussion with staff, had learned that cuts to the ferry service would commence on May 21, 2012. She stated that the Committee was also advised that funding was available within the Metro Transit budget to extend the service until the end of August 2012. This extension would not impact the current 2012/13 budget. She indicated that staff could review options, including financial implications, and potential partnerships, for Council to make a decision at the end of August.

Mr. Eddie Robar, Director of Metro Transit, advised that the deficit of extending service beyond August 2012 would be addressed in 2013/2014 via an increase in the transit rate, through fares or a decrease in services.

Several members of Council stressed the importance of the ferry to downtown Halifax and Dartmouth businesses and residents; particularly the new residents who would soon be living in the Kings Wharf development. It was also noted that HRM should be trying to encourage residents to leave their cars at home.

Several members of Council expressed concern that several bus routes in other Districts had been affected during the budget deliberations, leaving residents with no other commuting alternatives.

Mayor Kelly reminded Council that they would have the opportunity to have a full debate on this matter when the report was received in June; advising that the discussion before them was whether or not to defer the implementation of cuts until August.

Councillor Mosher stated for the record that Council could not increase the transit rate as they had already approved a motion regarding the tax bills and an increase would not be within the policy direction that Council provided.

Councillor Rankin stated for the record that there were over 6000 conventional bus and ferry service hours that were cut across HRM during the budget; 5000 of those hours being conventional bus routes; noting that balance should be achieved within the service standards.

A recorded vote was requested.

**MOTION PUT AND PASSED. (18 in favour, 5 against)**

Those voting in favour of the motion were Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Hendsbee, Hum, McCluskey, Nicoll, Outhit, Rankin, Sloane, Smith, Uteck, Watts, and Wile.

Those voting against were Councillors Harvey, Johns, Lund, Mosher, and Walker.

Councillor Streach was absent for the vote.

**12.3 Birch Bear Run Homeowner's Association, District 23, Request for Uniform Charge Allocation – Councillor Lund**

**MOVED by Councillor Lund, seconded by Councillor Rankin that Halifax Regional Council approve up to \$6,000 to be allocated from the Uniform Charge for the Birch Bear Run Homeowner's Association for two entrance signs to the Birch Bear Run subdivision. This approval is conditional on the availability of funds following completion of the construction of the new playground.**

Councillor Lund advised that the community had funds remaining in the area rate funds and they would like to use them for entrance signs.

It was noted that a staff report would ordinarily be required for such a request.

**MOVED by Deputy Mayor Karsten, seconded by Councillor Sloane that Halifax Regional Council request a staff report regarding the possibility of approving up to \$6,000 to be allocated from the Uniform Charge for the Birch Bear Run Homeowner's Association for two entrance signs to the Birch Bear Run subdivision.**

A discussion on the motion ensued.

Mayor Kelly advised that the report was to ensure funds were still available and that the process was followed.

Several members of Council expressed concern that Council was becoming involved in this process as area rates are approved by Council so homeowners may spend the funds.

Mr. Martin Ward, Acting Municipal Solicitor, advised that the Rules of Order state that Council cannot vote on a motion brought before Council or via a presentation until a staff report comes back.

Mayor Kelly advised that the process changes to area rates should also be verified.

**MOTION PUT AND PASSED.**

**12.4 Information Report 3 – Free Transit Seniors' Day – Councillor Blumenthal**

An information report dated January 13, 2012 was before Council.

Correspondence dated April 30, 2012 from Mr. Bill VanGorder, Canadian Association of Retired Persons (CARP) Nova Scotia Chapter.

Councillor Blumenthal stated that while he knew the Transportation Standing Committee had turned this idea down, seniors would soon be losing the number 3 bus even though there were more seniors moving to HRM and there would be nine seniors' manors in the North End as of 2013. He advised that over 3000 people had signed a petition in support of the idea of a Free Transit Seniors' Day; noting this would not be an every day service and would provide an important opportunity for seniors to get out and try using transit and it would also help Metro Transit gain passengers. Councillor Blumenthal asked that the service not start until the number 3 stops running on August 8, 2012. In closing, he asked if Transit staff would appear before the Senior Advocacy Board to see if they or the Province had any funding for the service.

**MOVED by Councillor Blumenthal, seconded by Councillor Sloane that Halifax Regional Council direct staff to initiate a Free Transit Day for Seniors on Tuesdays during off peak hours after August 8, 2012.**

Discussion on the motion ensued with staff responding to questions.

Mr. Robar advised that a senior would be defined by the age of 65 and the reduced cost of a seniors' transit pass would stay in place even with the free day.

Mr. Robar also confirmed that if the service was approved, there would be a cost and it would represent a deficit in the transit budget which would be carried over to the following year with a resulting increase in tax or a decrease in service.

Councillor Rankin rose on a point of order to state that a deficit could not be forecast in advance.

Deputy Mayor Karsten expressed concern that, along with some seniors, there were other low income groups and he wondered how Council could deny them a free transit day as well.

Mr. Ward clarified that this matter had been previously considered via an information report to Council in fall of 2011 and the conclusion was that the budget in the end was uncertain; noting staff would not know the effect of such a service would be until all the service was evaluated.

Mr. Mike Labrecque, Deputy Chief Administrative Officer, further clarified that if this motion was to proceed, Council would be accepting a budget risk of at least \$150,000.

Councillor Uteck pointed out that the number 3 bus had been lost after being reinstated due to ridership being down.

Councillor Watts advised that she was not prepared to make a decision on this matter without further information regarding the impact of the transit strike and the recovery of ridership; noting her concern with the impact of the strike on transit fares.

**MOVED by Councillor Watts, seconded by Councillor Lund that Halifax Regional Council defer a decision on this matter pending a staff report to provide additional information on ridership trends to be brought forward at the end of July 2012. MOTION PUT AND PASSED.**

Mayor Kelly requested that members of Council forward any additional questions they may have to Metro Transit staff.

### **13. NOTICES OF MOTION**

#### **13.1 Councillor Sloane**

Take notice that, at the next regular Regional Council meeting, to be held on Tuesday, the 15<sup>th</sup> day of May 2012, I intend to introduce a motion to request a report on rent control and if such legislation by the Province of Nova Scotia would be beneficial to the success of the Centre Plan.

#### **13.2 Councillor Walker**

Take notice that, at the next regular Regional Council meeting, to be held on Tuesday, the 15<sup>th</sup> day of May 2012, I propose to move approval of the proposed amendments to Administrative Order 35.

**14. ADJOURNMENT**

The meeting was adjourned at 3:28 p.m.

Cathy J. Mellett  
Municipal Clerk

## **INFORMATION ITEMS**

1. Proclamation – Cystic Fibrosis Canada Awareness Month – May 2012
2. Proclamation – Global Love Day – May 1, 2012
3. Memorandum from Chair, Transportation Standing Committee dated January 13, 2012  
Re: Free Transit Seniors' Day
4. Memorandum from Director, Community & Recreation Services dated April 24, 2012  
Re: Downtown Halifax (HRM by Design) Site Plan Approval Process (To be circulated)
5. Memorandum from the Municipal Clerk dated April 24, 2012  
Re: Requests for Presentation to Council – None