

HALIFAX REGIONAL COUNCIL
MINUTES

July 10, 2012

PRESENT:

Mayor Peter Kelly
Deputy Mayor Bill Karsten
Councillors: Steve Streach
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

STAFF:

Mr. Richard Butts, Chief Administrative Officer
Mr. Martin Ward, Acting Municipal Solicitor
Ms. Sherryl Murphy, Acting Municipal Clerk
Ms. Krista Vining, Legislative Assistant
Ms. Jennifer Weagle, Legislative Assistant
Ms. Chris Newson, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 10:05 a.m. with the Invocation being led by Councillor Lund.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of acknowledgements and community events.

Councillor Mosher requested the Mayor send congratulatory letters on behalf of Council to:

- The Royal Nova Scotia Yacht Squadron on the success of the Route Halifax Saint Pierre Ocean Race held July 8, 2012
- George Kapetanakis, owner of Armview Restaurant on the success of their 60th Anniversary celebrations and customer appreciation events held July 5th to 8, 2012

Councillors Uteck and Hendsbee entered the meeting at approximately 10:15 a.m.

3. APPROVAL OF MINUTES – June 19 & 26, 2012

Councillor Uteck clarified that on page 7 of June 26, 2012 minutes she had voted against the motion of Item 11.1.3 - 2012-13 Budgets and Business Plans for Area Rated Services.

Administrative Order One provides that errors to Councillor's vote be declared immediately following the recorded vote:

Section 18 (d) when the results of how each member voted on the question are displayed or stated, a member shall immediately bring any error in the result due to the member's vote either not being recorded or being recorded improperly, to the attention of the Clerk and the presiding officer, and the clerk shall make a note of the error and record it in the minutes of the meeting and the presiding officer shall declare any change in the result if necessitated by the error.

Councillor Lund requested the Clerk review page 5 of the June 26, 2012 minutes to ensure the accuracy of Ken Reashor's response to Item 11.1.1 - Tender 12-241 – Intersection Improvements and Widening – Hammonds Plains Road (Kearney Lake Road to Kingswood Drive) – Central Region.

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the minutes of June 19 and June 26, 2012 be approved, as presented. MOTION PUT AND PASSED.

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

Addition:

13.1 Staff Recommendation Report – St. Margaret’s Centre – Payroll Services

MOVED by Councillor Sloane, seconded by Councillor Blumenthal that Item 11.1.9 - Memorandum of Agreement Between HRM (Halifax Regional Municipality) and the Province of Nova Scotia – World Trade and Convention Centre II be addressed as the first Order of Business. MOTION PUT AND PASSED.

Councillor Barkhouse requested Information Item 2 – Memorandum from Acting Chief Administrative Officer dated June 28, 2012 re: Public Reporting of Senior Employees’ Salaries be added to August 7, 2012 agenda for discussion.

MOVED by Councillor Sloane, seconded by Councillor Johns 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

Item 11.1.9 was addressed at this time.

11.1.9 Memorandum of Agreement Between HRM (Halifax Regional Municipality) and the Province of Nova Scotia – World Trade and Convention Centre II

The following was before Council:

- A staff report dated June 18, 2012
- Submissions from Hugo Dann, Janet Morris, Roland Murray, Dennis Fowler, Dennis Garrison, Dr. Ulrich vom Hagen, Anthony E. Edwards, Vincent Hall, Peggy Cameron, Phil Pacey, John Wesley Chisholm, Judy Haiven, Tania Sures and Linda Forbes

Mr. Mike Labrecque, Deputy Chief Administrative Officer provided an overview of the June 18, 2012 staff report and attached Memorandum of Agreement, outlining the financial terms, governance and risk related to the World Trade and Convention Centre II. Clarification was provided on HRM’s option to purchase the facility at year thirty (30) for one dollar; paragraph 3 (c) of the attached MOA. Mr. Labrecque noted that HRM’s Chief Financial Officer was present to respond to questions related to financing.

Mayor Kelly clarified that the debate today centered on the terms and conditions of financing and governance which Council had asked staff to negotiate on their behalf.

In response to a question raised, Mr. Labrecque confirmed that staff had achieved all of the key terms directed by Council on December 13, 2010, with some additional provisions and improvements.

MOVED by Councillor Sloane, seconded by Councillor Blumenthal that Halifax Regional Council:

- 1. Authorize the Mayor and Municipal Clerk to execute the attached Memorandum of Agreement outlining the construction, operational and financial agreements surrounding the new downtown convention centre;**
- 2. Direct staff to consider the possible municipal uses of the existing World Trade & Convention Centre and report back to Council before the first option set out in the agreement; and**
- 3. Approve up to \$40,000 to support the Provincial marketing campaign that promotes the new convention centre.**

Council entered into debate on the motion.

Councillor Uteck requested that the motion be split.

During the debate, Mr. Richard Butts, Chief Administrative Officer and Mr. Labrecque responded to questions of clarification respecting:

- HRM's return on investment (ie. growth of the tax rate)
- Council's approval of an Economic Strategy
- risk mitigation strategies, time sensitivity analysis related to revenue generation and estimates related to occupancy and assessment, as outlined in the June 18, 2012 staff report
- the Municipal Real Property Taxes generated from the cost of the convention centre being a shareable expense with the Province; clarification was provided that the real property taxes accrued from the site and placed in the reserve are not a shareable expense
- the Provincial marketing campaign; details yet to be identified

Several members of Council expressed concern with \$40,000 being put towards a Provincial marketing campaign, and a discussion was held on where those funds should be sourced. Staff clarified that funds would be sourced from an operating budget, as identified in the budget implications section of the June 18, 2012 staff report. Further, that \$40,000 represents twenty percent (20%) of the overall project, of which the Province will be contributing \$160,000.

Upon further discussion, it was **MOVED by Councillor Smith, seconded by Councillor Wile that the motion be amended to provide that funding for the**

\$40,000 to support a Provincial marketing campaign that promotes the new convention center be allocated from the Hotel Marketing Levy Reserve.

Council entered into debate on the amendment and a recorded vote was taken.

MOTION TO AMEND THE THIRD RECOMMENDATION PUT AND PASSED. (14 in favour, 10 opposed).

Those voting in favour were: Mayor Peter Kelly, Deputy Mayor Karsten, Councillors Adams, Blumenthal, Fisher, Hendsbee, Johns, McCluskey, Mosher, Rankin, Sloane, Smith, Streach and Wile.

Those voting against were: Councillors Barkhouse, Dalrymple, Harvey, Hum, Lund, Nicoll, Outhit, Uteck, Walker and Watts.

The motion before Council now reads:

MOVED by Councillor Sloane, seconded by Councillor Blumenthal that Halifax Regional Council:

- 1. Authorize the Mayor and Municipal Clerk to execute the attached Memorandum of Agreement outlining the construction, operational and financial agreements surrounding the new downtown convention centre;**
- 2. Direct staff to consider the possible municipal uses of the existing World Trade and Convention Centre and report back to Council before the first option set out in the agreement and;**
- 3. Approve up to \$40,000 to support a Provincial marketing campaign that promotes the new convention center be allocated from the Hotel Marketing Levy Reserve.**

Mr. Labrecque provided confirmation that the \$40,000 allocation for a Provincial marketing campaign would be a one time contribution from HRM.

Further clarification was provided on the Memorandum of Agreement between HRM and the Province and the options available to HRM to purchase the old convention centre.

In response to concerns raised on how HRM could mitigate its risk in the construction of the new convention centre, Mr. Martin Ward, Acting Municipal Solicitor referenced Council's direction to staff of December 13, 2010. Staff has taken steps to mitigate HRM's risk, one being the deferral process HRM negotiated with the Province. The estimates which the Chief Financial Officer and staff used are very conservative respecting the tax revenue. As a condition of the Province's agreement, two letters of credit for each of the buildings have been provided. If there is any concern regarding

the project moving forward, the developer will put in \$5 million out of pocket. Mr. Ward went on to note that the business case for the developer is not based on a convention centre but on the other buildings, and where the developer will make money on the project. The developer's advantage to this, is that they receive a better rate of financing because the convention centre is rolled into the project.

Mr. Butts cautioned Council that through HRM's negotiations with the Province, as directed by Council, to change the conditions to implement a walk away clause at this time would reopen the negotiations and put HRM back to square one.

Staff re-confirmed that the funds for this project would not impact any other programs or services. The project will be funded through new tax revenues accrued from the site and a reserve business case would be created to pay the lease, and operating cost of the facility. Staff clarified that the Strategic Growth Fund is a capital reserve and a measure of last resort. The reason staff negotiated the 25% clause with the Province was in the event the revenues do not match the operating expenses, HRM would then have the option to trigger that fund.

In response to a question raised on the terms of the two letters of credit, Mr. Ward advised that the letters of credit will be triggered by the substantial completion of the core and shell of the hotel and office tower. His understanding from Finance staff is that the bulk of the tax revenue will be attributed to those buildings at that stage.

Clarification was further provided on the appointments to the Board of Directors of the new convention centre. Staff indicated that these details have yet to be determined; however, HRM will be a 50% partner in the decision making process.

In response to a question raised respecting HRM's risk to the Memorandum of Agreement, Mr. Ward clarified that when Council adopted the resolution, the Memorandum of Agreement incorporated everything staff was asked to respond to with some additional provisions to mitigate risk. All the major terms are included in an agreement, in principle, between the developer and the Province; which HRM has had an opportunity to review. There are a number of smaller items to be worked out, which given the complexity of these agreements, one could understand; however, none of those items in staff's view would effectively change the agreement.

Mr. Labrecque indicated that the original concept of the Request for Proposal was that the developer would design, build, operate, finance and maintain the entire site. To do so, the developer had to project indicative numbers over 25 years, such as accounting for the risk, and in doing so provide additional funds. The decision was made that the operator, would operate and maintain the facility. Details between the developer's work and the operator's work still have to be determined through the lease agreement.

Mr. Ward further advised that the agreement outlines the condition that the hotel and office tower will move forward.

Further discussion was held on the financing details. Mr. Greg Keefe, Director of Finance & Information Technology/Chief Financial Officer, provided a breakdown of the leasing and operating costs, as outlined in the presentation given to Council in December 2010.

It was noted that subject to Council's approval, the Mayor and Premier would execute the Memorandum of Agreement. Following execution, the reserve business case would come back to Council, and discussions would begin on the governance of the Board of Directors.

Councillor Rankin suggested Council write the Province to ensure best efforts are provided on the book value of the asset. Mr. Labrecque clarified that HRM has agreed to a provision, outlined in the Memorandum of Agreement, that addresses this at the time of the evaluation of the old facility.

Staff reconfirmed that HRM will have input on the design and framework of the Provincial marketing campaign.

Upon further discussion, the motion was split and recorded votes were taken as follows:

MOVED by Councillor Sloane, seconded by Councillor Blumenthal that Halifax Regional Council authorize the Mayor and Municipal Clerk to execute the attached Memorandum of Agreement outlining the construction, operational and financial agreements surrounding the new downtown convention centre.

MOTION PUT AND PASSED. (19 in favour, 5 opposed)

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, Councillors Adams, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Johns, McCluskey, Mosher, Nicoll, Outhit, Sloane, Smith, Streach, Uteck, Walker and Wile.

Those voting against were: Councillors Barkhouse, Hum, Lund, Rankin and Watts.

MOVED by Councillor Sloane, seconded by Councillor Blumenthal that Halifax Regional Council direct staff to consider the possible municipal uses of the existing World Trade and Convention Centre and report back to Council before the first option set out in the agreement.

MOTION PUT AND PASSED. (21 in favour, 3 opposed)

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, Councillors Adams, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Johns, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Walker and Wile.

Those voting against were: Councillors Barkhouse, Uteck and Watts.

MOVED by Councillor Sloane, seconded by Councillor Blumenthal that Halifax Regional Council approve up to \$40,000 to support a Provincial marketing campaign that promotes the new convention center be allocated from the Hotel Marketing Levy Reserve.

MOTION PUT AND PASSED. (16 in favour, 8 opposed)

Due to technical difficulties the Office of the Municipal Clerk does not have a break down of the individual Council votes.

Council recessed at 12:26 p.m., reconvening at 1:33 p.m.

Councillor Hendsbee noted that there is a ban on open air burning in effect.

9. PUBLIC HEARINGS – 6:00 P.M.

9.1 By-Law N-200, Respecting Noise – Exemption Application – Tall Ships Event

This public hearing was held later in the meeting. See page 22.

9.2 Parkland Disposal – Portion of Parcel B (PID# 00443820) Civic No. 5 Josephine Court, Dartmouth

This public hearing was held later in the meeting. See page 22.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence – None

10.2 Petitions – None

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Tender 12-204 – Paving and Water Main Renewal, Mountain Avenue – East Region

A staff report dated June 11, 2012 was before Council.

MOVED by Councillor Fisher, seconded by Councillor McCluskey, that Halifax Regional Council:

1. **Approve a budget increase of \$435,606.53 (net HST included) to Project Account No. CYX01345 – Street Recapitalization, funded through cost sharing with the Halifax Water; and**
2. **Award Tender No. 12-204, Paving and Water Main Renewal, Mountain Avenue – East Region, to the lowest bidder meeting specifications, Harbour Construction Co. Ltd. for a Total Tender Price of \$911,793.36 (net HST included) with funding from Project Account No. CYX01345 – Street Recapitalization, as outlined in the Budget Implications section of the June 11, 2012 staff report.**

MOTION PUT AND PASSED. (22 in favour, 0 opposed)

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Lund, McCluskey, Mosher, Nicoll, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts, and Wile.

Those voting against were: None

Those not present for the vote were: Councillors Outhit and Johns.

11.1.2 Tender 12-238 – Pavement Renewal & Sewer Lateral Replacements Celtic Drive – East Region

A staff report dated June 14, 2012 was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Smith, that Halifax Regional Council:

1. **Approve a budget increase of \$282,144.73 (net HST included) to Project Account No. CYX01345 – Street Recapitalization, funded through cost sharing with the Halifax Water; and**
2. **Award Tender No. 12-238, Pavement Renewal & Sewer Lateral Replacements – East Region, to the lowest bidder meeting specifications, Dexter Construction Company Limited for a Total Tender Price of \$768,379.25 (net HST included) with funding from Project Account No. CYX01345 – Street Recapitalization, as outlined in the Budget Implications section of the June 14, 2012 staff report.**

MOTION PUT AND PASSED. (22 in favour, 0 opposed)

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Lund,

McCluskey, Mosher, Nicoll, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts, and Wile.

Those voting against were: None

Those not present for the vote were: Councillors Outhit and Johns.

11.1.3 Tender 12-249 – Paving Renewal, Flat Lake Drive & Hammonds Plains Road Improvements – West Region

A staff report dated June 19, 2012 was before Council.

MOVED by Councillor Lund, seconded by Councillor Fisher, that Halifax Regional Council award Tender 12-249, Paving Renewal – Flat Lake Drive & Hammonds Plains Road Improvements – West Region, to the lowest bidder meeting specifications, Cumberland Paving and Contracting Limited for a Total Tender Price of \$502,491.66 (net HST included) with funding from Project Account No. CYX01345 – Street Recapitalization, as outlined in the Budget Implications section of the June 19, 2012 staff report.

MOTION PUT AND PASSED. (22 in favour, 0 opposed)

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Lund, McCluskey, Mosher, Nicoll, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts, and Wile.

Those voting against were: None

Those not present for the vote were: Councillors Outhit and Johns.

Councillor Outhit arrived at 1:40 p.m.

11.1.4 Tender 12-036 – Triennial Ferry Refit Multi-Year Agreement

A staff report dated June 21, 2012 was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Fisher, that Halifax Regional Council:

- 1. Award Tender No. 12-036 Triennial Ferry Refit Multi-Year Agreement, to the lowest bidder meeting specifications, Lunenburg Foundry and Engineering Limited, for the triennial ferry refit of the Dartmouth III for the first year, 2012/13, of Multi-Year Agreement for a total cost of \$339,711.65 (net HST included) with funding from Project No. CVD00436 – Biennial Ferry Refit, as**

outlined in the Budget Implications section of the June 12, 2012 staff report; and

- 2. Authorize staff to award the Triennial Ferry Refit for the subsequent years of 2013/14 and 2014/15 to Lunenburg Foundry and Engineering Limited. In Year two, 2013/14, the total cost for the Halifax III refit is \$367,988.79 (net HST included), and in year three 2014/15 for the Woodside I refit is \$307,359.52 (net HST included). Award is subject to the success refit of the Dartmouth III in 2012 and future funding through the Capital Budget as approved by HRM Council.**

MOTION PUT AND PASSED. (23 in favour 0 opposed)

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts, and Wile.

Those voting against were: None

Those not present for the vote were: Councillor Johns

11.1.5 Decision re: Proposed By-Law S-434, An Amendment to By-Law S-400, Respecting Local Improvement Charges – New Paving Projects Outside the Core Area 2010 – Joan Elizabeth Way, Sandy Point Road, Mannette Court

The following was before Council:

- Supplementary staff report dated June 28, 2012
- Extract from Regional Council Minutes – January 10, 2012
- Extract of Regional Council Minutes – November 22, 2011
- Staff report dated October 18, 2011

MOVED by Councillor Hendsbee, seconded by Councillor Dalrymple, that Halifax Regional Council:

- 1. Approve the recovery of the LIC via a uniform lot charge of \$3,705.29 from each of the 44 properties on Joan Elizabeth Way, Mannette Court and Sandy Point Road (for a total recovery of \$163,032.76 net HST included), and recover the remaining \$14,821.14 from the Paving of HRM Owned Subdivision Streets account; and**
- 2. Amend By-Law S-434 , an amendment to By-Law S-400, Respecting Charges for Street Improvements, relating to New Paving of Subdivision Streets Outside the Core Area–2010 to modify the lot charge from \$4,042.13 to \$3,705.29 per lot.**

Councillor Hendsbee noted that he feels the forty-eight lots should be charged the same per-lot charge for the paving of the entire section and that HRM should absorb the \$14,821.14 within the HRM budget.

Mr. Ken Reashor, Director, Transportation and Public Works, clarified at the request of Councillor Lund, the provincial portion of the paving project.

MOTION PUT AND PASSED. (22 in favour, 1 opposed)

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Hendsbee, Hum, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts, and Wile.

Those voting against were: Councillor Harvey

Those not present for the vote were: Councillor Johns

11.1.6 Second Reading Proposed By-Law A-402, An Amendment to By-Law A 400, Respecting Alternative Voting re: Legislative and Administrative Changes

A staff report dated June 4, 2012 was before Council.

MOVED by Councillor Smith, seconded by Councillor Wile, that Halifax Regional Council approve an amendment to By-Law A-400, Respecting Alternative Voting, as outlined in Appendix "A" and "B" of the June 4, 2012 staff report, the purpose of which is to incorporate a number of required legislative and administrative changes.

Councillor McCluskey inquired what identification residents would need to provide if they did not receive a voter card.

Councillor Uteck requested confirmation that polling locations would be available at all library facilities.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that this matter be deferred to later in the meeting until the Returning Officer is available to answer questions.

MOTION OF DEFERRAL PUT AND PASSED. (23 in favour, 0 opposed)

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts, and Wile.

Those voting against were: None

Those not present for the vote were: Councillor Johns

11.1.7 Future of Solar City Pilot Program

The following information was before Council:

- Correspondence from Charlie Parker, Minister of Energy dated July 5, 2012
- Staff report dated June 20, 2012
- Submissions from Tamara & Ben Lorincz, Ian Johnson, Stella Lord, Christopher Majka, Andrea Arbic and Cate Mary Burton

Mr. Richard Butts, CAO, advised that HRM had been contacted this morning by the Federation of Canadian Municipalities regarding the HRM application under the FCM Green Municipal Fund. The original application was denied under the energy component of the Fund, although FCM believe that the application may fit within the Water component of the Fund. The application will be brought before their meeting in September for consideration. Mr. Butts suggested that this matter be deferred pending a decision on the application. He thanked FCM for reaching out on this matter.

MOVED by Councillor Dalrymple, seconded by Councillor Sloane, that this matter be deferred pending a decision on the HRM application with the Federation of Canadian Municipalities Green Municipal Fund.

MOTION OF DEFERRAL PUT AND PASSED. (23 in favour, 0 opposed)

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts, and Wile.

Those voting against were: None

Those not present for the vote were: Councillor Johns

11.1.8 Solid Waste Resource Management Strategy System Review – Project Budget Allocation

A staff report dated June 28, 2012 was before Council.

MOVED by Councillor Dalrymple, seconded by Councillor Sloane, that Halifax Regional Council:

1. **Approve an increase in the gross project budget to Project Account No. CWU01360 Waste Strategy Review in the amount of \$400,000 with funding**

from unallocated Fiscal 2011/12 General Rate Surplus for the Solid Waste Resources Management Strategy (SWRMS) Review Project as per the Budget Implications Section of the June 28, 2012 staff report;

- 2. Authorize the CAO to issue and award the RFP – System Review, Performance Assessment and Options Analysis; and**
- 3. Direct staff to follow the community consultation process outlined in the September 20, 2011 Regional Council motion.**

Councillor Rankin, referring to a motion approved at the September 20, 2011 Regional Council session, noted that the community consultation portion of that motion is not contained in the staff report before Council today. He requested that community consultation with respect to design, business case relative to the transfer station, and relative to the overall strategy be undertaken including the Community Monitoring Committee (CMC).

Mr. Richard Butts, CAO, agreed that consultation with the Community Monitoring Committee is one part of the consultation. He noted that community consultation is an important aspect of this project, including engaging the province, which also has an interest in the project.

Councillor Rankin reiterated his concern that the CMC had not been consulted to date and in response to the CAO's comments regarding the need for expertise to undertake the review, noted that the Strategy had been developed by a community stakeholder group.

At the request of members of Council, Mr. Butts commented on best practices consultation and sustainability strategy. Mr. Butts also clarified that the community consultation will take place in November, and will be analyzed over December. He confirmed that the community consultation will take place before the report is finished, and before the matter comes back to Regional Council for a decision.

Mr. Mike Labrecque, Deputy CAO, clarified at the request of members of Council, that staff envision the consultation to take place one on one, and will involve an open dialogue and communication throughout the process.

MOVED by Councillor Rankin, seconded by Councillor Dalrymple, that the motion be amended to read: That Halifax Regional Council:

- 1. Approve an increase in the gross project budget to Project Account No. CWU01360 Waste Strategy Review in the amount of \$400,000 with funding from unallocated Fiscal 2011/12 General Rate Surplus for the Solid Waste Resources Management Strategy (SWRMS) Review Project as per the Budget Implications Section of the June 28, 2012 staff report;**

2. **Authorize the CAO to issue and award the RFP – System Review, Performance Assessment and Options Analysis; and**
3. **Direct staff to follow the community consultation process outlined in the September 20, 2011 Regional Council motion.**

At the request of Councillor Watts, Mr. Butts advised that this matter will be coming before the Environment & Sustainability Standing Committee before it comes back to Regional Council.

MOTION PUT AND PASSED. (21 in favour, 1 opposed)

Those voting in favour were Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Lund, McCluskey, Mosher, Nicoll, Rankin, Smith, Streach, Uteck, Walker, Watts, and Wile.

Those voting against were: Councillor Outhit

Those not present for the vote were: Councillor Sloane and Johns

11.1.6 Second Reading Proposed By-Law A-402, An Amendment to By-Law A 400, Respecting Alternative Voting re: Legislative and Administrative Changes (Continued)

Discussion on this matter was deferred from earlier in the meeting. See page 14.

Responding to questions from members of Council, Ms. Cathy Mellett, Municipal Clerk and Returning Officer, clarified the following:

- There will be a minimum of three polling locations per district, with more in rural districts.
- A mobile unit will be placed in each registered home for special or senior care, with permanent locations in any seniors' homes with over 100 units. Mobile units are for part of the day and permanent units are for the full day.
- Starting July 24th, ads will be placed for the revisions period, during which residents can call or visit to be added to the voters list.
- During advanced polling, October 6 – 18th, all HRM library branches will have registration locations. Residents can attend any library branch, not only the branch within their district.
- On voting day, residents will be asked to show either their voter registration card or a piece of identification with name and current address.
- With regard to student voting, ordinarily resident means that you have made HRM your home for at least three months prior to the election, and if they leave for the summer then intend to return.

- With regard to candidates helping people vote by going door to door with mobile technology, the privacy of the voter is paramount, and it is up to the elector if they wish to vote in that manner.

MOTION PUT AND PASSED. (23 in favour, 0 opposed)

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Johns, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts, and Wile.

Those voting against were: None

Those not present for the vote were: Councillor Johns

11.1.9 Memorandum of Agreement Between HRM (Halifax Regional Municipality) and the Province of Nova Scotia – World Trade and Convention Centre II

Matter addressed earlier in the meeting, refer to page 5.

11.2 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

11.2.1 Kearney Lake Connector Construction Agreement

A report from the Community Planning and Economic Development Standing Committee dated June 15, 2012 was before Council.

MOVED by Councillor Nicoll, seconded by Councillor Wile, that Halifax Regional Council authorize the Mayor and Municipal Clerk to execute a construction agreement based on the Key Terms and Conditions outlined in Attachment “1” of the April 14, 2012 staff report, with West Bedford Holdings Limited and Cresco Holdings Limited for the construction of the Kearney Lake Connector.

Mr. Peter Duncan, Manager, Infrastructure Services, provided an overview of the staff report.

Responding to questions from Councillor Hum, Mr. Duncan advised that staff do intend to hold public consultation on this matter.

Mr. Duncan responded to further questions from members of Council with regard to trails and traffic.

Mr. Eddie Robar, Director, Metro Transit, indicated that staff will be discussing transit needs and options for the area.

MOTION PUT AND PASSED. (22 in favour, 1 opposed)

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Smith, Streach, Uteck, Walker, Watts, and Wile.

Those voting against were: Councillor Sloane

Those not present for the vote were: Councillor Johns

11.3 ENVIRONMENT AND SUSTAINABILITY STANDING COMMITTEE

11.3.1 Halifax Water COMFIT Applications – Bio-solids to Energy and In-Line Turbine Projects

A report from the Environment and Sustainability Standing Committee dated June 28, 2012 was before Council.

MOVED by Councillor Dalrymple, seconded by Councillor Fisher, that Halifax Regional Council:

- 1. Endorse the COMFIT Project Registration/Application to the Department of Energy for the “Halifax Regional Water Commission Energy from Bio-Solids Concept Plan”, as described in the February 16, 2012 staff report to the Halifax Regional Water Commission Board; and**
- 2. Endorse the COMFIT Project Registration/Application to the Department of Energy for the “Halifax Regional Water Commission Energy Recovery from Orchard Control Chamber Project”, as described in the April 18, 2012 staff report to the Halifax Regional Water Commission Board.**

Mr. Richard MacLellan, Manager, Energy and Environment, clarified the process outlined in the staff report.

MOTION PUT AND PASSED. (22 in favour, 0 opposed)

Those voting in favour were: Mayor Kelly and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts, and Wile.

Those voting against were: None

Those not present for the vote were: Deputy Mayor Karsten and Councillor Johns.

11.4 TRANSPORTATION STANDING COMMITTEE

11.4.1 Metro Transit Universal Accessibility Plan

The following was before Council:

- Supplementary staff report dated April 13, 2012
- Report from the Transportation Standing Committee dated February 20, 2012

MOVED by Councillor Rankin, seconded by Councillor Sloane, that Halifax Regional Council approve in principle the Universal Accessibility Plan and direct staff to use the plan on a go-forward basis as guidance in the development and implementation of Universal Accessibility standards and policies for transit.

Councillor Blumenthal inquired as to the cost of the creation of the Metro Transit Universal Accessibility Plan. Staff advised they would check into the cost and get back to the Councillor.

Councillor Blumenthal noted displeasure that this matter was not brought before the Accessibility Advisory Committee for consultation before it went to the Transportation Standing Committee for recommendation to Council.

At the request of Councillor Blumenthal, Mr. Eddie Robar, Director, Metro Transit, provided an update on status of the announcement of bus stops. He noted that this is a part of the updating of the AVL system, which staff are working with the ICT group to initiate. This matter will be brought back to Council for direction in the fall.

Councillor Wile asked that a reminder be sent to drivers that it is their responsibility to announce stops to those with visual impairments, when asked.

MOTION PUT AND PASSED. (23 in favour, 0 opposed)

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts, and Wile.

Those voting against were: None

Those not present for the vote were: Councillor Johns

12. MOTIONS – NONE

13. ADDED ITEMS

13.1 Staff Recommendation Report – St. Margaret’s Centre – Payroll Services

A staff report dated June 24, 2012 was circulated to Council.

MOVED by Councillor Lund, seconded by Councillor Rankin, that Halifax Regional Council approve the provision of payroll services and provide an advance of funds to the St. Margaret's Centre to allow the St. Margaret's Centre to meet its payroll obligations commencing at the end of July 2012 with the following conditions:

- **a re-payment plan be determined and implemented starting in October when cash flow levels rebound; and**
- **additional accounting oversight by HRM accepted by the St. Margaret's Centre.**

Responding to questions from members of Council, Ms. Denise Schofield, Manager, Regional Recreation & Culture, noted that there were extenuating circumstances that contributed to cash flow problems for the Centre, including being closed during the Canada Winter Games. The facility is part of the multi-district facility review underway.

MOTION PUT AND PASSED. (22 in favour, 0 opposed)

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Uteck, Walker, Watts, and Wile.

Those voting against were: None

Those not present for the vote were: Councillors Streach and Johns.

14. NOTICES OF MOTION

14.1 Councillor Smith

"Take notice that at the next regular meeting of Halifax Regional Council to be held on August 7, 2012 I will be introducing the following motion: That Regional Council support a staff report, to be provided to Regional Council before or during the next 2013/2014 budget deliberations, regarding the implementation of a \$200 per year discount coupon system for Senior Citizens resident in HRM over the age of 65. This discount program would have no cash value and would be available for these residents to purchase short term HRM recreational programs or access to public transit."

14.2 Councillor Lund

"Take notice that at the next regularly scheduled meeting of Regional Council I intend to bring forward a motion requesting staff review Part 15 of the Halifax Charter relating to unsightly properties to examine opportunities for increased fines and stricter enforcement, to review acceptable and unacceptable criteria under the definition of

unsightly, and to bring proposed amendments to the appropriate committee for consideration and subsequent approval by Regional Council.”

Councillor Uteck noted that this is the last meeting of this Regional Council in the current Council Chamber, and congratulated retiring members on a job well done. Council recessed at 3:52 p.m.

Council reconvened at 6:00 p.m. with the following Councillors not in attendance: Blumenthal, Johns, Mosher, Outhit, Rankin, Sloane and Streach.

9.1 By-Law N-200, Respecting Noise – Exemption Application – Tall Ships Event

A staff report dated June 28, 2012 was before Council.

Mayor Kelly explained the Rules of Procedure for public hearings then opened the public hearing calling for speakers to come forward at this time.

Mayor Kelly gave the third call for speakers; hearing none, it was **MOVED by Deputy Mayor Karsten, seconded by Councillor Watts that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED by Councillor Uteck, seconded by Councillor Fisher that Halifax Regional Council approve the Waterfront Development Corporation Limited’s application for an exemption from the provisions of the Noise By-Law pursuant to the contents of the June 28, 2012 staff report and any matter raised at the public hearing. MOTION PUT AND PASSED. (17 in favour, 0 opposed)

Those voting in favour were Councillors: Adams, Barkhouse, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Deputy Mayor Karsten, Mayor Kelly, Lund, McCluskey, Nicoll, Smith, Uteck, Walker, Watts and Wile.

Those voting against were: None

Those not present for the vote were: Councillors Blumenthal, Johns, Mosher, Outhit, Rankin, Sloane and Streach.

9.2 Parkland Disposal – Portion of Parcel B (PID# 00443820) Civic No. 5 Josephine Court, Dartmouth

A staff report dated June 11, 2012 was before Council.

Mr. Nathan Hines, Real Estate Officer, Planning and Infrastructure, presented the staff report on a request for the acquisition/disposal of a portion of HRM land and Civic No. 5 Josephine Court, Dartmouth.

Mayor Kelly explained the Rules of Procedure for public hearings then opened the public hearing calling for speakers to come forward at this time.

Mayor Kelly gave the third call for speakers; hearing none, it was **MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED by Deputy Mayor Karsten, seconded by Councillor McCluskey that Halifax Regional Council:

1. **Approve the closure and disposal of a 544 square foot portion of HRM Park property, Parcel B, Dartmouth, as shown in Attachment "A" of the June 11, 2012 staff report; and**
2. **Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale for the acquisition of PID#00613703, Parcel A, and the disposal of a portion of PID#00443820, Parcel B, as per the key terms and conditions outlined in Table 1 of the June 11, 2012 staff report.**

MOTION PUT AND PASSED. (17 in favour, 0 opposed)

Those voting in favour were Councillors: Adams, Barkhouse, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Deputy Mayor Karsten, Mayor Kelly, Lund, McCluskey, Nicoll, Smith, Uteck, Walker, Watts and Wile.

Those voting against were: None

Those not present for the vote were: Councillors Blumenthal, Johns, Mosher, Outhit, Rankin, Sloane and Streach.

15. ADJOURNMENT

The meeting was adjourned at 6:06 p.m.

Cathy J. Mellett
Municipal Clerk

INFORMATION ITEMS

1. Memorandum from Director, Community and Recreation Services dated June 20, 2012 re: By-Law N-200, Respecting Construction Noise
2. Memorandum from Acting Chief Administrative Officer dated June 28, 2012 re: Public Reporting of Senior Employees' Salaries
3. Memorandum from the Municipal Clerk dated July 3, 2012 re: Requests for Presentation to Council - None