

- Present:** Rt. Wor. Charles R Gosling, JP, Chairman
Councillor Walter Cross
Alderman Pamela G Ferreira, JP
Alderman John W Harvey, JP
Councillor Marshall Minors
Councillor Pamela Quarterly
Alderman Glen C Smith, JP
Councillor Dennis G Tucker, JP
- Staff:** The Secretary - Ed Benevides
The Treasurer - Gary Edwards
City Engineer - Patrick Cooper
HR Manager - Sakina Darrell
Events Project Manager - Danilee Trott
Communications Manager - Aderonke Bademosi
Recording Secretary
- Apologies:** Councillor Nicholas Swan

Alderman Smith conveyed his disappointment with today's recession-proof standard of the Board Members' luncheon which was insufficient and of a poor standard. He suggested that the Finance Committee be approached for an appropriate budget to be allocated to Board Members' lunches.

Action: The Secretary to arrange for an appropriate lunch to be provided to Members preceding future Board Meetings.

1. Review of Corporation Minutes dated 2 September 2009

The following amendments were received to the Minutes dated 2 September 2009:

North Hamilton Development (Item 6, Pg 12): The Mayor highlighted that this item was incomplete and that The Secretary should provide the Recording Secretary with the text relating to the asphalt which is as follows: The Secretary reported that the asphaltting of the designated roads within NEH was moving ahead. He stated that notices had been hand-delivered door-to-door to the residents and merchants and that notices had been in the newspaper

The Mayor welcomed Varoujan Hagopian, Sasaki Associates, who would be giving a presentation to the Board today as an update and follow-up to the presentation he gave 3 weeks ago. [Presentation notes can be found under Agenda Item 7].

The Minutes dated 2 September 2009 were accepted as amended.

Proposed: Councillor Tucker

Seconded: Alderman Harvey

Unanimous

2. **Matters Arising from the Minutes of 2 September 2009 meeting**

Travel Commitments/Absences (Item 2.5, Pg 2): All Members to continue to advise The Secretary of their travel plans/absences for inclusion on the Corporation's calendar.

Letter to Voters (Item 2.9, Pg 3): It was noted that some Members had not received the Voters' Letter.

The Secretary said that he had asked Zoe Mulholland today to resend the letter in electronic form to all the members.

Corporation of Hamilton Crests: (Item 3.1, Pg 4): The Secretary advised that after discussions with ex Alderman Black, he did not know about any missing crests. It is also not known as to where the 4 foot high Crests have come from, other than they are off a ship. Negotiations have broken down since the Corporation made an offer of 400 pounds Sterling which the gentleman was not satisfied with. The Secretary said that from the photographs he had seen they are quite attractive but that we were not willing to pay thousands of Dollars for them.

Infrastructure Committee Minutes dated 10 Aug 2009: (Item 3.2, Pg 4/5, Point 3): Sanitation Pick-up in the City: It was noted that this matter would be discussed at the next Infrastructure Committee meeting.

Finance Committee Minutes dated 19 Aug 09 (Item 3.4(a), Pg 6): D&O Insurance Policy & Cash Flow - Delinquent Tax Payers: It was noted that these two matters would be discussed at the next Finance Committee meeting.

Sanitation Pick-up in the City (Item 3.2(b), Pg 4): Alderman Ferreira requested that the Minutes of the Infrastructure Committee dated 10 August 2009 be amended as follows: "Part of the reason was that the trash truck operators were going into the supermarket (into the building) to pick up the trash whereas the trash should be left at roadside for collection".

Belvedere Building - Bermuda Bakery (Item 10.7, Pg 8): Alderman Smith requested that the Board Minutes be amended to read as follows: "*Alderman Smith reported that this building would remain at ground floor level at this time and although the this is located outside of the City limits, concerned with impact of this parking lot taking revenue away from existing parking lots. It was noted that this has been approved for a 2-year period.*

3. **Review of Committee Minutes:**

Property Committee Minutes dated 3 September 2009:

CoH property - Canal Street (Item 5, Pg 4): Alderman Harvey reported that a gentleman, who has a flourishing business, has approached the Corporation with a view to purchasing this property as he wishes to develop the area to expand and provide more parking for his customers. The gentleman wishes to purchase the property, which is on the North side of the canal, as well as the strip of land - neither of which are of any use to the Corporation. It was agreed for Management to negotiate an acceptable price and for the proper channels to be gone through in regard to the selling of the property and strip of land.

RESOLUTION: that The Secretary enter into negotiations and the correct procedure followed to sell the Canal Street property and the strip of land.

Proposed: Alderman Ferreira **Seconded:** Councillor Quarterly **Unanimous**

Infrastructure Committee Minutes dated 18 September 2009:

Business Signage (Item 10.1, Pg 7): The Mayor referred to the issue of the proliferation of protruding signs on buildings and vendors' sandwich board business signs on the streets, which are in contravention of the Advertising Act of 1911, and that there was a need for the Corporation to address this issue.

NATO Fleet (Item 10.2(b): Alderman Ferreira referred to the NATO fleet of ships being in port and asked whether the closing off of a part the parking at No 1 Shed would be daily whilst they are in port. The Ports Operations Manager responded that the parking area in question would not be available to the public. It was noted that the Corporation would lose approximately \$2,500 in lost parking revenue by the closure of No 1 Shed parking. Alderman Ferreira asked what had NATO actually requested. Alderman Smith commented that the NATO fleet would draw people into Hamilton and visit these ships and spend money at the City's stores.

Ports Operations Manager (Item 10.2(c), Pg 7): The Mayor raised the question as to who was responsible for the demolition of the bollard and asked whether the contractors had been given clear instructions as to which, and how many, bollards were to have been demolished. It was agreed that the Ports Operations Manger would report back to the Infrastructure Committee. It was noted that in the event of a 2nd cruise ship being in port that another bollard would be required for tying-up. The Mayor stressed that this matter should be investigated and cleared up and to see if it was possible to get some compensation.

Sanitation (Item 10.3, Pg 7): Alderman Smith reported that the recommendation before the Board was in regard to extending the restricted parking on Reid Street, between King and Court Streets, from 7 am to 10 am. This would allow the Sanitation team's trucks to park instead of being double-parked in the road, whilst collecting the trash, during rush hour which causes traffic hold-ups. It was noted that the Police were 100% behind this.

The Secretary added that this would also allow for commercial vehicles to be parked thus enabling those vehicles to be 'off the road' during the rush hour. It was noted that the extended restricted parking on Reid Street worked very well.

Additionally, it was noted that there were no businesses located between Court and Parliament and that this area could be for Government workers to park. It was mentioned to extend the zone - Queen to Burnaby Streets - extend back.

Councillor Cross suggested that the utility companies would need to be notified on what the Corporation is doing and that it would be in the interest of the public to also be notified. The Secretary confirmed that considerable PR would take place.

The Mayor mentioned that the Dry Cleaners would be affected and The Secretary confirmed that a 15-minute parking bay could be provided. The Mayor added that it was important that all merchants were advised of these parking changes.

Alderman Smith stressed the importance that the City Engineer makes sure that his staff do put their garbage trucks in the parking bay and not to double-park - this needs to be reinforced. Alderman Smith also said that this issue could well be rescinded if the garbage pick-up is earlier ie 6 am and that this was an interim measure until the night shift was implemented.

RESOLUTION: to extend the restricted parking on Reid Street, between King and Queen Streets from 7 am to 10 am.

Proposed: Alderman Smith

Seconded: Councillor Quarterly

Unanimous

Seon Place (Item 8, Pg 6): The City Engineer and The Secretary walked Members through this proposal and considerable discussion ensued as follows:

The City Engineer reported that the Agent has made four requests in regard to this proposal namely, sidewalks, encroachment on the Corporation's property, traffic lights, and lighting.

Sidewalks: Instead of concrete and brick they wish to do their own pattern, their own pavers for the frontage of their property and a similar pattern on Front Street.

Encroachment: that their proposals demonstrates an encroachment onto Corporation property.

The following comments regarding encroachment and sidewalks were made:

- For the encroachment and brick pattern to be pulled back by 4 feet.
- For the Corporation to use its own material on our property and the Agent would still have their pattern on their property.
- The Secretary reported that every planning application had, in the past, been turned down eg Washington Properties, HSBC, etc and that the staff are in support of the Corporation's current policy.
- Alderman Harvey pointed out that if somebody is spending a lot of money - \$100M and that they (i) want their property to look 'nice', (ii) and asked whether the pavers were non-skid in terms of safety, (iii) they would like to extend their pavement on to our property who would do this work and The City Engineer responded that their men would do the entire job. Alderman Harvey added that the design looks wonderful and that perhaps the Corporation should work with them.
- Councillor Minors agreed with Alderman Harvey but that this could create a precedent whilst having rejected previous planning application proposals. It was noted that they would maintain their pavement.
- Alderman Ferreira raised concern that allowing this proposal could open the floodgates for everybody once you say 'yes' to this.
- In looking at the future/vision the pavers chosen may not compliment the Corporation's pavements.
- Councillor Minors commented that he understood Alderman Ferreira's concern however, for the sidewalks to look consistent with no specific character/features like cobblestones mixed with other types of pavers, everything would look exactly the same, development becomes very consistent and boring.
- Councillor Cross said that there are a lot of sidewalks within the City which are not being maintained, potholes, etc and to allow developers to choose their own pavers would save the City some money but that strict regulations would need to be put in place to ensure that they maintain their sidewalks.

- Alderman Smith was of the same view as Alderman Harvey and that he was happy to give way to the Front Street side and that this owner would be a large taxpayer to the City - we need to work with the taxpayer.
- Alderman Harvey added that to add uniqueness to the City, we need to develop and nurture such proposals as it will be different and could become a landmark.
- Alderman Tucker commented that he was in agreement as long as the Corporation maintains some control over the final design and brickwork enhancements to the front of their property and responsibility for its maintenance/upkeep.
- The Mayor reported that he was against it, Lindberg & Simmons know where the end of their property line is and the beginning of the Corporation's property and they have clearly encroached on ours and that he, The Mayor, was not in agreement to give up ownership rights for them to complete their project.
- The issue of 'tastefulness' arose and the responsibility of determining what is tasteful in the approval process and what is not as it is a personal opinion.
- The City Engineer pointed out that the maintenance/operational issues would be impacted as the CoH would have to deal with the individual blocks when getting maintenance work completed.
- The Mayor added that similar approaches have been done in the past and we will get a floodgate of such requests.
- Alderman Ferreira reported that 'encroachment' is a legal term, it is very serious once encroachment has been allowed and sets a precedent. Encroachment is when a building illegally protrudes into the space of another.
- Councillor Minors said vernacular of how this will be, no one would support any encroachment on to CoH property. They should setback the encroachment to be completely on their property. Councillor Minors suggested that if we are going to do anything in terms of construction of the sidewalk that we would try to replicate or very similar the pattern of the property. The Mayor responded that as the land owner of the sidewalk, why do we have to go through the extra expense of replicating what they have? Is this best for our needs? Councillor Minors said that from an architectural point of view he asked, if we were to allow them, what would the Corporation do? The City Engineer responded that we would look at installing the standard CoH pattern. Councillor Minors said he would have expected that at each application the CoH would work towards complementing the patterns of applicant.
- Councillor Quarterly commented that instead of one concrete paver, red brick, that we adopt more than one style Rather than toothpaste in design - we should be more like lipstick companies to come up with different styles.
- It was noted that considerable thought would need to be given to this matter by the Infrastructure Committee.
- It was asked to anticipate budgetary cost, square footage, in moving forward considerable expense. The Mayor indicated that when developing a plot of land you look at your surroundings and that one should fit in with one's surroundings but you should not include your neighbour's property to complete your design. Appreciate the large investment of the applicant but we have to look at how, as small as it may seem, what a precedent we would be creating, etc would cause now and for future Boards.
- Alderman Harvey said that this area is wonderfully new whilst Reid/King Streets, etc are very depressed run-down areas, let us not handcuff the developers as Seon Place is a 10-storey building and that the Corporation should accommodate them.
- The Mayor asked whether they would sidewalk the entire block? The Mayor added that they have deliberately encroached on our property lines.

Alderman Harvey requested clarity as to whether it included Reid Street and the City Engineer responded that on Reid Street the set-back has to be more than 16 feet.

Councillor Minors referred The Mayor to his comment 'unless they do the entire block' and asked whether this was an option. The Mayor responded that he would seek the advice of the City Engineer.

Staff, Legislative & Governance Minutes dated 15 September 2009:

Revised Drug Policy (Item 4, Pg 2): The HR Manager reported that the revised Drug Policy would be put before the next JCC meeting. The HR Manager indicated that there was no differentiation between Staff, Board Members, and Management within the Policy.

Alderman Ferreira indicated that you cannot combine staff and management and Members in this Policy as there is no enforcement on Members because Members are elected. While the Members abide by the Drug Policy and agree to be tested, there is no enforcement. The Policy as it stands gives HR certain powers for termination if someone does not comply with the Policy, however, you cannot bind Members to this Policy. Alderman Ferreira further said that there were anomalies within the Policy. The Secretary said that the Code of Conduct requests all Members to abide by all Policies of the Corporation.

The Mayor indicated that the Policy is fine and recommended that the Members vote on it and pass it as there was nothing markedly wrong with it. Alderman Ferreira provided the HR Manager with an amended version of this Policy to assist her in amending the Revised Drug Policy.

Actions: It was agreed that the Revised Drug Policy be:

1. amended by the HR Manager to reflect today's discussions and to take note of the amendments made in Alderman Ferreira's copy.
2. reviewed by the Management Team
3. put before the Staff, Legislative & Governance Committee for further review
4. re-presented to the Board as a recommendation.

Additionally, it was noted that an amendment was required to be made to the Staff, Legislative & Governance Minutes dated 15 September 2009, namely that the sentence (Item 4, Pg 3) *'George Scott has a meeting with his members - his decision'* be deleted.

The Secretary stated that in regard to the BPSU, that negotiations would commence in late October early November for a new agreement.

Maternity/Paternity Leave - The Chairman of Staff presented the recommendation for Maternity / Paternity leave.

RESOLUTION: that the Maternity/Paternity Leave proposal be approved.

Proposed: Alderman Ferreira **Seconded:** Alderman Harvey **Unanimous**

Public Duties Leave - The Chairman of Staff presented the recommendation for Public Duties leave

RESOLUTION: that the Public Duties Leave proposal be approved.

Proposed: Councillor Tucker **Seconded:** Councillor Cross **Unanimous**

Company Vehicle Policy (Item 9, Pg 4): Councillor Tucker presented the revised Company Vehicle Policy as a recommendation for approval by the Board. Considerable discussion took place as follows:

- The Secretary advised that it had been customary practice for staff members to use Corporation equipment for their personal use ie to use the water truck to transfer water from one place to another.
- Staff have been allowed to use the Corporation's vehicles for their personal use in the past.
- Many companies allow this practice.
- It was noted that the Policy does provide controls where authorization from their supervisor is required.
- It was suggested to add that written authorization be sought when wishing to use the Corporation's vehicle, and that the supervisor be held accountable for any traffic/vehicle incidence.
- Alderman Smith raised his concern regarding when a member of staff borrows a Corporation truck, with permission, and has his children with him, and asked 'who is liable in the event of an accident'? Alderman Smith illustrated an incident which highlighted that it would be the Corporation that would be liable. In his opinion, Corporation vehicles should not be used for personal use.
- The Secretary highlighted that for staff not to be able to use Corporation vehicles for 'their personal use' would impact on operations as supervisors use these trucks to go home and back to work.
- Councillor Quarterly agreed with Alderman Smith and added that trucks should not be going home with staff. The Secretary responded that these supervisors are 'on-call' 24-hours a day.
- Alderman Smith understood the premise of being on-call but staff should not have personal use of the Corporation's vehicles and that in the case of those supervisors on-call 24-hours a day, that was different.
- The HR Manager mentioned that the telephone company does not allow their employees to use company vehicles for staff's personal use.
- Councillor Minors suggested that staff be allowed to use the Corporation's vehicles but for them not to allow non-Corporation staff in the vehicle and that supervisors should be allowed.
- The Mayor suggested that the Company Vehicle Policy should be amended to reflect that Corporation vehicles should not be allowed for personal use without written permission and that the Corporation vehicles should remain on Corporation property when not in use.
- Councillor Minors added that he was not opposed to staff using Corporation vehicles for personal use but for the word 'written' permission to use the vehicle to be added to the Policy as well as a statement 'that you will not have unauthorized persons in the vehicle'.

The HR Manager reported that she would seek guidance from the General Superintendant to ascertain, as to what impact such a change to the Company Vehicle Policy would have on his team's operations.

The Board recommended that the HR Manager undertake further research and to re-present the Company Vehicle Policy to the Staff, Legislative & Governance Committee for discussion, and thereafter resubmit as a recommendation to the Board for discussion and approval.

Christmas - Staff Bonus (Item 10, Pg 4): Councillor Tucker presented the Christmas - Staff Bonus proposal and the following comments were made:

- The previous Mayor did not support the removal of staff not receiving a Christmas bonus and opposed this last year (2008).

- The HR Manager indicated that this would be a 'gift' and not a bonus.
- It was mentioned that the word 'bonus' was interpreted as an incentive to do something.
- A reduction in overtime and after having allowed that to go on for such a long time for the Corporation to take this away would be just asking for problems.
- Fully in support of not rescinding the Christmas 'gift'.

RESOLUTION: that the Board approve the Staff Christmas gift in the amount of \$200 per staff member.

Proposed: Councillor Cross **Seconded:** Alderman Ferreira **Unanimous**

Action: The HR Manager to consider alternative options for a Christmas Gift.

Finance Committee Minutes dated 16 September 2009

Director & Officer Insurance Policy (Item 2.1, Pg 1):

RESOLUTION: that the Board approve the cost of coverage of the Director and Officer Insurance policy in the amount of \$6,150.

Proposed: Councillor Tucker **Seconded:** Alderman Smith **Unanimous**

Development Committee Minutes dated 19 August 2009

Alderman Ferreira reported that there were two planning applications being brought to the Board for approval, namely:

P 0476/09 - 55 Front Street: to convert a retail space into an office and storage area which is located in the walkway of the Masters Building on Reid Street level and is to be used by the Silk Restaurant. It was noted that the space does not have a frontage on either Front or Reid Streets.

RESOLUTION: that the Board approves Planning Application P 0476/09 - 55 Front Street.

Proposed: Alderman Ferreira **Seconded:** Alderman Harvey **Unanimous**

P 0473/09 - 13 Elliott Street: to make alterations to the Catholic Cathedral Rectory and Church Hall to include extending the dining room, guest bedroom, new washroom, new covered port and walkway, and landscaping. It was noted that there are no technical issues with this request.

RESOLUTION: that the Board approves Planning Application P 0473/09 - 13 Elliott Street

Proposed: Alderman Ferreira **Seconded:** Alderman Harvey **Unanimous**

4. Policing in Hamilton

Given the shortness of time to conclude the Board meeting The Secretary agreed to E-mail all Members with an update.

Action: The Secretary to E-mail all Members with an update regarding Policing in Hamilton.

5. Confirmation of the out-of-budget approval for the Shuttle Service and Security Fencing

Shuttle Service: The Events Project Manager advised Members that the evening Shuttle Service, operating from 4:30 to 7 pm, had been advertised and that the service was being used ie in the 1st week of operation, 28 people used the service, on Monday and Tuesday, 2nd week of operation, 10 and 15 people respectively used the service from which one can see that the Service is 'picking up' as the public are becoming aware of its daily operations. It was noted that no negative comments

have been received. It was noted that the cost of the Shuttle Service was \$68 per hour, \$850 per week.

Security Fencing: The City Engineer reported that two companies were approached to provide a quote for the Security Fencing at Bull's Head Car Park. A1 was the best quote at \$22,020. It was noted that the Security Fencing would limit the ways in and out of the Bull's Head Car Park thereby reducing the number of opportunities of gaining access and speedy exits.

RESOLUTION: that the Board approves to accept A1's quote in the sum of \$22,020 to provide the Security Fencing at the Bull's Head Car Park.

Proposed: Alderman Smith

Seconded: Councillor Minors

Unanimous

It was suggested that the Board consider extending the hours of operation of the Shuttle Service to accommodate the late night opening hours of retailers.

Recommended: the hours of operation of the Shuttle Service be extended to accommodate the late night opening hours of retailers.

Proposed: Alderman Harvey

Seconded: Alderman Ferreira

Unanimous

6. **Retention Bonus - Update:** It was requested that this issue be taken up at Committee should the management team continue to believe this is necessary.

7. **Waterfront Project - Update**

Introduction: Varoujan Hagopian provided Members with an update, as follows:

- That he had met with Geotechnical Investigations yesterday and that the work had been completed in one day.

All the samples for the Environmental Impact Study have been sent to a US laboratory for analysis.

Presentation: Highlights of Varoujan's presentation are as follows:

Phase 1: Refreshed and recapped on Phase 1 of the project which had been presented to the Board 2/3 weeks ago, and on what had been agreed previously. Creating opportunities for new developments with 13.15 acres (4 1/2 million (four and a half million) square feet) at a project cost of \$446,450,000. The process of reclamation to be started.

Work session in Boston:

- To downsize the project
- Realistically Phase 1 would be over 5-years
- Reduce the area of reclamation which would substantially reduce costs.
- Smaller underground parking, substantial improvements to Front Street to make it pedestrian-friendly, etc
- Trying not to impact on the Harbour Channel
- the reclamation would be reduced to 3.9 acres (previously 7.8 acres) which is a substantial reduction
- The cost of the revised Phase 1 project would be \$200M (two hundred million Dollars) which is achievable within 5-years. It was noted that the design and construction costs are included in this price.
- Large underground parking providing space for 622 cars and 283 motorcycles

- Numerous options are still available to 'lose this area, taking this building or creating a green space for future development'.
- Ultimate goal to make Front Street attractive providing shade by the use of trees.

Questions / by whom	Response
Alderman Ferreira: Can we accommodate a 2 nd cruise ship?	Yes, and it would not block the water current flow of the area.
Alderman Ferreira: Expanding the green space further - all the way to the port area and eliminating Shed No 6.	City Engineer responded that Shed No 6 was the most profitable building in the City.

Progress Report

- The project had been revised to accommodate a 2nd cruise ship
- The pier and moorings do not penetrate into the channel
- Available for maritime commerce
- Explaining green space - No 6 Shed - eliminating
- Creating possibility for Mega Yachts, visitor centre - very small but very nice area
- fixed pier
- opportunity for 3 cruise ships can also be accommodated

The above was illustrated by presentation slides showing 3-dimensional views

- Mega Yachts can be accommodated on the inside and outside of the new dock or along the pier wall.
- Changes on Front Street - green space improvements providing an avenue of trees
- creating an amphitheatre
- asphalt to be reconfigured
- make sidewalks wider
- 4-lane road, can be 3-lane, providing easy flows 'in' and 'out' of the City which can be operated as 2-lanes coming in, and 2-lanes going out which can be synchronized with the side streets.

Questions / by whom	Response
Cllr Minors: mentioned that the previous consultant had indicated to avoid a third lane	Varoujan responded that it has to be done very carefully with electronic signage and that it would take a while to transition
Somebody commented to 'control release' from the garage, up to Front Street and to the roundabout	Varoujan responded that the control and release would be synchronized.

- Ultimate goal to expand green space - one traffic lane could revert into a green space lane which could provide future real estate development opportunities.

Varoujan indicated that there were pros and cons as to when things are done ie whether to wait for public improvements to be done before tackling other aspects of the project. It was noted that the value of the area will go up significantly after all the improvements have been done.

Questions / by whom	Response
Cllr Cross asked how much the underground parking lot would cost as the Bank of Bermuda had a big	Varoujan responded that Bank of Bermuda's contractors had to excavate and with the Corporation's project this will not be the case as the

headache with the cost of 'filling' which increased their costs considerably.	fill will be good sandy or crushed stone or concrete. The fill has to be good as we will be building on it.
Ald Ferreira asked what size Mega Yachts will fit.	Varoujan responded two 210 footers, two on the outside and two on the inside and a third against the pier wall.
Cllr Tucker asked whether there would be a provision made for mooring.	Varoujan responded that 60, 70 footers would be cheek to jowl on the inside in order to keep the outside for the big 400 footers.
Ald Ferriera asked (a) what is the distance between the dock and the pier 6 facing. (b) it narrows to the right, and (c) is the gap large enough	Varoujan responded 300 feet and it narrows to 'line up' with Pier 6 just in case to accommodate a 3 rd cruise ship. (c) the gap is large enough to come in and out and the gap (opening) can be flipped which would be another option.

Recommendations: Varoujan recommended for Phase 1 to go ahead and get the permit for the project, for the plans to show two ships in port and developmental land ie the green spaces, also to show the buildings now to avoid re-submitting to planning. Shed No 6 will be the last action to do to implement the plan as eventually Shed No 6 will not be needed.

Alderman Smith stated that the Board is a 3-year term in office and that the Waterfront project development has been talked about for several years. However, he believes that this current team would like to be the ones to go ahead with the project.

Questions / by whom	Response
Ald Smith asked about the timelines for this project.	Varoujan responded 1 Environmental Impact Study by Jan/Feb 2010 2 get permit 3 how fast do you want me to go?

Varoujan indicated that when he receives a commitment from the Board to go ahead then it would be at that point when the team would start seriously designing. It would be about one year to fourteen months to plan and design and then construction. Sea-wall reclamation 3-years after that a significant portion of the Phase 1 would be completed. The project at this point would be far too committed to make changes, however, options and changes that can be made after tenure would be eg types of buildings, etc. It was said that it was hoped that future generations would add to this project.

Questions / by whom	Response
It was asked how much it would cost to add an additional pier?	Varoujan responded that his guess-estimate would be \$15-20M
Ald Smith questioned if the area is pedestrianised what about the service industry deliveries which would take away most of the car parking?	Varoujan responded that a small pocket of short-term parking would be created for both deliverables as well as the public. He did add that most deliveries would happen from the back of the buildings.
Cllr Minors said that the survey would be finished in January 2010, and asked	Varoujan responded that the budget has not been based on actual hard-line information. The costs

whether there would be any surprises in regard to increases in the costs.	include the technical information, completed survey, and the utilities cost estimate, and that an additional 25% has been built in for contingencies.
Ald Ferreira referred to the 'attractive features' that were discussed 3 weeks ago in regard to local 'mini' Yachts.	Varoujan responded that the entire edge of the Waterfront would be available as 'public landing' free-of-charge or for \$2 or \$3 a day for people to come to Hamilton for shopping, to enjoy the amenities, for dinner, etc - can come to Hamilton by boat as opposed to by car or cycle.
Cllr Minors asked whether the area at Albuoy's Point requires dredging?	Varoujan responded that probes were done yesterday to 7/8 feet and said that if it is a reef we will know through this survey. If it is a reef then there would be an option to create a 'cat walk' from the yachts to the quay.
Cllr Minors added that he would like to accommodate as many options as possible.	
It was noted that there would be a temporary impact during construction but that it could be contained.	
Alderman Ferreira commended Varoujan on his work and today's presentation based on all the challenges that the Board gave 3-weeks ago and asked whether the drawings could be done sooner than in 12-months.	Varoujan responded that he can work faster and that it would be possible to produce the drawings sooner than 12-months.

Varoujan referred to the next steps eg schedule future disbursement of the funds, wants to do a field test, wants to give us accurate numbers in November/December 2009. We do not have to wait to start construction. Split the process - foundation package in 4/5-months, finalizing the design and it can be realized while building the sea-wall - the sooner, the better.

It was noted that the Environmental Impact Study by the Geotechnical people and the EIA report would be submitted before December.

Varoujan was really pleased to hear that the Board is committed and wishes to proceed and that it was up to the Board to let him know how fast you wish his team to work. He added that come January/February 2010 the Board will see things moving quickly.

The Communications Manager reported that it would be necessary for a large number of people to be contacted to ensure their understanding of the proposed Waterfront Development. Varoujan indicated that he and his team would be glad to be in Bermuda on a monthly basis to facilitate this project's progress.

The Mayor came back to the outstanding issue of 600 car spaces under the reclaimed land and why are we bringing people in and all the way across the City, to the Western side, in order to park. More consideration needs to be given to this issue - how we are going to ease the traffic flow, to have faster egress along the City's streets, etc and Varoujan indicated that these issues would be addressed through road studies. Varoujan added that it would be possible to add another garage in another area of the plan and it was noted that the Cavendish parking has 4/5 levels of parking.

The Mayor referred to the HSBC, Butterfield Bank, and a lunch with Nigel Crow, a week before and a discussion on the Trimingham Building site. They have a multi-storey building they are looking to utilize in whatever way they possibly can and suggested that the Corporation reclaim less land and the Bank building being the Receiving Centre for Cruise Passengers.

In regard to the proposed cultural centre - this is right in front of their building and they had inquired why in that position.

In regard to the current Bank of Bermuda building, Varoujan said that it would be cheaper to knock it down and start again rather than clean it up, bringing it up to code, etc.

Budget: Councillor Tucker declared his interest on the topic of Bank of Bermuda as he is a Director of the Bank and would excuse himself when discussions take place in regard to the Bank of Bermuda building. Councillor Tucker continued and said that between now and the end of the year there was a need to put together a plan as to the financing of this project as the Board has talked about what we are going to do but not how we are going to finance it. We must get some detailed ideas of how to budget, a comprehensive plan financing it particularly more so in light of moving ahead in January 2010. Varoujan said that he would E-mail Zoe with a 'paper' that he has in regard to public and private financing which gives valuable information about success and the limitations and would be informative for the Board to start thinking about a financial model. The Secretary pointed out that basic approval would be required from the Cabinet.

8. North Hamilton Development: No Discussion

9. Corporation Committees - Additional Committee Members: No Discussion

10. City Hall Theatre Food/Drink Policy

Councillor Quarterly said that Mrs Stanton, President of Gilbert & Sullivan, had approached her to say that as many of the cast members of Gilbert & Sullivan come directly from school having not had anything to eat, as to what compromise could be reached as it states in the Food and Beverage Policy that 'food and beverage consumption is prohibited anywhere (including backstage) of the Theatre'. The Events Project Manager responded that food and beverage consumption could take place in the Theatre if agreement was changed and the event organizer has signed a Corporation Agreement and paid a refundable deposit.

It was noted in the Rental of City Hall Theatre Agreement that the Corporation's custodian cleans all areas of the Theatre, when in use, every evening regardless of whether food has been on the premises, in order to keep a lid on potential infestation.

The Events Project Manager asked what kind of amount should be set for 'damage waiver' as food can stain, wine/coffee can be spilt and damage the carpeting, etc which could require professional cleaning and if a deposit was made and damage was found then the refundable deposit would not be refunded. The Events Project Manager suggested \$1,000 as a refundable deposit per week for every week that they have rented the Theatre. The \$1,000 could be 'rolled-over' from week to week.

Some Members thought the amount of \$1,000 to be rather high and that the refundable deposit could be returned to the event organizer after deducting the cost of repairing the damage.

RESOLUTION that the Board approves the amendment of the City Hall Theatre Agreement to include a 'damage waiver deposit' agreement.

Proposed: Alderman Harvey **Seconded:** Alderman Minors **Unanimous**

11. Any Other Business:

Open Board Meetings: Discussion arose in regard to this matter and comments made are as follows:

- Limited seating in the Mayor's Parlour
- What would be the:
 - format for the open meetings
 - expectations
- it was noted that the logistics would be sorted out later
- The Mayor said that the Corporation is willing to share its business with outsiders - it may be slightly out of our comfort zone but it is not that big a deal to share with others as opposed to remaining behind closed doors.
- For the November Board meeting to be open to the public and the Press.

RESOLUTION: that the Corporation's Board meeting on Wednesday, 4 November 2009 would be open to the public and the Press.

Proposed: Alderman Smith **Seconded:** Councillor Cross **Unanimous**

Action: That Members E-mail The Secretary indicating their interest and commitment to serve on the small committee to look at the structure of this first 'open' Board meeting.

PR Budget: The Events Project Manager requested the Board to approve an amount of \$150,000 to be set aside for PR.

RESOLUTION: that the Board approves the amount of \$150,000 to be set aside for PR.

Proposed: Alderman Harvey **Seconded:** Alderman Ferreira **Unanimous**

Port Court Costs: The Board wishes to note the resolution to approve the reduction in Port Costs approved at the Government committee meeting of September 30th.

The meeting closed at 4:05 pm

Date

Mayor

Secretary