

**HALIFAX REGIONAL COUNCIL
COMMITTEE OF THE WHOLE
MINUTES**

November 22, 2005

PRESENT:

Mayor Peter Kelly
Deputy Mayor Russell Walker
Councillors: Steve Streach
Krista Snow
David Hendsbee
Gloria McCluskey
Andrew Younger
Bill Karsten
Becky Kent
Jim Smith
Mary Wile
Patrick Murphy
Dawn Sloane
Sue Uteck
Sheila Fougere
Debbie Hum
Linda Mosher
Stephen Adams
Brad Johns
Robert P. Harvey
Len Goucher
Reg Rankin
Gary Meade

REGRETS:

Councillor Harry McInroy

STAFF:

Mr. Wayne Anstey, Acting Deputy Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Jan Gibson, Municipal Clerk
Ms. Chris Newson, Legislative Assistant

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1. **CALL TO ORDER**

The Deputy Mayor called the meeting to order at 1:37 p.m.

2. **APPROVAL OF THE MINUTES - November 8, 2005**

MOVED BY Councillor McCluskey, seconded by Councillor Sloane that the minutes of November 8, 2005 be approved as circulated. MOTION PUT AND PASSED.

Council agreed to move agenda Item 5. Municipal Rural Infrastructure Fund forward to be dealt with immediately following the approval of the minutes.

5. **MUNICIPAL RURAL INFRASTRUCTURE FUND**

- A report dated November 9, 2005 was before Council.

Ms. Jennifer Church, Coordinator, Intergovernmental Affairs, presented the report. She explained that the MRIF (Municipal Rural Infrastructure Fund) is a cost sharing program; 1/3 of the funding to come from each the federal, provincial and municipal levels of government. An approximate maximum of \$14.8 m in funding will be available to HRM. There will be program requirements surrounding those funds such as a percentage used to target "green infrastructure". The eligible project categories are: water, waste water, solid waste, transit, culture, recreation, tourism, environmental, energy, local roads and broadband activity. She added there are other potential funding opportunities for transit.

The general infrastructure criteria, approved by Council on October 18, 2005, used by staff to prioritize all infrastructure requirements is as follows:

1. Strategic Importance
2. Risk
3. Fiscal Considerations
4. Capacity
5. Success Likelihood

Ms. Church advised that stormwater/wastewater projects were prioritized using the Stormwater and Wastewater Priority Rating Process approved by Council on February 1, 2005. She explained that additional MRIF criteria, such as 80% of MRIF funding to be allocated to rural projects (rural as defined in the proposed Regional Plan) and 20% elsewhere, was approved by Council on October 25, 2005. The communities of Herring Cove and Kinsac are to be considered "rural" for the purpose of MRIF criteria consideration.

Ms. Church concluded her presentation by referring Council to the proposed MRIF projects as outlined in Attachment A of the staff report dated November 9, 2005.

The following comments were raised during the ensuing discussion by Council:

Councillor Rankin expressed concern with the amount of funding allocated for bikeways/trails in the urban area. He explained there are much needed improvements required for the current transit service, specifically during peak times, but Metro Transit does not have the buses to provide that service. He indicated that he would prefer a better balance of the bikeways/trails allocation with transit. Councillor Rankin added that the \$4.5 m for bikeways/trails would not “do” anything for some areas such as along the #3 highway. He added that he would like to ensure that areas such as Herring Cove, parts of Dartmouth and Bedford, that are looking for more frequent transit service, are provided that service.

MOVED BY Councillor Rankin, seconded by Councillor Johns that the Committee of the Whole direct staff to prepare a report outlining a better balance of the \$4.5 million currently allocated for bikeways/trails and that the funds be distributed between bikeways/trails and transit.

Councillor Rankin further commented that if there are residual funds, rural areas are to be considered for express bus service in accordance to the key elements in the Regional Plan regarding transportation. He explained that the Regional Plan made a good case for express bus service in the Eastern Shore, Prospect and Tantallon areas. He added that if there is an opportunity to identify areas for express bus service then that should have context in the allocations for regional infrastructure.

He further clarified that the motion is in regard to the 20% urban allocation of the MRIF program.

Ms. Betty MacDonald, Director, Governance & Strategic Initiative, responded to Councillor Hum indicating that transit issues and priorities will be before the Committee of the Whole for discussion next week. She further advised that there is transit funding expected to come forward within the next two years.

Councillor McCluskey confirmed that transit problems in Dartmouth have to be addressed as commuters are being left on the side of the road as buses are full and connections are being missed.

Councillor Adams commented that if there is additional transit money coming forward (approximately \$23 m for Nova Scotia), perhaps the motion to include transit in the allocation of MRIF funds may be premature. He added that he would rather see the money go toward sewer and water as he is not comfortable supporting the motion if there is a significant amount of transit funding coming forward. He agreed with the request for a staff report.

Councillor Fougere arrived at 1:47 pm.

Councillor Rankin clarified for Councillor Murphy that his motion was not pertaining only to the allocation of bikeways/trails/transit funds for District 22, the motion is pertaining to the amount allocated in general. He explained that the amount is too much for bikes/trails when investment

in transit is required to increase the levels of service.

Councillor Meade requested Hammonds Plains be considered for transit service as the community is paying an area rate but has no transit service.

Councillor Fougere advised that the report indicates the Bikeways/Trails priorities would be set by the Regional Trails Advisory Team (page 4 & 7 of the staff report). She requested the Bikeways Advisory Committee's input be included. She also expressed concern with the possible shifting of MRIF money as only two of the MRIF projects are urban. She agreed that transit service is of huge importance across the municipality but some of the projects identified on the bikeways/trails list have been put off annually as funding has not been available. She added those projects are important in the urban core and have been left behind.

Councillor Rankin commented that the general benefit in the urban areas would be to address current levels of transit service as the frequency of phone calls he receives are in regard to transit service. He added that he will be relieved if there is assurance in the staff report that other programs (funding sources) will address the transit issues. He added that the current level of transit service takes precedence over bikes/trails.

The Deputy CAO clarified for Council that under the MRIF program, "urban" is defined as anything that is not designated as "rural", rural being defined as per the Regional Plan. The \$4.5 m designated for Bikeways/Trails will be spent under "urban" defined as per the program and not necessarily the "urban core". If money were taken from the bikeways/trails and used for transit, those transit funds would be used in the urban area as described by the MRIF program and may include suburban areas.

Ms. Betty MacDonald offered further clarification to Council on the definition of "urban" and "rural" in regard to the MRIF program explaining that the Lively Sewer and Water project is considered to be in an urban settlement area although it is surrounded by a rural area.

Councillor Hendsbee requested clarification on whether North Preston is considered urban or rural as his understanding is that it should be considered urban for this program. Ms. MacDonald is to confirm with Councillor Hendsbee.

Councillor Uteck commented that HUGA (Halifax Urban Greenway Association) has waited patiently for seven (7) years for a trail. She added that Council has already approved funding for a study. She commented that she does not want to see any money lost for Bikeways/trails.

Ms. MacDonald presented a table (shown on Elmo but not circulated) showing existing funding as approved in the capital budget. She added that some of the funding has been allocated in previous capital budgets and some will have to come from the new capital budget.

Deputy Mayor Walker clarified for Councillor Kent that the motion under consideration is only to readdress the bikeways/trails funding amount and not to remove that amount.

At this time a vote was taken on the motion on the floor regarding the 20% urban allocation of

the MRIF.

MOVED BY Councillor Rankin, seconded by Councillor Johns that the Committee of the Whole direct staff to prepare a report outlining a better balance of the \$4.5 million currently allocated for bikeways/trails and that the funds be distributed between bikeways/trails and transit. MOTION PUT AND PASSED.

The Municipal Clerk confirmed for Council that the motion was for a review and reconsideration by staff, in a subsequent report, of the bikeways/trails area with a total of \$4.5 m. She further clarified that the motion is in regard to the 20% urban portion of the MRIF allocation.

MOVED BY Councillor Streach, seconded by Councillor Kent that the Committee of the Whole recommend Regional Council approve the direction on the projects as outlined in the Attachment A of the staff report dated November 9, 2005, as priority projects for the MRIF application relative to the 80% rural allocation.

Councillor Younger expressed concern with the priority ranking as outlined in the staff report (page 9). He added that he has concerns with the thirty-nine (39) homes in the Spider Lake area which is in both the urban and rural commuter shed designations (as per the MRIF criteria). The Spider Lake matter only came forward a week ago, after Council received the staff report. There will be a cost of approximately \$25,000 per lot to the residents for water. He advised that the residents of Spider Lake go to Cole Harbour Place for water. Councillor Younger indicated that according to the priority ranking in the staff report, his understanding is that Spider Lake would be a number one priority.

Ms. MacDonald and Mr. Brad Anguish, Director, Environmental Management Services, clarified for Council that the priority ranking criteria for Water, Stormwater and Wastewater projects was approved by Council on February 1, 2005. Mr. Anguish added that the number one criteria for ranking of projects is Legal/Liability and that the projects at the top of the priority list are those systems at great risk. He indicated that existing service must be maintained as per the standards set forth by province. The merits of the Spider Lake extension may be reviewed.

Mr. Carl Yates, General Manager, Halifax Regional Water Commission (HRWC), added that the HRWC's priorities are based on existing customers first. He explained that the HRWC would like to extend water service to Spider Lake if there was money available but that is not possible under the current system.

Councillor McCluskey expressed concern that there are no provisions in the MRIF criteria for interchanges.

Councillor Adams, in response to comments heard during discussions on the MRIF program, commented that the MRIF does not provide sufficient funding toward infrastructure. In regard to risk due to legal/liability as a criteria for priority, he suggested that the projects be done in phases so that more projects with a possible legal liability could be commenced. He further recommended a list of additional projects be forwarded for consideration in case one of the

projects on the current priorities list is not approved.

Councillor Goucher suggested the Mayor contact the federal government and ask for an increase in the MRIF funding or alternatively, an increase to the percentage for HRM as 20% is not sufficient. He expressed concern with the cost to the residents for servicing of the Millview area. He added that Millview is fully in the urban core (surrounded by the Bedford South Masterplan area) and has serious water/sewer problems. He requested that full or partial infrastructure support be found for the residents of the Millview area through the MRIF program. He added that there may be some liability on HRM's part as HRM approved the Bedford South Masterplan in 1998.

Ms. MacDonald clarified for Councillor Fougere that staff will come back with a prioritized list and options including other available funding sources for projects (such as the Transit Fund).

Councillor Adams described the seriousness of the Herring Cove sewer/water situation commenting that the residents have compromised their position by eliminating Phase 4 of the Herring Cove Sewer/Water project in order to make the project somewhat affordable (cost of the project is in excess of \$14 m) and placed the following amendment:

MOVED BY Councillor Adams, seconded by Councillor Hendsbee, that the motion be amended to reflect that projects that are in progress or underway, that are being phased, to be considered as alternatives should the projects as outlined in Attachment A not be accepted.

Councillor Streach expressed concern with the amendment as it may jeopardize projects currently on the list.

Councillor Meade also expressed concern that some projects, such as those outlined in Attachment B, may not be considered if the amendment passes.

Ms. MacDonald clarified for Councillor Johns that the projects on the list were prioritized based on the criteria previously approved by Council but the list has not as yet been further prioritized. Councillor Johns commented that he is not completely in support of the amendment as some of the projects that would be considered by Councillor Adams' motion would be on private property and HRM has an obligation to secure its (public) facilities first in accordance with the first three priorities listed on page 9 of the staff report (Legal/liability, Compliance and Operational Efficiency).

Councillor Streach requested clarification from staff on whether or not projects such as Herring Cove were considered under the 80% rural allocation of the MRIF program. Mr. Anguish confirmed that the Herring Cove project was considered. Councillor Streach commented that the amendment is therefore redundant as the matter has been addressed.

MOVED BY Councillor Younger, seconded by Councillor Karsten that Committee of the Whole session continue until 3:30 pm. MOTION PUT AND PASSED.

Councillor Adams clarified that his amendment is not intended to compromise projects already on the list. The motion is to add an additional list of projects, that have already been started, for consideration for MRIF funding.

A vote on the amendment was taken at this time.

AMENDMENT PUT AND PASSED.

A vote was now taken on the motion as amended:

MOVED BY Councillor Streach, seconded by Councillor Kent that the Committee of the Whole recommend Regional Council approve the direction on the projects as outlined in the Attachment A of the staff report dated November 9, 2005, as priority projects for the MRIF application relative to the 80% rural allocation; and projects that are in progress or underway, that are being phased, to be considered as alternatives should the projects as outlined in Attachment A not be accepted. AMENDED MOTION PUT AND PASSED.

MOVED BY Councillor Adams, seconded by Councillor Goucher that the Committee of the Whole direct staff to prepare a staff report outlining the criteria for projects such as Herring Cove where the project is underway with a phasing agreement and whether there are funds available for those projects under the MRIF program. MOTION PUT AND PASSED.

MOVED BY Councillor Goucher, seconded by Councillor Walker that the Committee of the Whole recommend Regional Council write to the federal and provincial counterparts asking for an increase in MRIF funding for HRM. MOTION PUT AND PASSED.

3. COUNCIL DIRECTION - 2006/2007 BUSINESS PLANNING & BUDGETING PROCESS

Deferred to the next Committee of the Whole session due to time constraints.

4. COUNCIL FOCUS AREA - INFRASTRUCTURE

Deferred to the next Committee of the Whole session due to time constraints.

5. MUNICIPAL RURAL INFRASTRUCTURE FUND

This item was dealt with earlier in the meeting. See page 3.

6. ADJOURNMENT

The Committee of the Whole session adjourned at 3:30 pm.

Jan Gibson
Municipal Clerk