



**HALIFAX REGIONAL COUNCIL
SPECIAL MEETING
MINUTES
July 4, 2017**

PRESENT: Mayor Mike Savage
Deputy Mayor Steve Craig
Councillors: Steve Streach
David Hendsbee
Bill Karsten
Lorelei Nicoll
Sam Austin
Tony Mancini
Waye Mason
Lindell Smith
Shawn Cleary
Russell Walker
Stephen Adams
Richard Zurawski
Lisa Blackburn

REGRETS: Councillor Matt Whitman
Councillor Tim Outhit

STAFF: Jacques Dubé, Chief Administrative Officer
John Traves, Municipal Solicitor
Kevin Arjoon, Municipal Clerk
Sheilagh Edmonds, Legislative Assistant

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

The agenda, reports, supporting documents, information items circulated, and video (if available) are online at halifax.ca.

The meeting was called to order at 10:00 a.m. and adjourned at 11:27 a.m.

1. CALL TO ORDER

The Mayor called the meeting to order at 10:00 a.m. and Council stood for a moment of reflection.

2. CALL FOR DECLARATION OF CONFLICT OF INTERESTS - NONE

3. REPORTS

3.1 Unit Price Tender Award No. 17-218 Resurfacing, New Concrete Curb and Gutter, and New Concrete Sidewalk Strath Lane, Perth Drive, Westwood Drive – East Region

The following was before Council:

- A staff recommendation report dated June 21, 2017.

MOVED by Councillor Mancini, seconded by Councillor Karsten

THAT Halifax Regional Council That Halifax Regional Council:

1. Approve a budget increase of \$265,800 (net HST included) to Project Account No. CR000005 – Street Recapitalization, funded through cost sharing with the Halifax Water.

2. Award Tender No. 17-218, Resurfacing, New Concrete Curb & Gutter, & New Concrete Sidewalk Strath Lane, Perth Drive, Westwood Drive - East Region, to the lowest bidder meeting specifications, Atlantic Road Construction & Paving Limited for a Total Tender Price of \$1,468,660 (net HST included) with funding from Project Account Nos. CR000005 – Street Recapitalization, CTU00420 – Active Transportation, and CKU01084 – Sidewalk Renewal as outlined in the Financial Implications section of the staff report dated June 21, 2017.

At 10:08 a.m. Councillor Walker entered the meeting.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors Whitman and Outhit

3.2 Cost Sharing Agreement – Layton Road Paving (Herring Cove – Penny) West Region

The following was before Council:

- A staff recommendation report dated June 12, 2017.

MOVED by Councillor Adams, seconded by Councillor Walker

THAT Halifax Regional Council authorize the Director of Transportation and Public Works to enter into a cost sharing agreement with Halifax Water and authorize reimbursement of an amount up to \$71,682 (net HST included) to Halifax Water with funding from Project Account No. CR000005 – Street Recapitalization, as outlined in Attachment A and the Financial Implications section of the staff report dated June 12, 2017.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Whitman and Outhit

4. MOTIONS

4.1 Deputy Mayor Craig

i) Administrative Order 2016-005-ADM – Procurement Policy (Supplementary Report from February 7, 2017)

The following was before Council:

- Supplementary Report dated December 13, 2016 (originally submitted to the February 7, 2017 Committee of the Whole)
- A handout entitled Amending Administrative Order
- Extract from Committee of the Whole and Regional Council on February 7, 2017

MOVED by Deputy Mayor Craig, seconded by Councillor Streach

THAT Halifax Regional Council amend Administrative Order 2016-005-ADM the “Procurement Policy” to add a new section, 36.2 (a) “the CAO may approve a contract award of any amount when Council is on summer or December holiday break” and renumber the rest of the section accordingly. This motion would rescind Council’s direction of February 7, 2017 and will require a 2/3 vote.

Deputy Mayor Craig advised that the reason for bringing forward this motion was to prevent delays and ensure the necessary construction work gets done during the summer construction season. The Deputy Mayor indicated that Council was not handing over its responsibility, in this regard, to the CAO as Council approves streets projects for the upcoming construction season during budget deliberations.

Councillor Mason indicated he could support the motion if it were amended to strike out the reference to summer and December holiday break, and if it were more specific regarding the types of projects the CAO could approve.

MOVED by Councillor Mason, seconded by Councillor Mancini

That the motion be amended to strike out “. . . of any amount when Council is on summer or December holiday break”, and add “for:

- 1. road, sidewalk and active transportation projects amounts as approved in the annual capital budget, and;**
- 2. cost shared projects with Halifax Water with no net increase in budget costs to HRM.”**

Councillor Mason explained that the amendment would provide authority to the CAO to approve only items which have already been approved during the budget process and, eliminate any concern of going outside the annual capital budget.

A discussion ensued with a majority of Councillors indicating support of the amended motion. They expressed the view that Council would be giving the CAO authority on projects that had already been approved by Council in the previous budget session. It was also pointed out that the appropriate checks and balances were in place through the procurement process, and that Councillors are notified when a project in their district goes to tender and they can bring it to Council if they wish. Additionally, the CAO always has the discretion to request Council meet to consider a tender.

Councillors opposed to the motion and amendment expressed the concern that Council would be handing over its over-sight responsibility to the CAO, and that this motion was being considered for expediency purposes. It was also noted that if staff and Council could get to a point where the tendering process could be dealt with in the winter, then the projects would be ready to go at the start of the construction season and this would eliminate the need for special Council meetings and/or providing the CAO with the authority to approve certain tenders.

THE AMENDMENT TO THE MOTION WAS PUT AND PASSED. (13 in favour, 2 against)

In favour: Mayor Savage; Deputy Mayor Craig; and Councillors: Streach, Hendsbee, Nicoll, Austin, Mancini, Mason, Smith, Cleary, Walker, Adams, and Blackburn

Against: Councillors Karsten and Zurawski

Not Present: Councillors Whitman and Outhit

The motion, as amended, now reads:

MOVED by Deputy Mayor Craig, seconded by Councillor Streach

That Halifax Regional Council amend Administrative Order 2016-005-ADM the “Procurement Policy” to add a new section, 36.2 (a) “the CAO may approve a contract award for:

- 1. road, sidewalk and active transportation projects amounts as approved in the annual capital budget, and;**
- 2. cost shared projects with Halifax Water with no net increase in budget costs to HRM.”**

and renumber the rest of the section accordingly.

This motion rescinds Council’s direction of February 7, 2017 and required a 2/3 vote.

MOTION PUT AND PASSED. (11 in favour, 4 against)

In favour: Mayor Savage; Deputy Mayor Craig; and Councillors: Streach, Hendsbee, Mancini, Mason, Smithy, Cleary, Walker, Adams, and Blackburn.

Against: Councillors: Karsten, Nicoll, Austin, and Zurawski

Not present: Councillors Whitman and Outhit

5. ADJOURNMENT

The meeting adjourned at 11:27 a.m.

Kevin Arjoon
Municipal Clerk