

Corporation of Hamilton Board Meeting, City Hall, Hamilton - 5 May 2010

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

1. Review of the Special Corporation / Finance Meeting of 19 April 2010

The minutes of the meeting held on 19 April were accepted as read.

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

2. Review of Corporation Minutes of 7 April 2010

The minutes of the meeting held on 7 April were accepted as read.

Proposed: Councillor Swan **Seconded:** Councillor Minors
Unanimous

3. Matters Arising

Letter to Dr Binns, Permanent Secretary - The Secretary confirmed that he has written to Dr Binns regarding the copy of the Mayor's speech which was returned by the Ministry of Immigration & Labour to the Corporation. A response has been received from them to say they were in receipt of our letter and thanked us for bringing it to their attention.

Letter to Mr Larry Jacobs - The Secretary said he has written to Mr Jacobs to ask whether the Ministry of Transport & Tourism have managed to secure any single port ships for Hamilton for the coming seasons. The Ministry has not secured ships but we have been informed that they are continuing to work on this.

The Mayor mentioned that the Premier had said last week at the inaugural visit of the Veendam that the Ministry is continuing to actively look for appropriate ships for our harbour.

New Telephone System - It was confirmed that the HR Manager has emailed Members with a list of internal direct dial numbers.

Tendering & Quotes Policy - It was confirmed that the Secretary has emailed Members with a copy of the amended Corporation of Hamilton Tendering and Quotes policy.

June Board Meeting - It was confirmed that the Recording Secretary has rescheduled the June Board Meeting to 1st June in the Outlook Calendar.

Overpayment to HM Customs - The Treasurer confirmed that there has been an overpayment to HM Customs and we refunded them the money in March 2010. A meeting has been held between the Treasurer and HM Customs and there is more to discuss on this matter. The Treasurer said that payments from HM Customs will come up in the auditor's report this year again as the auditors believe it is an unsatisfactory way of doing business and we must find a solution.

4. Review of Committee Minutes

a) Property Committee Minutes - 8 April 2010

Painting of City Hall - Alderman Harvey said the Property Committee has a recommendation regarding the painting of the exterior of City Hall. Alderman Harvey asked the Members to refer to the computer generated pictures which show the building in various colours. City Hall has been painted white since it was built in 1960. The City Engineer has pointed out in the past that if the Corporation wishes to change the colour of the building from what it is today, it will become more of an expense because the current colour is easy to blend in when patching up needs to be done but it will be harder to do this if City Hall were to be painted a colour other than white. It is the Committee's recommendation that if repainting is to be done then it will be within next year's budget. The Mayor said that this sees a major change in thought by the Board in moving away from what has been done in the past to branching out and having something exciting for the future.

Councillor Tucker suggested that if the Board does decide to change the paint colour and once the colours have been narrowed down, then it would be a good idea to paint a section of the back of City Hall with the chosen shades so the effect can be seen in full and the appropriate colour can be chosen. It is currently difficult to judge the colours from the computer generated pictures.

Alderman Smith said City Hall is an attractive building and he felt the repainting in a different shade would show the great accents that building has. A different shade would enhance the detail and the cornerstones.

The Board agreed to proceed with the project by initially viewing some colour swatches on the back of the building which will then give them the opportunity to decide whether to paint City Hall in an alternative shade or to keep the current colour of white.

City Parks - Alderman Harvey said that our Parks Superintendant thought it would be important for all of Bermuda to know that the Corporation does not use any chemicals in the parks which means it is very safe for children to play in the City parks.

Parking in Front of City Hall Policy - Members have been given a copy of the policy which has been agreed by the Property Committee. Alderman Ferreira asked whether the Committee considered the night time implications for parking in front of City Hall ie: when the Mayor's Box is in use. Alderman Harvey said that the policy does not distinguish between night and day and parking is provided for use by Members at the rear of City Hall. Alderman Ferreira said that there have been occasions when she has brought the Governor's wife or the Premier's wife to an event at City Hall and she would like the capability of being able to drive up to the front of City Hall on such occasions. Alderman Harvey said his Committee will give this some consideration.

Lighting up of City Hall - The Mayor said that we have received a request from Bermuda National Gallery to light up City Hall in blue light during the month of May. The Gallery will be displaying work by an autistic artist and to honour him, they would like City Hall to be bathed in blue light.

Busking in Hamilton - Alderman Harvey said that May is Heritage Month in Bermuda and Hamilton has been identified as a place where art will be displayed during the month. We have also received requests from the Ministry of Culture & Affairs and an organisation called Chewsticks to allow buskers to play in certain areas of the City. The Committee has agreed to these requests.

School Children drinking in City Parks - It has been brought to the Corporation's attention by a concerned member of the community that a group of children from a local school were seen in Victoria Park drinking alcohol. Our parks employees have been told to keep an eye out and if they see similar kinds of behavior, they will take note of the school uniform of the students and call in to advise staff at City Hall. The school in question will then be informed so they can deal with the issue. Alderman Harvey pointed out that if we had the City Ranger Programme up and running this would help in addressing this type of behavior which we need to counteract as a community.

Parks Policy - Alderman Harvey said that the Committee would like to amend the policy to allow for rental of the parks for weddings. The Committee is currently looking into ways of raising revenue and they are focusing on events which could be put into effect during 2010. The policy currently only allows for wedding photographs to be taken in the parks and not for wedding ceremonies or receptions.

The Mayor said that what we are looking for is something consistent with the image that Hamilton wants to present to its visitor and it is not as simple as having signage attached to the side of buildings or a sheet of painted metal on a post but something more detailed.

It has been recognized that the City is bereft of signage and what we are trying to do is come up with something that is going to be in keeping with "Hamilton - Bermuda at its Best". The Secretary confirmed that the new branding is on the new signs and that the end of May (middle of June at the very latest) is the goal for putting up the new signs.

Combined Heat & Power Proposal - The Secretary said that the Corporation continues to be in support of the concept although we do believe, based on the information provided to date, that we would be looking for a more in-depth feasibility study. The City Engineer will be producing some examples of questions for the group to provide. The other challenge that we have is that a number of sites have been identified which would work well for this project and they have also been identified for at least 2 other projects. We are in the process right now of evaluating the waste water management options and once we have done that, we will have a better understanding of how we might fit things on the various sites. The Mayor said that any additional information should include proforma financials and show expected costs and income for the project.

Traffic Lights - Councillor Tucker mentioned the recent failure of certain traffic lights in the City and asked whether it would be possible for the Corporation to order spare parts to keep them on hand. The Secretary said that there are no parts available as the lights are now obsolete. We are having to cannabilise parts as much as we can and the parts have to be sent overseas to be repaired as there are no others. We do now have a full set of working boards. The fault with Court Street and Dundonald ended up being complicated as it was attributable to a number of ground faults and this caused damage to the boards. As we replace the pedestrian crossings that we have in the budget for this year, we will be cannabilising the systems we take out to provide us with additional spares to keep the rest of the system going. The entire network will be replaced within three phases.

The City Engineer said that unfortunately yesterday the lights at No. 8 went down but the light system at No. 8 is not the same as anywhere else so we do not have spare parts for it. The City Engineer said that money has been put aside in the budget this year to replace three pedestrian crossings on Front Street as well as do the design work for all the remaining intersections so we can hit 2011 with all the design work done. The replacement of the traffic light system needs to be done in phases as we could not undertake to replace the whole system in a six month period.

Abandoned Motorcycles - The Mayor said he really does not think that we should have to wait a year to identify any bike which has been abandoned (as mentioned in the Infrastructure minutes).

a) Staff, Legislative & Governance Committee - 20 April 2010

No recommendations.

Intranet Site - The HR Manager reported that a pilot of the site had taken place on Friday 30th April with a select number of staff members. As a result of this, some changes are now being made and hopefully, if there are no further challenges, the site will be up and running relatively quickly.

Telephone System - The auto attendant is now up and running. The only portion of it that is not working yet is the emergency response. The Events Project Manager, Danilee Trott, is the voice of the auto attendant.

Staff Satisfaction Survey - The survey is now underway and is being completed electronically by BPSU Staff and Management. The survey is being completed manually by Works Yard Staff.

b) Finance Committee Minutes - 21 April 2010

No recommendations.

X-Ray Project - The City Engineer said he has been working through the Memorandum of Understanding (MOU) with a consultant. It should be completed tomorrow and this will allow us to provide a copy to HM Customs to discuss it with them further. The City Engineer said that the MOU should be able to bring the budget on the project down. The Mayor asked whether the MOU will also include the operation aspect of the project. The City Engineer said he thought this would need to be a supplementary document because the Corporation will have no operational impact on the facility. The Mayor said that with operations, normally there is income and expenses and he will be very interested in what there will be in terms of income for us to be able to pay off the \$5 million of costs that we will undergo in order to get this x-ray area built. There has to be something on the operational side of things which will give us some sort of an income to pay off that debt. The Secretary said that this would need to be included in our discussions with our terminal operator and not with HM Customs unless we apply to Government to increase the wharfage.

Councillor Minors asked whether the Corporation has incurred any business loss as a result of the implementation. The Mayor confirmed that we have lost the income from parking at No. 7 Shed.

Audit - The Treasurer said that the audit is underway. The auditors have raised a question regarding tangible capital assets and the rates of depreciation ie: the useful lives we have applied to the assets. They have suggested that we are more conservative ie: make the lives of the assets shorter. The Treasurer has revised the rates of depreciation and these have been approved by KPMG. There will need to be some amendment to the depreciation expense figures for 2008 and 2009 so expenses will go up because of the depreciation.

Works Yard - The project is still on budget. The contractor issued a revised timeframe just after Christmas and he has been able to hold that schedule all the way through. We are now going to ask the contractor to provide us with a completion schedule. The Mayor said that he notices that we have an engineer who is overseeing the project who is different from the engineer who was appointed to assist in the architectural plans. Also, the architect has not been present for on-site meetings.

The Mayor asked the City Engineer to explain to the Members why he has decided to take this particular course of action. The City Engineer said that back in September he had asked the Board for approval to hire a consultant to manage the project because we did not have the capacity internally to manage it ourselves. We hired a project manager who is also a qualified structural engineer. The way in which we have run the site, is that he is there every other day or when he is needed. So he is only onsite about 15-20 hours a week. He seeks the advice of the architect, the engineer, the electrical engineer or any other specialist when he requires additional information to go about the completion of the design. He is not there to design things or modify things, but he is there to facilitate the completion of the design. All of this means that we do not need a team of four or five people on site who the Corporation has to pay for. We are therefore only paying for one person and then we can draft in the expertise as needed and this should give better value for money.

Budget Items - Councillor Tucker explained that we have been substituting some budgeted items for other items and the Treasurer has confirmed that he will identify these movements in writing and that these requests for change will come before the Finance Committee.

5. North Hamilton Development Update

The Mayor said that several of the Committees have had discussions on North Hamilton Development financing. This follows an approach from the EEZ with a proposal to try and spur on development in North East Hamilton. There is the possibility of someone looking for partnership with the Corporation in order to help them with their construction costs in creating a building which essentially would see the Corporation developing the underground section of the building and use the revenue from the car park to ally the cost of the construction. This is something which the Corporation is discussing further and the proposal has been taken on by the Development Committee. The proposal has been viewed favourably by all the Committees. Hopefully next year or the year after it will be a great device to spur development in that area.

6. Waterfront Development Update

Alderman Ferreira said that she had not been present at the last Board meeting but in referring to the minutes she had found it quite disturbing that they state that the Waterfront Development is on hold until the Municipalities Act issue has been resolved.

Alderman Ferreira said that in her opinion and in the Committee's opinion, this statement is totally incorrect and quite misleading. On the contrary, we are not standing by the project being on hold until the issue with Government has been resolved.

The Development Committee Board Members have never voted or agreed nor made any recommendations to this Board that the Waterfront Project is on hold. We made a conscious decision at our first Town Hall meeting and stated to the public that we would be very cautious about expending public money towards this project until we have heard where the Government stands on the Transportation Hub.

At no time did this Committee make any decision regarding the statement made by the Premier that the Waterfront Development Project was going on hold until the Municipalities Act issue has been resolved. Alderman Ferreira said that she has met with the four Committee Members and they feel that this is going backwards and they stand firm on marching on.

Alderman Ferreira has spoken to Mr Varoujan Hagopian of Sasaki who has stated that he has completed all of the technical studies and assembled the first draft of the EIS document which incorporates some 600 pages that we have already paid for. Sasaki will review this with the Development Committee within the next two or three weeks. Mr Hagopian wants to come to Bermuda to review it before making his submission to Planning who will then start their review process. The Planning Board will require one to two months of review. During their trip, Sasaki will have a pre-submittal meeting to discuss the process, procedure and protocol of correspondence back and forth during the review.

We are also in the process of looking at our objectives regarding the redevelopment of the Hamilton Waterfront by looking at the various methodologies and fees related to a public/private partnership.

Without the Transportation Hub, there are still new retail, cultural and hospitality facilities and business possibilities on the Waterfront. Additionally, the Corporation wants to consider the feasibility of its plan to develop the new facilities using a public/private partnership procurement process.

We will be seeking support and advice to help ensure that there is collaborative input from key stakeholders which will help ensure that the Hamilton Waterfront addresses their needs, thereby securing grass roots support for the project. Lastly, we will be identifying factors which will be critical to the success of the project.

All of this information needs to be synthesized in an achievable and well thought out business case that will be used to create a level of confidence in the project and gain commitment for its implementation. We will be soliciting help from outside sources to make an informed decision. It is the work of the Development Committee to take this project to the next stage and we, the Members of the Committee, are committed to doing so.

The Mayor said he received a very concise letter from the Premier saying there was going to be no joint work on the Waterfront Development until the conflict between the Government and the Municipality has been resolved. The Mayor said that until this has been resolved, we are unnecessarily engaging in a process that until we receive some form of resolution will be a gesture of futility. Everything we have to do in terms of reporting and gathering information is under the control of the national Government and they have been advised to put all joint projects on hold. The only reason we are continuing with the X-Ray project rather than taking up the same position as the other side, is that we feel it is for the betterment of the Island that we continue with a project that will have some impact in terms of removing guns and drugs from our community.

The Government has categorically refused to operate with us on so many levels and the Waterfront Project is going down exactly the same route.

The Secretary said he just wanted to give some clarity in that by saying the project is on hold looks as if we have stopped everything right now. The technical point of stopping the project is after the EIS is completed. After that, we start getting into much more money and it was at that point that we agreed that unless we get some indication from Government that it would not be in our best interests to move the project forward, we would not continue. We are still some weeks, maybe months away from the information being reviewed and the submission is ready for Planning. We would have expended prudently up to that point but after that, it starts to get more risky.

The Mayor suggested that given the blockade by Government at this time, that there are still other things that the Development Committee can be looking at. One of the things that has been put aside is the Cavendish project and it may be worth looking into what we can do with that with a view to raising income.

The Mayor said that to go above and beyond the scoping exercise will involve more and more expense without the Corporation fully knowing what our necessary partner is going to do. We cannot do this project without the cooperation of Government and until we can guarantee that, it is futile on our part and on our tax payers part to engage in something where we do not know what the outcome is going to be.

6. Any Other Business

Alderman Harvey - A group called Bermuda First has undertaken various initiatives in the community. One of the things that has come up which could be a challenge or an opportunity for the City is that the current method of our visitors getting around is on mopeds and this is considered to be a pretty dangerous experience for them. Various groups have looked into alternatives to the moped and one idea is to implement Smart Cars. The challenge to the Corporation would be finding spaces for the Smart Cars to park. The Mayor said it is a good suggestion and maybe Bermuda First might want to formalize their initiative in writing to The Secretary.

Alderman Ferreira - A question has arisen from a couple of constituents regarding the lighting in the walkway adjacent to the public library. They are asking whether the Corporation could possibly put some sort of a light on that walkway in particular for the winter months.

ACTION: The City Engineer to look into possible lighting for the walkway adjacent to the public library.

Another constituent has approached Alderman Ferreira regarding cooking oil. Apparently the Corporation picks up cooking oil throughout the City. The City Engineer confirmed that the oil is picked up and it is delivered to Tynes Bay to be destroyed. Alderman Ferreira said she has been led to believe that the oil is in fact delivered to Ornamental Ironworks and it is dropped off to them for free and they produce bio-degradable diesel for use in their trucks.

The Secretary said he believes that at one time the oil was delivered to Ornamental Ironworks but then they wanted to start charging for receiving the oil because there is a cost involved in filtering oil received from some establishments. At this point the Corporation reverted to taking the oil to Tynes Bay. Although it is the Secretary's understanding that Ornamental Ironworks has reconsidered their position and will now accept any grade of oil given to them. Alderman Ferreira asked whether in return for the oil, Ornamental Ironworks could provide the Corporation with some biodegradable diesel.

ACTION: The Secretary to look into whether Ornamental Ironworks will provide the Corporation with biodegradable diesel in return for cooking oil.

Alderman Smith said it is great to see a cruise ship on Front Street. Alderman Smith said he happened to be walking along Front Street early this morning and within less than 15ft of the Veendam gangplank was a vagrant asleep wrapped in a blanket. This is not the first or last impression that tourists want to see. Something really needs to be done about this and it is not good for Hamilton or Bermuda. The Secretary said that it is not really something to debate today but he will take the matter away and look at the options. The Mayor said there is a meeting planned for 7th May with the Commissioner of Police when the Secretary will hopefully get resolution on the Ranger Programme. If that is not the outcome of the meeting, then we will go elsewhere.

ACTION: The Secretary to look into the issue of vagrants.

Councillor Minors said that at the last Town Hall meeting, Major Wilson of the Salvation Army was present to listen to how the Corporation planned on dealing with the issue of vagrants. Councillor Minors said he suggested that Major Wilson contacts the Mayor to have a meeting as he has a number of ideas on how he thinks we can help and he can help with the situation and hopefully we can work together.

Alderman Smith said he thought that the Town Hall meeting in North Hamilton was very productive. The Mayor said that the Corporation Members were there to listen and it was a great exercise to prepare us for the dialogue. The Mayor had made a commitment that there would be another Town Hall Meeting within 2 months.

Hopefully at the next meeting we will not only be telling the public what we are going to do with some of their issues and how we prioritise them but also show that we have dealt with some of their issues already.

The Secretary - May 12th will see the start of the Corporation's split shift garbage collection. There will be notices in the paper and information has already been shared with some of our partners. For those people who violate the rules, there will be a service charge levied. It is hoped that through education and cooperation, the majority of people will be compliant. The Mayor said that he has noticed that one of the partners is the Chamber of Commerce Restaurant Division and in the past they have complained about the communications we have given them. The Mayor suggested that the Secretary has a meeting with them and maybe even go to the extent of having a very small Town Hall Meeting to explain the changes. The Mayor also suggested that the Corporation runs an ad for building maintenance managers etc, to let them know what is going to happen.

The Mayor said he is yet to see any of the new City of Hamilton branding on Corporation vehicles. The Secretary said he would try and obtain an update for the Members on this from the Communications Manager.

ACTION: The Secretary to obtain an update for Members on the rebranding of Corporation vehicles.

The public part of the meeting closed at 2.50pm.

Date

Mayor

Secretary