

HALIFAX REGIONAL COUNCIL
COMMITTEE OF THE WHOLE
MINUTES
March 6, 2007

PRESENT:

Mayor Peter Kelly
Deputy Mayor Sue Uteck
Councillors Krista Snow
David Hendsbee
Gloria McCluskey
Andrew Younger
Bill Karsten
Jim Smith
Mary Wile
Patrick Murphy
Dawn Sloane
Sheila Fougere
Russell Walker
Debbie Hum
Steve Adams
Robert Harvey
Gary Martin
Reg Rankin

REGRETS:

Councillors: Steve Streach
Harry McInroy
Becky Kent
Linda Mosher
Brad Johns
Gary Meade

STAFF:

Mr. Wayne Anstey, Deputy Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Jan Gibson, Municipal Clerk
Ms. Julia Horncastle, Legislative Assistant
Ms. Sheilagh Edmonds, Legislative Assistant

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1. **CALL TO ORDER**

The meeting was called to order at 10:15 a.m.

2. **APPROVAL OF MINUTES - February 20, 2007**

MOVED by Councillor Wile, seconded by Councillor Martin, that the minutes of February 20, 2007, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. **AWARD OF TENDERS - GRASS CUTTING AND LANDSCAPE MAINTENANCE - VARIOUS LOCATIONS**

The following motion from the February 20, 2007 Committee of the Whole was before Council for consideration.

MOVED BY Councillor Mosher, seconded by Councillor McCluskey, that the Committee of the Whole recommend that Regional Council authorize:

1. **The award of ten (10) grass mowing and landscape maintenance tenders listed in the background section of the staff report dated February 14, 2007, with a total award of \$903,930.51 (net HST included) for the period May 1 to November 1, 2007 with funding from Operating Account R710, Grounds and Landscaping as outlined in the Budget Implications section of the staff report dated February 14, 2007 and that;**
2. **The second, third and fourth year award would be contingent upon an annual performance review and budget allocation at a total cost of \$903,903.50 (net HST included) per year and would return to Regional Council for approval.**

In response to questions from members of Council, staff advised:

- All fields have the same cutting standards,
- The difference between an "A" and a "D" field would be the lining and amenities available,
- Staff is working with many community groups in the development of partnership agreements,
- Staff ensure that the grass does not exceed four inches in height and the problem with cutting shorter than four inches may result in loss of overall quality of the fields if the weather turns,
- Part of the contract states staff will be working with the contractors during tournaments

- and special events to ensure quality of fields,
- In addressing weed problems in right-of-ways, staff is working to coordinate a better approach to that service level,

Councillor Murphy joined the meeting at 10:31 a.m.

- Staff will try to address the CN right-of-ways on streets and forward a report to Council, noting staff have met with CN officials,
- If areas are missed in the contract, the contractor may identify these areas and can have them added to the contract,
- Care of corner lots is the responsibility of the property owner,
- Although there is no plan in place currently, staff are in discussions with Metro Transit to address areas that abut bus stops,
- Tenders and contracts state that customer service must be at a high level and safety standards in contracts must fall within occupational health and safety and HRM guidelines,
- Grass cutting in the Capital District will be done by contract services and the shrubbery and horticultural services will be done by HRM staff in house,

Councillor Younger joined the meeting at 10:45 a.m.

- Shrubby around bus stops will be taken into consideration under the Crime Prevention Through Environmental Design (CPTED) guidelines and will be cut back if they are identified as a safety hazard.

MOTION PUT AND PASSED UNANIMOUSLY.

4. REGIONAL CAPITAL COST SHARE FOR WASTEWATER SYSTEM

Mr. Paul Dunphy, Director, Community Development, presented the report to Council noting:

- The report is focussing on regional wastewater charges,
- If Council agrees with what is presented then staff will finalize the calculations to the charge and bring back a By-Law that is consistent with the principles endorsed by Council at this meeting,
- The charge being discussed is the charge for sewage treatment plants and the major infrastructure that supports the sewage treatment plants,
- The charges that relate to oversizing on master plan areas will still be in place and will not be affected by this charge which is superimposed on top of the master plans,
- The Regional Plan is one of the fundamentals for this charge.

Mr. Peter Duncan, Manager, Community Development, outlined the powerpoint presentation

for Council outlining:

- Context,
- Infrastructure Charges Study,
- Regional Wastewater System,
- Methodology,
- Uniform Rate,
- Revenue,
- Next Steps.

In response to Mayor Kelly as to remaining capacity and the planned capacity expansion, Mr. Duncan advised that the majority of the thirty to thirty five million dollars represents investments in the Harbour Solutions project for the Halifax, Dartmouth and Herring Cove plants.

On further question from the Mayor, Mr. Duncan advised the Eastern Passage, Mill Cove and Tantallon plants are in the ten to eleven million dollar number as presented.

Mr. Paul Dunphy, Director, Community Development advised that when HRM collects Capital Cost charges it is only for the unused capacity, the capacity being used by new development. In the case with Eastern Passage much of the upgrade is for existing users; therefore, new developers cannot be charged for the upgrade of the plant for existing users. The existing users can be charged for the expansion of the capacity and the expansion of that capacity at a secondary standard of treatment. He advised HRM will receive full recovery of the capacity which is being created for development as secondary servicing standard from this charge. The increased service being provided to the existing homeowner is the responsibility of the municipality.

In response to Councillor Younger as to how the problem of escalating costs for construction will be addressed, staff advised this is addressed by the five year review. The Councillor went on to state that this has to be closely addressed in the By-Law.

MOVED by Councillor Rankin, seconded by Councillor McCluskey, that Council approve, in principle, the approach on the capital cost relating to storm water and sewage.

In response to Councillor Hendsbee, Mr. Duncan advised vacant undeveloped land has never been charged for wastewater treatment, the landowner is taxed on the value of land. If an on site septic system is not connected to a sewer system then there is no charge and the biosolids facility has made an allowance to deal with the capacity that is being used by on site septic haulers.

In response to Councillor Fougere, Mr. Duncan advised there will be two residential fees, one

for multiple units such as condo and apartment developments and one for single family homes. The Councillor expressed concern that HRM may be pricing itself out of the development market and requested information on fees currently charged by both the municipality and other levels of government be provided at the time the By-Law comes forward.

Mr. Dunphy advised staff would take the original study and show what this adds to the total cost, noting it is less than half a percent. He advised staff needs to be able to present to Council a running tally of where HRM is with municipal charges and what each new charge would add.

Councillor Fougere stated it is important that this be provided but there needs to be a comparison to the economy elsewhere. There is a need to look at the long term as well as the impacts.

Council recessed at 12:00 p.m.

The meeting reconvened at 1:52 p.m. with the following members present:

Mayor Peter Kelly, Deputy Mayor Sue Uteck and Councillors: Snow, Hendsbee, McCluskey, Younger, Karsten, Smith, Wile, Murphy, Sloane, Fougere, Walker, Hum, Harvey, Martin, and Rankin. Also present were: Ms. Geri Kaiser, Acting Chief Administrative Officer, Ms. Mary Ellen Donovan, Municipal Solicitor, and Ms. Jan Gibson, Municipal Clerk.

The following motion was on the floor:

MOVED by Councillor Rankin, seconded by Councillor McCluskey that Council approve, in principle, the approach on the capital cost contribution relating to storm water and sewage.

Following a brief questioning of staff the **MOTION WAS PUT AND PASSED.**

5. HARBOUR SOLUTIONS COMMUNITY INTEGRATION

- A copy of a PowerPoint presentation entitled, Harbour Solutions Community Integration Fund, Halifax Community Liaison Committee was submitted.

Mr. Jim Donovan, Manager of Economic Development, addressed Council and introduced Mr. Mark van de Wiel, advising that he was Community Development Officer with the Greater Halifax Partnership; and Mr. Craig Walkington, Chair, Halifax Community Liaison Committee.

Mr. Donovan provided background information on the development of the Community

Integration Funds and advised that the Halifax Community Liaison Committee (CLC) concluded that their fund should be used to set up a community development entity versus allocation for community infrastructure. He noted that the integration funds for Dartmouth and Herring Cove have been allocated for community infrastructure. With regard to the Halifax CLC, Mr. Donovan advised that staff have worked with the group to develop an approach for ongoing community investment in the form of a “community investment fund” model.

At 2:01 p.m. Councillors Murphy and Younger entered the meeting.

Highlights of Mr. Donovan’s presentation are as follows:

- C The Starting Principles of the Community Investment Fund are:
 - C Respond to Community needs
 - C Sustainability
 - C Avoid Duplication
 - C Accountability
 - C Accessibility
 - C Community Participation and Transparency
 - C Sound Management Practices
 - C Maintain Community Focus
- C Saint John, New Brunswick has a similar project called the Saint John Community Loan Fund - began in 1999 and is small and limited in scope; funded mostly from individuals and businesses in the community; it has a proven track record and has generated new income and provided savings
- C The CLC model would have a management board set up and working with the Greater Halifax Partnership.

In conclusion, Mr. Donovan advised that staff were seeking Council’s approval in principle to advance the concept of the community investment fund, and pending Council’s approval, the next steps would be as follows:

- C work with CLC to establish a governance structure
- C consult with other service providers re: partnering
- C develop business architecture (business plan, financials)
- C incorporate approach into service agreement with GHP
- C new service agreement with GHP to be brought forward for Council’s consideration - end of March/early April

Councillor Sloane thanked the volunteer members of the Halifax Community Liaison Committee for their dedication over the past five years. She added that, with the aid of HRM staff, the Committee met extensively and worked hard at getting to this stage.

MOVED by Councillor Sloane, seconded by Councillor Karsten that Regional Council

approve, in principle, the concept of the Community Investment Fund as outlined in the March 6, 2007 staff presentation, and that staff proceed with the next steps as follows:

- C work with CLC to establish a governance structure**
- C consult with other service providers re: partnering**
- C develop business architecture (business plan, financials)**
- C incorporate approach into service agreement with GHP**
- C new service agreement with GHP to be brought forward for Council's consideration - end of March/early April**

Staff and Mr. Walkington responded to questions of Council.

The following comments by Council were noted:

- C some concern was expressed that this may result in additional requests of this nature to come forward.
- C ensure that the fund is self sustaining and that a lot of the fund is not used for administration costs;
- C encouragement to the CLC to keep up their diligence to ensure the money goes back into the community.

Councillor Uteck noted that the Harbour Solutions Advisory Committee rejected this concept twice, and the reason being was because the opportunity was not given to Dartmouth or to Herring Cove. She questioned why the option did not come about for the other two areas, and how many employees would be on the management board.

In response, Mr. Donovan advised that the other two communities were quick to act on their funds, adding that the concept presented today was an idea which came from the Halifax CLC. Further, Mr. Donovan pointed out that the administration of the fund will be through the Greater Halifax Partnership which has no interest in taking an administration fee.

Deputy Mayor Uteck advised that in 1999 Regional Council passed a resolution that the Community Integration Fund could only be used for infrastructure purposes. She questioned how this matter was now being considered by Regional Council given the Council resolution in 1999 and, also, that it came before the Advisory Committee twice and was turned down.

In response, Mr. Brad Anguish, Director, Environmental Management Services advised that staff cannot find any reference that this idea by the CLC was turned down at Advisory Committee level. He added that the Advisory Committee did recommend this matter come before Regional Council. Referring to Deputy Mayor Uteck's remark that Regional Council,

in 1999, approved the funds for infrastructure only, Mr. Anguish advised that he was not aware of this, but would check into it. Mr. Anguish also pointed out that the Terms of Reference of the Community Liaison Committee do not preclude this option, and that Legal Services have verified the Terms to ensure it is within boundaries of the Terms of Reference. Mr. Anguish explained that the CLC is responsible for determining the outcome for their funds and they bring this either directly to Regional Council or through staff to Regional Council. He added that, in all cases the CLC's were monitoring each other's progress and knew the types of activities each were working on.

In reference to Deputy Mayor Uteck's comments, Councillor Rankin advised that there was an expectation that the Community Integration funds would be dealing with projects. He noted that the scope is there for the respective communities to deem what they thought was important in their particular community, and the criteria was sufficiently broad.

Deputy Mayor Uteck added that she clearly recalled on two occasions the Advisory Committee rejected that this matter come before Regional Council.

The Chair pointed out that staff have indicated they do not have this information but will review those points.

Councillor Younger advised that it was unfortunate that Councillor Kent could not be in attendance today to participate in the discussion. He explained that the committee in her area had asked about a fund but were told they had to spend the money on a trail connection if they wanted a trail connection constructed.

The Chair requested staff respond to this statement.

Mr. Brad Anguish noted that decisions made by the Dartmouth Community Liaison Committee (CLC) predate his involvement. He advised that he was not able at this time to respond, and that he would have to look into the matter.

Mr. Ted Tam, Project Manager, Harbour Solutions Project, addressed Council and advised that his recollection of the matter was that the Dartmouth CLC approached HRM to fund a study to determine what the residents want. At that time, Council approved a certain amount of funding on the condition that if the CLC decided to spend the \$1 million based on the outcome of the study, then that amount had to come out of the \$1 million. After the study the Dartmouth CLC supported the use of the money to fund trails.

Councillor Younger clarified his concern advising that Dartmouth wanted a trail connection but one of the questions Councillor Kent asked was if the trail in front of the Halifax Plant will now not get done. He added that he was not willing to support the motion until he receives clarification. He asked if the trail was going to be done through the capital budget or will it not

be done and the funding go to the Integration Fund.

Mr. Anguish advised that staff have made the Halifax CLC aware of the regional trails opportunities, however, they have chosen not to go that route. As a result, the regional trail opportunity will occur when the capital plan can allow it to occur. Mr. Anguish added that the question of trail reinstatement was referred to Parks and Trails staff who, in turn, advised that the best investment for HRM would be to put the portion back in front of the plant in a trail format. He pointed out that this was done within the cost of reinstatement that would have had to been incurred by the contractor.

Councillor Younger advised that he would support the motion. He added that it was his understanding, from the Committee meeting, that before this issue was to come to Council, there would be a detailed answer on those issues because Councillor Kent had asked for clarity. He suggested that in the coming weeks Councillor Kent would be seeking clarity and that he would also like some clarity around those issues.

At 2:52 p.m. Councillor Fougere entered the meeting.

Deputy Mayor Uteck pointed out that recently Young Avenue had been torn up, with one side being torn up twice and, in regard to the median, the best reinstatement for it was to fix the entire median otherwise there were going to be drainage issues. She added that Dexter Construction, under Harbour Solutions contract guidelines, only had to reinstate it to the previous condition of what was there and, therefore, currently on Young Avenue there is a new curb on one side and a sunken curb on the other, in which rain pools. Deputy Mayor Uteck questioned how Dexter could reinstate the area in front of the Halifax plant as a trail because it was never a trail, given that under the contract, Dexter is only supposed to reinstate it to what it was previously .

In response, Mr. Ted Tam explained that the contract with Dexter states that whatever they disturb, they have to reinstate it to what it was. He advised that there are sidewalks in front of the Halifax Plant and staff, knowing what the wishes of the residents and parks staff were, were able to talk to Dexter to get the work done to meet their expectation and without any extra cost to HRM. This was carried out with Dexter and they agreed to forego the sidewalk and provide a trail and there was no additional cost under the Harbour Solutions contract.

Deputy Mayor Uteck pointed out that the park at the corner of Barrington and Inglis Streets was ripped apart for Harbour Solutions work and she questioned if staff were going into negotiations with Dexter on this park.

Deputy Mayor Uteck requested a supplementary report on cost vs. cost and how HRM could not cost share on Young Avenue to fix an obvious drainage problem.

In closing debate, Councillor Sloane advised that the concept is a very positive idea and will help the community for years.

THE MOTION WAS PUT AND PASSED.

The motion reads as follows:

That Regional Council approve, in principle, the concept of the Community Investment Fund as outlined in the March 6, 2007 staff presentation, and that staff proceed with the next steps as follows:

- C work with CLC to establish a governance structure
- C consult with other service providers re: partnering
- C develop business architecture (business plan, financials)
- C incorporate approach into service agreement with GHP
- C new service agreement with GHP to be brought forward for Council's consideration - end of March/early April

2. ADJOURNMENT

The meeting adjourned at 2:57 p.m.

Jan Gibson
Municipal Clerk