

Corporation of Hamilton Board Meeting, City Hall, Hamilton - 7 April 2010

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| <b>Present:</b>   | Rt. Wor. Charles R Gosling, JP, Chairman<br>Alderman Glen C Smith, JP<br>Alderman John W Harvey, JP<br>Councillor Walter F Cross, JP<br>Councillor Pamela Quarterly<br>Councillor Nicholas Swan<br>Councillor Dennis G Tucker, JP      |
| <b>Staff:</b>     | The Secretary - Ed Benevides, JP<br>The Treasurer - Gary Edwards<br>City Engineer - Patrick Cooper<br>Human Resources Manager - Sakina Darrell<br>Communications Manager - Aderonke Bademosi<br>Events Project Manager - Danilee Trott |
| <b>Apologies:</b> | Alderman Pamela G Ferreira, JP<br>Councillor Marshall E Minors<br>Port Operations Manager - Kevin Hollis   |

**1. Review of Corporation Minutes of 3 March 2010**

The minutes of the meeting held on 3 March were accepted as read.

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

**2. Matters Arising**

Tangible Capital Assets Presentation - This presentation by Mr Peter Button to the Board will be arranged by the Treasurer in due course.

Public Forum on the City Plan - This action item was attributable to Alderman Ferreira but as she was not present at today's meeting, it will be deferred until May's Board meeting. In the meantime, the Secretary will investigate whether the public forum on building heights in the City can be moved from 3<sup>rd</sup> June to sometime in May as it was felt that the date in June was too far off in the calendar. It was noted that the reason the forum was originally booked in June was because the theatre was fully booked throughout May. As this is the case, The Secretary said he may look at Pier 6 as an alternative venue. The Mayor said he would really like the Corporation to get public input prior to the document being compiled.

**ACTION:** Alderman Ferreira to confirm date for public forum for the City Plan.

**ACTION:** The Secretary to investigate whether the public forum on building heights can be moved from June to May.

Cruise Ships - Alderman Harvey asked whether any efforts are being made to secure a dedicated cruise ship for Hamilton instead of sharing one with St. Georges.

The Secretary said that in one of his final meetings with the Chambers of Commerce, the Ministry of Transport & Tourism had said that they are still looking to have additional ships to the various ports. They have indicated that a number of the cruise lines do like the two-port option but they are seeking to secure additional ships and The Secretary said he can forward an enquiry to Mr Larry Jacobs to see what efforts they are making for single-port ships.

**ACTION:** The Secretary to ask Mr Larry Jacobs whether the Ministry of Transport & Tourism have managed to secure any single-port ships for Hamilton for the coming seasons.

City Rangers - The consultant and The Secretary met with Bermuda Police Service some time back to move forward on the City Ranger Programme. The senior officers had authorized an acting inspector to work with the Corporation to create a report and recommendation to the Commissioner. That document is now on the Commissioner's desk but unfortunately he has been off the island for a while and The Secretary has asked whether the Acting Commissioner is prepared to sign it but he has not received a response. The Secretary said that he has been informed by a third-party that the Commissioner maybe on the island this weekend and back in the office week commencing 12<sup>th</sup> April. An anticipated meeting with the Commissioner is currently being proposed for the week of 19<sup>th</sup> April and until the Secretary has confirmation of those dates, he is unable to move things forward.

The Mayor said that unfortunately now, the police are being distracted by major issues of community safety etc but we are getting complaints from constituents of not only unsocial behavior but news of some fairly nasty events taking place in various areas of the City that the Corporation feels City Rangers could at least address in some way and have an impact on anti-social behavior.

City Walkabout - Alderman Smith said that he had undertaken a walkabout of the City with The Mayor and City Engineer on 4<sup>th</sup> April. They had also visited the Port Operations Manager at No. 6 Shed. Alderman Smith asked whether the Tills Hill signage had been implemented yet in relation to asking people not to fly-tip. The City Engineer confirmed that signage has been put up but on the whole it is being ignored.

### 3. Review of Committee Minutes

#### a) Property Committee Minutes - 4 March 2010

No recommendations.

Alderman Smith said that it is good to see the Washington Street properties being cleaned up to stop people moving back in to them. Alderman Smith asked when demolition of the buildings will commence. The City Engineer said we have received tenders and awarded contracts and demolition work will start w/c 12<sup>th</sup> April on three of the five properties followed by the erection of fencing. The Mayor said that in the City Engineer's absence last week, he had a discussion with the Secretary and Assistant City Engineer regarding the Washington Street area and it was suggested that the Corporation may be able to grass the area or in some way make it look nicer rather than just have it fenced off. The City Engineer said that once the buildings have been demolished, he will look at what the level of the ground and then review how we can deal with the area.

b) **Infrastructure Committee Minutes - 8 March 2010**

No recommendations.

Manhole Covers - Alderman Smith reported that some of the manhole covers in the City, particularly on Reid Street, have been painted with non-slip paint to prevent accidents.

Reid Street Pedestrianisation Committee - Are meeting on a regular basis and Alderman Smith said he plans on one of them attending the next Infrastructure Committee meeting to give a full update.

No. 6 Shed Refurbishment - Alderman Smith said No. 6 will be ready for the arrival of the first cruise ship on 23<sup>rd</sup> April. The ceiling of the building has been replaced and painted and new carpet will be installed. The frames around the large black and white photographs at the entrance to No. 6 will be replaced. Also, the Parks Superintendent is arranging for trees and foliage to be installed both inside and outside No. 6 Shed.

Alfresco Dining at No. 1 Cycle Parking Area - Alderman Smith said that the restaurateurs who have been spoken to regarding alfresco dining at No. 1 have all shown an interest in the project.

Alderman Smith said he would like the Board to approve the go-ahead on the alfresco dining project and for the Infrastructure Committee to put together an RFP.

Alderman Harvey asked whether this would be for the 2010 summer season and Alderman Smith said that as there is a significant amount of work involved, it would probably not be up and running this year.

The Mayor said that the Corporation has a full project schedule for 2010 and we do not really have the manpower or time to do this correctly this year. The Mayor said that to date the Board has been given a lot of anecdotal information on the project and how people envisage the dining area to be but the Board needs something in writing.

Alderman Harvey said that in the interim, for 2010, perhaps the Corporation should consider holding some fun activities at No. 1 as we did when the tall ships were here last year.

Alderman Smith said he will take the project back to the Infrastructure Committee to look at the process of putting together an RFP.

The Mayor asked whether there was an update on the selling of fish from Front Street. The Events Project Manager said she has been out and canvassed the majority of fisherman but most of them are not prepared to move from their current sites which are outside of the City. One vendor was interested but we are awaiting his final response and there are potentially two other vendors who might be interested. It was noted that the fish would be sold from trucks and not from fishing boats.

Traffic Light Upgrade - Councillor Tucker asked whether there is a further update on this project. The City Engineer said we are still waiting for the electrical boards to come back from the UK for the lights on Dundonald Street / Court Street. In relation to the upgrade, we have received some preliminary design drawings for the pedestrian crossings on Front Street. These will now be reviewed and hopefully within the next two months we should be able to start construction and get those new crossings up which will provide spare parts to keep the rest of the lights going. We are also starting to do surveys on all the other junctions to start building up detailed designs for all the other intersections.

The City Engineer said he has also met with consultants to arrange for them to carry out traffic counts to enable us to start building a system for how the lights actually operate in terms of timings and sequences. So work is ongoing.

c) **Development Committee Minutes - 11 March 2010**

In Alderman Ferreira's absence, Councillor Quarterly reported on behalf of the Development Committee. It was reported that the Corporation has received word today regarding the transportation hub which we have been told has been shelved until the Municipality issue has been resolved.

Two recommendations in relation to building applications were presented to the Board and Councillor Quarterly left the meeting room as she has a conflict of interest.

The City Engineer discussed the two building applications.

PO414/09 55/57 Court Street - An in principle application for demolition of existing building and construction of new five storey commercial and residential building with two basement levels.

**RESOLUTION: That the Board refuses planning application number PO414/09 for 55/57 Court Street on the basis that it does not comply with setback requirements.**

**Proposed:** Councillor Cross      **Seconded:** Alderman Harvey

**Unanimous** (Councillor Quarterly not included in vote)

P076/10 3 Elliott Street West - An application for the demolition of existing building and construction of a new six storey commercial building including basement and roof top mounted satellite dish and radio antenna.

**RESOLUTION: That the Board refuses planning application number P076/10 for 3 Elliott Street West on the basis that it does not comply with setback requirements and the number of storeys permitted in this area.**

**Proposed:** Alderman Smith      **Seconded:** Alderman Harvey

**Unanimous** (Councillor Quarterly not included in vote)

Councillor Tucker asked whether the architects are informed of the reasons why their applications have been turned down.

The City Engineer said that we have a new policy whereby we send our comments to both the architect and The Department of Planning.

Councillor Quarterly returned to the meeting room.

Alderman Smith said he noticed from page 4 of 4 of the Development Committee minutes that it is intended for two separate tours of the Works Yard to be arranged - one for the Committee and one for Board Members who do not attend the Development Committee. Alderman Smith asked whether the two could be combined. The Mayor said that as any Councillor or Alderman can attend any Committee meeting at any time, then the idea of two separate tours is redundant.

**ACTION:** The City Engineer to advise the Development Committee that only one tour of the Works Yard will be arranged for all Members in April.

**d) Staff, Legislative & Governance Committee Minutes - 16 March 2010**

Intranet Site - The HR Manager said she has no further update at this time on the Corporation's intranet site as she has been away from the office but she will report on this at the next Staff meeting on 20<sup>th</sup> April.

New Telephone System - The Secretary said that everything but the out of office attendant, which will deal with out of hours calls, has been completed. Direct dial numbers have been published.

**ACTION:** The HR Manager to email direct dial numbers to Members.

Staff Satisfaction Survey - The HR Manager said she has met with the Managers of the various sections and she ran through the finalized survey which will be going out to staff. The information is going to be collated in three different categories. Information will be collected based on agency shop staff ie: BIU and BPSU and also the management team and then there will be one overall collection of the data. The BPSU staff and management team will receive the survey electronically and will be given a deadline date to complete the survey and return it. Mr Riley will visit the BIU Works Yard staff and administer the survey and assist those who might have challenges with completing the survey in order for us to have a 100% return rate. Results should be collated and completed within a month of the survey being carried out. The HR Manager said she has also recommended that Supervisors meet with their staff to give them advance warning that the survey is being sent out.

Foreman Training / Management Training - The Foreman started their training in February and middle management start their training on 22<sup>nd</sup> April. Two foremen have dropped out because they do not have the skills to complete it. With this in mind, the Corporation is planning on starting its literacy training. There has been good feedback so far from those foremen who have remained on the course.

Councillor Tucker said that training and education will continue to be engrained in the culture of the Corporation.

Renaming of Streets - Councillor Tucker said this topic has not been discussed in detail yet by the Governance Committee. The Corporation has received a couple of requests from members of the public and The Secretary is looking at examples and will then hopefully be able to provide some guidance to the Committee on the renaming of streets.

Retirement Lunches - Alderman Smith said he thinks it is good that the Corporation is now holding retirement lunches. It was noted that there will be articles in the Press thanking the retirees and recognizing their service to the Corporation.

Employee of the Quarter / Year - Councillor Tucker mentioned that the first Employee of the Quarter has been announced and it is Mr Randolph Spence. He was invited to the full Management Meeting on Tuesday 6<sup>th</sup> April. The BIU organizer, Mr George Scott, was also invited along with the Chief Shop Steward. Mr Spence's picture will be published in the newspaper on Friday 9<sup>th</sup> April. Five other people were nominated as well and their names will also be mentioned in the newspaper. Mr Spence received an extra vacation day, a citation and a \$100 prize. The Mayor asked that any pictures published in the newspaper are taken by a professional photographer.

Tendering Process - Councillor Tucker said that the Governance Committee had met to review the Corporation's tendering process. As a result of this, it was determined that some changes needed to be made and have now been incorporated in the Corporation of Hamilton Tendering and Quotes Policy. The Secretary said that the Committee had reviewed the tendering process. Prior to this the Corporation had a tendering policy which has not changed significantly. The two documents have now been incorporated. The tendering documents will now contain an invitation to the opening of the bids with every package. The biggest change is that the bids will be opened with the bidders present. This has actually been done now for the last 2 tenders following the Board's comments. The Secretary and City Engineer have two further changes to the document that they would also like the Board to consider. These are:

Page 2, point 4 under Goods and Services between \$50,000 and \$100,000. The word "treasurer" is replaced by "executive management" (which comprises of City Engineer, The Secretary, Treasurer and Human Resources Manager).

Page 3, point 5 under Corporation's Tendering Process. The following sentence to be added: "All questions asked and answered in the pre-tender meeting will be minuted and supplied to all bidders".

Alderman Harvey asked why on page 2 of 4 under Goods and Services between \$50,000 and \$100,000 it says "bids must be advertised in the Royal Gazette". The Secretary explained that for timing purposes, adverts need to be put into a daily newspaper and the Royal Gazette is the only daily in Bermuda. Nonetheless, it was agreed that the wording should be changed to "a daily newspaper".

**ACTION:** The Secretary to provide the Members with a copy of the amended Corporation of Hamilton Tendering and Quotes Policy document.

The amended document will be posted on the City Hall website.

**RESOLUTION: The Board ratifies the revised Corporation Tendering and Quotes Policy.**

**Proposed:** Councillor Tucker      **Seconded:** Councillor Quarterly  
**Unanimous**

Alderman Smith asked whether Alderman Ferreira had been given the opportunity to review the amendments and comments to the tendering policy as she was the one who brought the review of the tendering policy to the Board in the first place. The Secretary said he had sent the amendments out to all Members but he had received no comment from Alderman Ferreira. The Mayor said that this is a living document and can be changed at any time.

The Mayor also said that there had been indications of setting up a tendering committee but it was best to keep things as apolitical as possible and when you bring in elected officials to make decisions on processes like this, it can lead to further misinterpretation and in the wrong hands can lead to inappropriate choices being made. All Board Members are now able to be present at the opening of the tender documents, when the bids are actually read out loud, and if the Members have any questions then these can be asked and answered at a later date.

Team Building - The Human Resources Manager reminded the Board that the Management Team will be taking part in a team building exercise on Friday 9<sup>th</sup> April. In their absence, Lucille Rochester will be managing the office and Mark Woods will be managing the Works Depot.

**e) Finance Committee Minutes - 17 March 2010**

No recommendations.

Missing Deeds - The Secretary reported that this is in the hands of lawyers and he understood that they will be providing us with official paperwork which will replace the missing deeds.

Capital Projects - it was confirmed that the Treasurer is in the process of trying to obtain financing for the Corporation's capital projects.

Treasurer's 4<sup>th</sup> Quarter 2009 Report - A copy of this report has been distributed to all Members. The figures are subject to some adjustments which the Treasurer is currently working on. The Treasurer mentioned that there has been a slight setback in the figures as Customs have just informed us that they overpaid the Corporation in 2009 by about \$149,000. The Treasurer has asked for a full explanation from them and they have promised this by 16<sup>th</sup> April. The Treasurer said that the verification of payments from Customs is not very good. The Secretary and the Treasurer have met with Customs a number of times and they had confirmed that they would be migrating to a single system at the end of 2009 and electronic clearance and once this was all fully operational verification would be clearer. Obviously things have not quite moved in the direction that Customs had wanted them to.

The Secretary reported that the Corporation's shuttle service to and from Bull's Head Car Park has now ceased for the Summer. Also, the City Hall 50<sup>th</sup> Anniversary celebration and the We Arrive event at Barr's Bay Park both came in significantly under budget. The Mayor said that he noticed that on both occasions there had been expenses incurred for a photographer and would it be possible for the management team to ensure that event photographs which have been commissioned are used more frequently on the City Hall website and Facebook etc.

#### **4. North Hamilton Development Update**

Nothing further to report at this time. The Secretary said that the Finance Committee will be reviewing the joint building development proposal which has been submitted to the Corporation by the EEZ. The Mayor commented that this proposal will be looked at now with a view to possibly doing something in following years but nothing could be done this year due to budget considerations.

#### **5. Waterfront Development Update**

Project on hold until Municipalities issue with Government has been resolved.

#### **6. Any Other Business**

##### **a) Confirmation of date for next Town Hall Meeting**

Alderman Smith said it has been proposed that the Corporation holds its next Town Hall Meeting on Thursday 22<sup>nd</sup> April at the Heritage Worship Centre in North Hamilton and that an agenda is currently being worked on. The time for the meeting is yet to be confirmed. The Mayor said that there is also a possibility that the meeting will be held on 29<sup>th</sup> April instead of 22<sup>nd</sup>. Obviously the constituents of North Hamilton have some serious issues right now in terms of community safety etc and the Corporation feels it would be better if we were to also work with other parties who have been working within the community as well as community members themselves. We will therefore want to address concerns and want this to be a solutions orientated meeting and look for possible ways forward for the community and the City as a whole. This may take a little longer in terms of planning, hence the reason the 29<sup>th</sup> maybe a fall back date.

##### **b) Corporation of Hamilton Tendering Process**

This item was covered in 3d above.

##### **c) Adoption of the procedures for public access to Committee Meetings**

The Mayor said that part of the mandate when Members stood for election was to bring transparency to the Corporation. It is one thing to have a town hall meeting where the public can hear what is happening but when it comes down to actually being involved in the decision making process it is normally after the fact.

The idea of having public participation at the Board meeting had been considered but it was decided that it would be better to do this at Committee Meeting level because this is essentially where decisions are being made. Any involvement by the public after this would involve a lot of back-tracking by various parties and this normally does not lead to good decision making.

A meeting has been held which most Members participated in and a memorandum has been produced by The Secretary. The Secretary said he has put together a draft process of how the Corporation may open the Committee Meetings to public input. The document has been sent out to Committee Chairs. The biggest key to this being successful is getting communication out to the public on a timely basis on what is on the agendas for the various Committees. We then have a process of how members of the public may submit written proposals or they may just want to make an appointment to address the Committee. The member of the public would then have a set time to present followed by a brief question and answer session. They would then leave the meeting and we would subsequently advise them of the outcome of their presentation ie: whether a recommendation will be put to the Board or if their proposal has been turned down. A situation may also arise where the proposal is deferred pending further information.

If a Committee meeting needs to be moved for any reason, then The Secretary would need to be informed at least three weeks in advance. The venue for the Committee Meetings will remain the same ie: meeting room at City Hall. There is an entire section on the draft process which covers disclosure. Anyone making written submissions would have to acknowledge the fact that their papers will become part of the Corporation's digital records, unless the documents fall under the category of restricted information. The Secretary said he has also outlined on the document what would be considered restricted information. The Corporation is in a position to start this process in May 2010.

**RESOLUTION: That the Board agrees to open Committee Meetings to the public on an item specific basis and that the document drafted by The Secretary is adopted as policy.**

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

**d) Discussion on possible change of date of June General Meeting**

The Mayor said he will be off the island on Wednesday 2<sup>nd</sup> June for the next Board Meeting and would therefore like to propose to move the meeting to a date when he can attend. It was agreed that Tuesday 1<sup>st</sup> June would be convenient and a quorum would be present.

**ACTION:** For the Recording Secretary to reschedule the Board Meeting in the Outlook Calendar to Tuesday 1<sup>st</sup> June 2010.

- e) The Secretary said that bids had recently been opened for the renovation of the Par-la-Ville toilets and due diligence has been carried out. As per the tendering policy, the project requires Board ratification because it is over \$100,000 and the recommendation from the management team is to accept the lowest bidder.

The Mayor said that when the bid documents were opened there was concern that the majority of them were far above the budgeted amount and he asked was that due to the fact that the contractors had not looked at the documents properly. The City Engineer said that this project has been rolled over from 2009 and when it was first budgeted, the design was different. The Corporation modified the design upon further review because it did not quite meet our needs and we saw an opportunity to change it. Therefore the actual budgeted amount may not be aligned due to that fact. As to why the disparity amongst the bids, he said that could be attributed to how aggressive companies were to get the work.

**RESOLUTION: That the Board accepts the bid from Building Blocks Construction of \$136,785.85 for the renovation of public washrooms and cottage in Par-la-Ville Park.**

**Proposed:** Councillor Swan      **Seconded** Alderman Harvey  
**Unanimous**

Alderman Harvey said that recently in this country we have all been challenged to consider the subject of gaming. Some Members may have read the Green Paper that has been published which is going to be debated in Parliament when it reconvenes on 7<sup>th</sup> May. Alderman Harvey said he has read the paper and he ran through some of the salient points. One is that the sub-committee chaired by Mr Wendell Hollis explored various options on gaming in Bermuda and where a potential gaming facility should be located. It is indeed fair to say that they gave this very serious consideration. No doubt because there are a huge amount of cruise ship passengers who visit Dockyard that this area has been heavily favoured. However, they have decided that if there is going to be a gaming facility, that it ought to be provided in the City of Hamilton. In light of the fact that they have said this, then it is the responsibility of the Corporation to at least talk about the paper and there is not much time left to do this. Alderman Harvey urged all Members to think about gaming and perhaps a special meeting should be set up to discuss it further and make comment on how the Corporation of Hamilton sees gaming in the City. The Mayor said he believes that submissions on the Green Paper need to be back with Government by the third week in April.

Councillor Swan asked whether it would be appropriate for us to canvass our constituents on their views. The Secretary said that one way of gleaning opinions from constituents would be to place a request on City Hall website so constituents could email /write or telephone in their views.

