



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 - 3 March 2016 - 1:00pm

Present: Rt. Wor. Charles R. Gosling, JP, Chairman
Councillor John Harvey, MBE, JP
Councillor Dennis Tucker, JP
Councillor Lawrence Scott
Councillor Nicholas Swan
Councillor Henry Ming
Councillor George Scott, JP
Councillor RoseAnn Edwards

Staff: The Secretary - Edward Benevides
The Treasurer - Tanya Iris
The City Engineer - Patrick Cooper
The Deputy Treasurer - Siobhan Fubler
The Human Resource Manager - Lindell Foster

Others in Attendance: Mark Diel - Marshall Diel & Myers
Patricia Blackman - Gateway Systems (Observng)

1. Confirmation of Notice - the Secretary confirmed that the appropriate notice of the meeting and agenda was posted according to the meeting guidelines. The amended agenda was last sent out yesterday.

2. Role of the Chairman - the Mayor confirmed his role as Chairman.

3. The Mayor called the meeting to order at 1:05pm.

4. Apologies - the Secretary confirmed apologies from the Event Project Manager.

The Mayor acknowledged Councillor Edwards and expressed how happy the Council was to see her back at the table.

5. Public Participation - the Secretary confirmed that he had not received any requests for public participation.

6. Correspondence:

There is no new correspondence. The Secretary confirmed that a letter was received from the Premier which he previously forwarded to the members.

7. Status Update:

(i) **PLV Funding** - the Secretary confirmed that valuations are being received. Currently received the last response on the changes that the CoH requested to the document and he has seen the initial draft of the "Deed of Surrender", conveyance, etc., the document that MIF has to sign off on indicating the final settlement and the CoH can get the car park back. The challenge is that the Municipalities Act 2013 was changed and all conveyances will now have to go and be passed through the House before the Bermuda Monetary Authority (BMA) will consider the properties to be conveyed. This process has to be done before any funds can be forwarded. The CoH will now have to work with the Ministry on what form the conveyances need to be because there are a couple of locations where the deeds are unclear. Then would have to ascertain when the House can have them tabled. The Mayor then commented on the Secretary checking with the Permanent Secretary (PS) for when they can be tabled in Parliament and determine a deadline. The Secretary commented that he not been in contact with the PS in that regard.

ACTION: The Secretary will email the PS to find out in what form these conveyances should be in and a timeframe of when they can be tabled in the House.

#1 and #5 car parks are left to be valued. There will be an issue with #5 because of the lack thereof of deeds.

Councillor Tucker commented on some documents that were received from Conyers Dill & Pearman in reference to MIF. It was decided to discuss this matter in the Restricted Session. There was continued discussion on the conveyances having to go through Parliament.

8. Minutes of the Corporation Board Meeting dated 6 January 2016

Proposed: Councillor D. Tucker

Seconded: Councillor H. Ming

The Minutes were accepted as read.

9. Matters Arising from Corporation Board Meeting dated 3 February 2016

(i) **Note form the Permanent Secretary of the Ministry of Home Affairs regarding the Role of the CoH versus Parliament** - this was in relation to the conflict of interest discussion that was held.

The Ministry stated that the CoH does not have Parliamentary privilege and cannot be considered to be in the same role. The Council was looking for more detail than just a verbal comment that was passed.

ACTION: The Secretary to get more detailed information from the Ministry with regards to the role of the CoH and of Parliament so that it indicates that the comparison or not between the two (2) entities.

(ii) **Request in Writing from Councillor Johnson re: Changing the Time of the General Council Meetings** - this request has not been received - action item outstanding.

(iii) **Write to Mr. Mohammed Hamza re: Proposal for Sustainable Resource Solutions** - the letter has not been done - action item outstanding.

(iv) **5-Tiered Structure for Al Fresco Dining** - action item completed.

(v) **Forward Resolution re: Terminal Operator's License (TOL) for SSL to the Minister for Approval** - action item completed. The TOL has been signed by the Mayor and SSL and the Minister had five (5) days to disapprove and he did not so it has been approved by default.

10. Committees and Recommendations for Review:

a. Residents Advisory Committee - 4 February 2016

There was no meeting held due to the lack of a quorum.

b. Infrastructure, Development & Future Committee - 10 February 2016

There were no recommendations. The Mayor queried the 5-tiered structure for Al Fresco dining. It was noted that the committee did not discuss the Al Fresco tiered rate structure because the City Engineer and the Senior Engineer were not able to attend the meeting due to vacation and illness.

c. Staff, Legislative & Governance Committee - 16 February 2016

There were no recommendations.

d. Finance Committee - 18 February 2016

RESOLUTION: That the Board approve 50% of the outstanding bill for the New Year's Eve event held in North Hamilton.

Proposed: The Finance Committee
Unanimous

e. Property & Safety Committee - 22 February 2016

There were no recommendations. Councillor Ming proceeded to give an update on the negotiation of the properties on and along Canal Road which would provide for better pedestrian access. That exercise has been completed and it is for a like-for-like property, i.e. the sidewalk additions can be included for the equal amount of property given to the adjacent owners.

11. Any Other Business

(i) Councillor Swan said that two (2) of the applicants had been in contact with him with regards to their proposals for Barr's Bay Park. He queried the status of those proposals and would the applicants have to come in and give another presentation to the CoH. Councillor Ming said that the committee had requested additional information from them in writing. The City Engineer reiterated that he had also requested information from them to fill out their business case proposals. He has one (1) outstanding email from one group and has not made contact with the other group. He would prefer to see the proposals first before moving forward in this regard. The City Engineer suggested that they be directed to him for any further queries that they might have. Councillor Ming said they might be asked to come back in depending on the volume and quality of the information that they submit.

12. Motion to Move to Restricted Session

Proposed: Councillor L. Scott

Seconded: Councillor D. Tucker

The meeting adjourned at 1:25pm.

Date

Mayor

Secretary