



VISION: We will be a vibrant, dependable and clean city where services are delivered innovatively and effectively.

MISSION: To provide effective operations of the city through collaboration of members, management and staff.

Corporation of Hamilton Board Meeting, City Hall, Hamilton - 8 August 2018 - 12.30pm

Present: Rt. Wor. Charles R. Gosling, JP, Chairman
Councillor John Harvey, MBE, JP
Councillor Larry Scott
Councillor Nicholas Swan
Councillor Carlton Johnson
Councillor George Scott, JP
Councillor RoseAnn Edwards

Staff: Acting Secretary/Treasurer - Tanya iris
City Engineer - Patrick Cooper
HR Manager - Lindell Foster
Deputy Treasurer - Siobhan Fubler
Communications Manager - Zoe Mulholland

Apologies: Councillor Henry Ming
Councillor Dennis Tucker, JP

1. Confirmation of Notice:

The Acting Secretary confirmed that the appropriate notices of the meeting were duly given according to the meeting guide.

2. Role of the Chairman:

The Mayor confirmed his role as the Chairman.

3. Open Meeting:

The meeting was called to order at 12.35pm.

4. Apologies:

The Acting Secretary confirmed that she had received apologies from Councillor Henry Ming and Councillor Dennis Tucker. The Mayor advised that Councillor RoseAnn Edwards would be attending the meeting late.

5. Public Participation/Presentation:

Presentation by Mr. Rick Richardson - Event in the City of Hamilton Labour Day Weekend

The Bermuda International Football Festival (BIFF) will be hosting a free event in conjunction with the Bermuda Industrial Union (BIU) and the Bermuda Karting Club on 3 September 2018 (Labour Day). BIFF has contracted with a 12-piece female band (Canela) from Cuba to come to Bermuda to perform during the Labour Day holiday. It was thought that it would be good to do a free community event in conjunction with the BIU at Union Square. The idea was expanded to include the Bermuda Karting Club to set up a small Go Kart event. The plan was to have a family-oriented event that would draw a diverse crowd to celebrate Labour Day. The event would begin with Go Kart exhibition races; youth, adult and celebrity races followed by local entertainment and culminating with the band from Cuba. The race circuit would include Union Square, Places' Place, down Dundonald Street onto Princess Street, up through Elliott Street and back on to Court Street where the race would finish. BIFF would be seeking consideration from the Corporation of Hamilton (CoH) to waive the fees for road closures, rental of barriers, etc.

There was discussion concerning safety issues, insurance, set-up of barriers and security. Mr. Richardson advised that the Bermuda Karting Club would be responsible for the insurance. The Bermuda Karting Club would also provide some of the equipment necessary to set-up the circuit.

Councillor Swan expressed some concern that there was no representative at the meeting from the Events Department and questioned who would be responsible for executing the road closures. Mr. Richardson advised that he had spoken to the Event Project Manager regarding the event. The City Engineer advised that the Engineering Department would be responsible for executing the road closures.

Councillor Johnson expressed support for this event and stated that in the absence of the Joint Labour Day Committee of the BIU, should be able to submit the request for road closures as they normally do for the Labour Day events, i.e. the road race and the march.

The Mayor clarified the request being made by Mr. Richardson stating that BIFF was requesting for the CoH to waive the fees associated with the road closures; the notices, set-up of barriers and staff costs, etc.

The Mayor thanked Mr. Richardson for his presentation and advised that a response to the request would be forwarded via the Acting Secretary or the Acting Recording Secretary.

Mr. Richardson then left the meeting.

6. **Correspondence:**

(i) Letter of Response from the Hon. Walton D. Brown, JP, MP, Minister of Home Affairs re: Development of "Smart City" Technology.

To be discussed at the end of the meeting under Any Other Business.

7. **Minutes of Previous Board Meeting dated 6 June 2018**

Correction: Page 2, Item 6 - Correspondence: typographical error 'tears' should be 'years'. The sentence should read as follows: "The Mayor commented that as in previous years, "

Proposed: Councillor L. Scott

Seconded: Councillor J. Harvey

The Minutes were accepted as read with the amendment.

8. **Matters arising from the Previous Board Meeting of 6 June 2018:**

(i) Pursue the matter as it relates to the seven (7) properties that are not connected to the Corporation of Hamilton's (CoH) sewerage system and ascertain whether the CoH would have the ability to waive the connection of those properties. **(Infrastructure Committee)**

Note: A Recommendation has been submitted to the Board for approval.

(ii) **Look at the Agreement between the CoH and TBI in terms of WiFi to see if TBI is in breach of that Agreement:** It was noted that the TBI WiFi network does not readily come up on one's cell phone, therefore the connection is not always available. The City Engineer suggested that the CoH arrange a meeting with TBI to discuss a mutual termination of the Agreement as there is the possibility that both parties could be in breach of the Agreement. With the direction of the Council, the CoH could write to terminate the Agreement giving 180 days' notice and move forward. The City Engineer conceded that the CoH might have been remiss in its responsibility to maintain the WiFi network on behalf of TBI. The CoH owns the WiFi hardware and this equipment is used for the car parks, CCTV and in the future the traffic lights' system would be operated through this network. Public access to the internet would come through an internet provider connecting to the CoH Wifi network. There was continued dialogue on the subject.

ACTION: Arrange a meeting with TBI to determine the status of the CoH Agreement with TBI (New Wave). Indicate the intention to terminate the Agreement in 180 days and then look to initiate an RFP. **(City Engineer)**

Councillor Edwards joined the meeting at 1:10 p.m.

(iii) **Determine the reasoning and get clarity from the Minister as to why the Recommendation relating to approaching Mr. Charles Flint of Blackstone Chambers regarding an opinion on the amendments made to the Municipalities Act 2018 was not approved:** It was noted that the Minister has now approved the Recommendation. The Mayor advised that two (2) emails had been sent to Mr. Ronnie Myers of Marshall Diel & Myers (MD&M) requesting an update. No response had been received to date.

ACTION: Follow-up with Mr. Ronnie Myers on the opinion requested from Mr. Charles Flint of Blackstone Chambers on the amendments to the Municipalities Act 2018. (**Acting Secretary/Treasurer**)

9. Minutes of Special Corporation Board Meeting dated 3 July 2018

Proposed: Councillor J. Harvey

Seconded: Councillor N. Swan

The Minutes of the meeting were accepted as read.

10. Matters arising from Special Corporation Board Meeting dated 3 July 2018

There were no matters arising from the Minutes.

11. Recommendations for Review:

There were no Recommendations for review.

12. Resolutions Approved by the Minister:

That the Board agree to accept the proposal presented by the Bermuda Ball Hockey Association in principle subject to the agreement on costs and works to be undertaken by the Bermuda Ball Hockey Association to get the venue in shape for the event.

That the Board approve the proposal from the World Cup Promotion subject to a \$20.00 per day parking fee, with the exception of Sundays.

That the Board agree to issue an RFI for the Fashion Festival 2019 and any other major events that the City may want to host.

That the Board support the Secretary to approach Mr. Charles Flint of Blackstone Chambers and ask him for an opinion on the amendments made to the Municipalities Act 2018 and whether they indeed address the issues of ultra vires.

That the Board approve the bid from Bermuda Air Conditioning Group of Companies (BAC/BUE) in the amount of \$255,772.00 for the Works Depot Solar PV Project.

That the Board approve the bid from Richardson & Wright Construction in the amount of \$487,930.00 for the Fenchurch Cottage Renovation Project.

13. Committees and Recommendations for Review:

(i) Residents Advisory Committee - 7 June 2018

There were no Recommendations for review.

(ii) Infrastructure Committee - 13 June 2018

RESOLUTION: That the Board approve that the Corporation of Hamilton (CoH) will not give properties not connected to the City sewerage system a letter requiring them to do so at this time. If any major development is done on the site, with the volumes substantially increasing or it becomes an environmental issue, then the requirement would be re-visited.

Proposed: Infrastructure Committee
Unanimous

RESOLUTION: That the Board approve for the Corporation of Hamilton (CoH) to seek to engage a lawyer with regards to retaining all rights as it relates to Corporation of Hamilton property at 22 Ewing Street.

Proposed: Infrastructure Committee
Opposed: Councillor R. Edwards
Motion Passed

(iii) Staff, Legislative & Governance Committee - 19 June 2018

RESOLUTION: That the Board approve Acting Pay to be awarded to members of the Management Team at levels: Middle Management, Senior Management and the Executive.

Proposed: Staff, Legislative & Governance Committee
Unanimous

(iv) Finance Committee - 21 June 2018

There were no Recommendations for review.

14. Any Other Business:

(i) Labour Day Event in the City of Hamilton: Discussions continued on the presentation given by Mr. Rick Richardson earlier in the meeting. The City Engineer estimated that the cost associated with the request by BIFF to close the roads for this event would be in the range of \$10,000.00 - \$15,000.00. This would include the installation of barriers, road closure notices, garbage collection etc.

RESOLUTION: That the Board approve the proposal from Bermuda International Football Festival (BIFF) to waive the costs associated with street closures and subsidize labour costs up to \$15,000.00. Any costs over \$15,000.00 to be charged to Bermuda International Football Festival (BIFF). Mr. Rick Richardson to sign an agreement to that effect.

Proposed: Mayor Charles Gosling
Unanimous

Seconded: Councillor J. Harvey

Councillor L. Scott left the meeting at 1:50 p.m.

(ii) **Letter of Response from the Hon. Walton D. Brown, JP, MP, Minister of Home Affairs Development of "Smart City" Technology:** The Mayor expressed concern about the Minister's letter in relation to the "Smart City" initiative. The concerns expressed were in relation to the following:

- Size of the City;
- Should be a Bermuda initiative and not limited to the City of Hamilton;
- Duplicating current Government Services and the potential to override policy and legislative controls that the Government already had in place; and
- Definition of what should be entailed in the RFP.

The Mayor does not want the CoH to be labeled by the Minister as duplicating Government services and taking responsibility for matters that should be dealt with by Parliament.

It was noted that a meeting with the Minister would be scheduled for Wednesday 15 August 2018 at 2:00 p.m.

15. Motion to Move to Restricted Session.

The Mayor requested that a 5-minute break be taken before moving to the Restricted Session

The Public Session concluded at 1:53pm.

Date

Mayor

Acting Secretary