

**MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL
EMERGENCY EXTRAORDINARY COUNCIL MEETING
HELD AT THE COUNCIL SERVICE CENTRE, 28-32 RUATANIWHA STREET, WAIPAWA
ON WEDNESDAY, 25 MARCH 2020 AT 5:00 PM**

PRESENT: Mayor Alex Walker
Deputy Mayor Kelly Annand
Cr Tim Aitken (via Zoom)
Cr Tim Chote(via Zoom)
Cr Gerard Minehan
Cr Brent Muggeridge
Dr Roger Maaka (via Zoom)
Cr Jerry Greer
Cr Kate Taylor (via Zoom)
Cr Exham Wichman (via Zoom)

IN ATTENDANCE:

Monique Davidson (Chief Executive)
Joshua Lloyd (Group Manager, Community Infrastructure and Development) (via Zoom)
Doug Tate (Group Manager, Customer and Community Partnerships) (via Zoom)
Bridget Gibson (Governance Support Officer) (via Zoom)

1 PRAYER

Deputy Mayor Annand opened the meeting with a prayer.

2 APOLOGIES

APOLOGY

RESOLVED: 20.24

Moved: Cr Brent Muggeridge

Seconded: Cr Jerry Greer

That the apology for late arrival from Cr Exham Wichman be accepted.

CARRIED

3 DECLARATIONS OF CONFLICTS OF INTEREST

Nil

4 STANDING ORDERS

RESOLVED: 20.25

Moved: Cr Gerard Minehan

Seconded: Deputy Mayor Kelly Annand

THAT the following standing orders are suspended for the duration of the meeting:

- 21.2 Time limits on speakers
- 21.5 Members may speak only once
- 21.6 Limits on number of speakers
- THAT 22.4 Option C under section 22 General procedures for speaking and moving motions be used for the meeting.

CARRIED

5 REPORT SECTION

6.1 EMERGENCY EVENTS COMMITTEE

PURPOSE

The matter for consideration by the Council is the establishment of a Covid-19 Response Committee to allow for effective governance and to streamline Council and community decision making in response to the evolving situation with Covid-19.

RESOLVED: 20.26

Moved: Mayor Alex Walker

Seconded: Deputy Mayor Kelly Annand

That having considered all matters raised in the report Council:

1. Receives the Covid-19 Response Committee report.
2. Establishes the COVID-19 Response Committee, in accordance with the Terms of Reference contained in Attachment 1 as amended, noting that the Committee will have all the delegated powers, duties and functions of the Council, except those specified in the Local Government Act, and that the Committee will have a quorum of two members.
3. Resolves, with immediate effect, that meetings of Council's other committees and other decision making bodies are suspended until further notice, and decisions that otherwise would have been considered by those decision making bodies will be referred to the COVID-19 Response Committee for decision, unless the Committee resolves to alter the delegations provided to the Chief Executive and staff.
4. Notes that a further report will be provided to the COVID-19 Committee on the adequacy of the current delegations to staff.

CARRIED

Mrs Davidson presented the report stating that as Covid-19 National Alert Level 4 would be implemented this evening, there is uncertainty around when there will be an opportunity for Council to successfully form a quorum of five members. Officers were providing the advice and recommendation to Council today to ensure that decision making could continue to take place.

Mrs Davidson impressed the significance of term 3.2 of the Emergency Events Committee Terms of Reference in regard to significant procurement contracts currently going out to market. Significant risk and challenge would be presented if contract procurement decisions were deferred; therefore, it would be beneficial if the Emergency Events Committee have delegated authority to approve or award contracts.

Council requested the following amendments be made to the terms of reference:

- That quorum include a **minimum** of 2 members.
- That all elected members be allowed to participate audiovisually.
- To add term 3.7 - That these delegations continue until such time that the National Alert System level de-escalates allowing for a physical quorum of Council; or legislation allows a quorum to be met by digital means.
- That the Committee would in the first place be chaired by the Mayor, in the second place by the Deputy Mayor and in the third place the chair of the Finance and Infrastructure Committee.
- To add term 4 — That the Committee will meet at the request of the Chief Executive or the Mayor respectively.

- That term 3.3. be amended to read:
3.3. *Approve funding for expenditure required to support the Covid-19 and Drought Response.*

Mayor Walker spoke to the motion stating that extraordinary times call for extraordinary measures and this time calls on trust amongst the Council, as community wellbeing relies on governance of the community continuing to function. Therefore, Mayor Walker supported the recommendation of the establishment of an Emergency Events Committee.

6.2 JOINING THE LOCAL GOVERNMENT FUNDING AGENCY (LGFA) AS A GUARANTOR

PURPOSE

The purpose of this report is to inform councillors of the legal requirements in regard to becoming a Local Government Funding Agency (LGFA) guarantor.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report Council:

- 1. Receive the information.**
- 2. Notes the contents of the report**
- 3. Confirms Council's intention to join LGFA as a guarantor (noting it has already acceded as a borrower in 2016).**
- 4. Delegates authority to the Chief Executive to execute the following documents for the purposes of recommendation 3. above:**
 - a. Security Stock Certificate (in relation to the Equity Commitment Deed);**
 - b. Security Stock Certificate (in relation to the Guarantee);**
 - c. Stock Issuance Certificate;**
 - d. Section 118 Chief Executive Certificate; and**
 - e. Officer's Certificate.**
- 5. Authorises any two of the Council's elected members to execute the following deeds for the purposes of recommendation 3. above:**
 - a. Accession Deed to Equity Commitment Deed; and**
 - b. Accession Deed to Guarantee and Indemnity.**
- 6. Delegates authority to the Chief Executive to execute such other documents and take such other steps on behalf of Council is necessary or desirable to execute or take to give effect to recommendation 3. above.**

Councillor Wichman joined the meeting at 5.30pm at the beginning of report 6.2.

Mr Chamberlain presented the report, taking the report as read.

Councillors discussed the parameters set by previous Policy passed and queried whether Management felt comfortable with what they were being tasked with, to which Mrs Davidson replied that Management is confident, that where it is necessary to apply the Policy and make critical decisions, those recommendations would be brought to the Emergency Events Committee for authorisation.

It was confirmed that the independent Chair of the Risk and Assurance Committee had been informed in advance of these deliberations and supported the recommendation.

Timeframe for securing the necessary legal documentation was discussed and Mr Brent Chamberlain notified Council that it might take longer to produce. Therefore, Council requested that the following amendment to the motion be made.

AMENDMENT**RESOLVED: 20.27**

Moved: Cr Brent Muggeridge

Seconded: Cr Gerard Minehan

That having considered all matters raised in the report Council:

- 1. Receive the information.**
- 2. Notes the contents of the report.**
- 3. That Officers prepare the associated legal documents in readiness for execution at a later date.**
- 4. That Report 6.2 lay on the table until the next Council Ordinary or Extraordinary Council meeting, or the Events Emergency Committee meeting.**

CARRIED

Mayor Walker thanked staff for their hard work over the last weeks in response to emergency events and for the hard work they would do going forward.

6 PUBLIC EXCLUDED BUSINESS

Nil

7 DATE OF NEXT MEETING

That the next meeting of the Central Hawke's Bay District Council be held 9th April 2020.

8 TIME OF CLOSURE

The meeting closed at 6:05pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Central Hawke's Bay Council held on 9 April 2020.

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CHAIRPERSON