



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 - 2 November 2016 - 12:30pm

Present: Rt. Wor. Charles R. Gosling, JP, Chairman

Councillor John Harvey, MBE, JP

Councillor Dennis Tucker, JP

Councillor Lawrence Scott

Councillor RoseAnn Edwards

Councillor Henry Ming

Councillor George Scott, JP

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

The Event Project Manager - Danilee Trott

Apologies: Councillor Nicholas Swan

Councillor Carlton Johnson

The Secretary advised that there is an amendment to the agenda; under correspondence the Council members should find a set of correspondence.

1. Confirmation of Notice - the Secretary confirmed that the appropriate notice of the meeting and agenda was posted according to the meeting guidelines.

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

3. The Mayor called the meeting to order at 12:35pm.

4. Apologies - the Secretary confirmed apologies from Councillor C. Johnson. Councillor N. Swan indicated that he may not be able to attend and if he can he would be quite late. The Mayor said that he spoke with Councillor Johnson as well and due to his commitments with teaching in St. David's, he is unable to attend.

5. Public Participation:

There was no public participation/presentation.

6. Correspondence:

A generous offer from the Taipei Economic and Cultural Office was received inviting the Mayor and up to four (4) or five (5) members of the Council/staff. The invitation is to participate in the 2017 SMART CITY SUMMIT & EXPO to be held at Nangang Exhibition Hall, Taipei World Trade Center from February 21st to 24th, 2017. The Summit and Expo will be looking at how cities are utilising technology and information to make effective service delivery better and at a lower cost, etc. The various break-out committees deal with issues relating to healthcare services, green health, smart infrastructure, etc. If the Council decides that various members of the CoH should attend, might want to see if a couple members of Government may wish to attend. The Secretary commented that this invite is normally Mayor to Mayor as was pointed out by the representative, Director General Wang who met with him, the Acting Mayor, Councillor John Harvey and Councillor Dennis Tucker. There are two (2) invitations: (i) Taipei Economic and Cultural Office and (ii) the host for the Smart City Expo, the Taipei Computer Association (TCA).

The invitation for the Mayor includes a complimentary business-class ticket, board and accommodations as well as any necessary visits during the stay. Also TCA will be responsible for local accommodations for up to five (5) members of the Mayor's entourage from February 19th - 23rd 2016. Any persons attending with the Mayor, the cost will be the airfare. When looking at airfares for business-class to Taipei, it is just under \$8K return per person. The Mayor suggested that it would be prudent to travel with possibly the Secretary and one (1) other person. There was a consensus of support and dialogue continued.

7. Minutes of the Corporation Board Meeting dated 5 October 2016

Proposed: Councillor D. Tucker

Seconded: Councillor J. Harvey

The Minutes were accepted as read.

8. Matters arising from Corporation Board Meeting dated 5 October 2016

(i) Ask the members of the Residents Advisory Committee meeting to propose three separate dates to the Council for them to choose from to join them on a walkabout around the City - the committee did not meet last month due to the lack of a quorum and hopefully some dates will be brought forward in the meeting scheduled for tomorrow. It was pointed out that an official meeting does not have to be held to determine dates but if the Residents Committee can meet amongst themselves and give the Council three (3) dates to choose from. This information can be passed on via emails, phone call, etc. instead of waiting for another meeting to be held.

(ii) New Year's Eve Event - the deadline for Startime to advise whether they have raised funds for the event are the middle of November and at the next Finance Committee meeting, the Event Project Manager should have an update in that regard.

9. Committees and Recommendations for Review:

a. Residents Advisory Committee - 6 October 2016

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

b. Staff, Legislative & Governance Committee - 18 October 2016

There are no recommendations.

Councillor L. Scott commented on the matter regarding Councillor Johnson's attendance to meetings and whether or not the Staff, Legislative & Governance Committee would want to revisit possible alternate dates where the meeting can be moved between a Wednesday and another possible meeting time. The Mayor spoke with Councillor Johnson who indicated his difficulties in attending meetings.

ACTION: Councillor L. Scott to liaise with the Secretary and contact Councillor Johnson in terms of obtaining a concrete suggestion of what can work for him as it relates to possible alternate dates/times for Council meetings.

Councillor Johnson is still within the maximum period of absence of a three (3) month period of attending any Council meetings which includes any committee meetings. It was previously suggested for Councillor Johnson to make a presentation as to what could be done to accommodate him but the information that he shared was not very helpful. Dialogue continued.

c. Infrastructure, Development & Future Committee - 19 October 2016

Correspondence was received from Mr. King of Bermuda Motors, the agents for BMW cars that will be arriving in Bermuda for America's Cup 2017. Mr. King stated that Bermuda Motors wished to rent out the car park on King Street for one (1) year. During deliberations in the Infrastructure Committee meeting it was recognised that the top floor of Bull's Head car park could be an option. The Treasurer shared with Mr. King the agenda for today's meeting. Mr. King did respond and requested if the time period could be changed from April to July 2017 for the King Street car park and half of the upper level of Bull's Head car park. They also wanted the CoH to consider renting 20 marked bays at the King Street car park for one (1) year. The Treasurer indicated to Mr. King that the Resolution states that the terms will be negotiated and any change that he had could be negotiated once this Resolution is passed. Further discussion ensued relating to the request from Bermuda Motors as was discussed in the last Infrastructure Committee meeting.

The Mayor commented that this car park is not used at all as there is no evidence of its use because minimal revenue is received. In 2015 the CoH received about \$62K and on average for July, August and September 2016 the CoH received \$4,600 per month, about \$55K. Out of 43 parking bays, 10 are paying being minded that the persons parking there are not there from 8am - 6pm.

The proposed recommendation strikes a good balance for everyone concerned. The Mayor suggested to the Chairs of the committees to consider the proposed recommendation and inform Bermuda Motors whether it passes or not.

The CoH will be open for them to state their case a little better in the next Infrastructure Committee meeting and for them to be open for flexibility. It is not known how long it will take to install the charging devices so it would be great for the CoH to know what their challenges are. There was the thought that Bermuda Motors could move the cars that they have currently in the lot belonging to Cornerstone to Bull's Head and put the BMW's down in that lot. Dialogue continued.

RESOLUTION: That the Board approve for Bermuda Motors to rent the King Street car park for America's Cup during the months of May and June 2017 and to rent Bull's Head car park for the remainder of the year together with five (5) spaces at the King Street car park at the full market rate of \$15.00 per day. The negotiations to be carried out by the technical officers.

Proposed: Infrastructure Committee
Unanimous

Councillor G. Scott who is the CoH representative on the Marine & Ports Board shared that the Fairmont Hamilton Princess property has made an application to Planning to encroach further out into the channel. Should they succeed in this application, it could in future prevent or deter cruise ships from coming into the City. The Marine & Ports Board will pass the application on to the pilots so that they can make the final determination. The application is for the southern seawall which comes out into the channel. East and west is not an issue since it has already been an issue because it limits the turning circle of a ship and now it will limit the type of ship that can come into the harbour. The America's Cup brochures already have that footprint for that expansion. They have assumed that the application will be passed. They want the Super Yachts berthed there which would come out another 200ft. - 300ft. This application will probably not have to go to Planning because they are not building another dock but will go to Marine & Ports as it relates to moorings. Councillor G. Scott and the Ports Superintendent, Earl Francis sit on the Marine & Ports Board and they should take this Resolution once it is passed and use it in future meetings.

Minister Michael Fahy or Minister Cole Simons will make the final determination in this regard.

ACTION: The Secretary to write to Ministers Fahy and Simons making them cognizant that the CoH is aware of the issue with the Fairmont Hamilton Princess' marina and the impact that it may have on the Municipality. Additionally write a letter to the Marine & Ports Board voicing the objection.

Councillor Ming commented that the Council should be formally on record voicing the concerns that the CoH does not support this application.

If it is an official application then the CoH can object but if it is a letter to the Ministers, the CoH is indicating that they are not in support and should give their reasons for the concerns.

RESOLUTION: That the Board not support any further development of the Princess Marina that may have an impact to the docks for cruise ships and cargo ships.

Proposed: Infrastructure Committee

Unanimous

The Mayor commented on his statement from the Infrastructure Committee meeting dated 19 October 2016 (Restricted Session). This statement was forwarded to all Council Members and Technical Officers:

"His expectation and that of the Council is that if there is any member of the Council or any technical officer that represents the CoH in any external committee or organisation, etc. that they report back on any issue which is impacting the CoH. They should be asking the CoH for guidance rather than doing governance on their own. They should be able to speak knowing full well that they have the full support of the Council behind them in any matter where there should be a possible question mark."

d. Finance Committee - 20 October 2016

The 2017 Budget is self-explanatory. The Finance team have done a really good job in laying it out in detail. The CoH is anticipating a shortfall of \$1M in the income for 2017 and also have a \$2.9M budget that has to be accommodated. The CoH will be bringing across somewhere in the area of \$2.9M from this year to offset the deficit and to cover the cost of the approved budget. One area to be aware off and taken these issues into consideration, the CoH will have cash available at the end of 2017 in the amount of \$548K. Normally try and have at least \$1M and at that period will take a further review of where the CoH stands and if necessary would make a short-term borrowing of an overdraft facility available in the tune of \$1/2M. The CoH has cut out \$3.6M in proposed Capital additions and those that have remained are considered to be of vital importance from a health and safety standpoint.

No proposal has been made for the servicing of the \$18M debt. If that comes back, the Minister will have to recognise that the CoH will have to go back to the drawing board regarding the recasting of the 2017 Budget.

The other item that was not taken into consideration was any further expenses relating to the Liquidators. The Treasurer advised that she had taken the funds from some funds that had been set aside for legal fees. It was noted that this is a pure cash budget based purely on the CoH's income.

The Mayor commented on the interest on the \$18M Guarantee being taken into account in the budget. The Treasurer advised that the interest is calculated in. The CoH is accruing 7% on the \$18M and it is included in the 2017 budget. There was continued dialogue.

Councillor G. Scott commented on the electricity costs and queried whether the CoH could benefit by phasing in solar. This was discussed during the budget debate and there were some funds that the City Engineer had included for solar but was pulled out because there was not enough funds to do the project. The Secretary advised that approval was given this year for the replacement of all the lights in Bull's Head with LED's so should see a significant reduction in power usage there.

The Mayor commented on the Infrastructure Committee having a look at partnering opportunities at Bull's Head with some of the neighbours in terms of leasing some of the "air space" to enable them to put in panels to help service their electrical use.

RESOLUTION: That the Board accept the Corporation of Hamilton Budget for 2017 as presented.

Proposed: The Finance Committee
Unanimous

The Treasurer commented that the CoH had a budget deadline of 31 August 2016 for staff members to get their budgets in and everyone met that deadline. There were two (2) meetings held with the Council and staff and in those two (2) meetings, they were all able to get the budget done. She thanked everyone for their efforts. The Council thanked the Treasurer and her team for a job well done.

There is the hope that the Minister will also approve the budget.

e. Property & Safety Committee - 20 October 2016

The Council had approved the demolition of the Donleigh Cottage together with the excavation of the property. Councillor Tucker commented on an item in the budget for the design. \$150K was taken out of the budget but \$50K was left in for the design. The CoH may decide to accept the proposed RFP and may not have to spend the \$50K.

RESOLUTION: That the Board approve for an RFP to run for an extended period through Christmas for the development of the property at 66 Serpentine Road - formerly Donleigh Cottage.

Proposed: Property & Safety Committee
Unanimous

City Hall is listed as a Grade 1 building which basically means that very little can be done to the exterior of the building and it does not often include the interior of the building.

Anything that is done has to be exchanged like for like. The issue here is that City Hall has aluminum windows, etc. Because it is listed as Grade 1, there is far greater flexibility to have it changed or revised to Grade 2 without compromising the exterior. The conditions are somewhat less stringent. There was further discussion.

Grading is not legislated, it is a policy under the legislation. Grade 1 is the highest protection provided for City Hall and they want it kept in the same style, craftsmanship and materials as it was originally built. If the CoH goes to get a planning application, it can be said that the CoH would have to turn the windows back to original. In which case there are removal antennae on top, airconditioning, duct work in the back that should be cleaned off of the façade which should not be run externally, etc. This could be a potential liability for the CoH. There could be a bit of a battle to have the grading revised because it would not look good for the Planning Department who have listed the building as a Grade 1 and the CoH now wants to change it. There would also be the question as to why the Planning Department did not consult with the CoH before listing it as a Grade 1 in the first place. Allowances can made to add to Grade 1 listed buildings but they require that it is sympathetic and does not detract from the original form of the building.

RESOLUTION: That the Board approve the current listing for City Hall, Grade 1 to be revised to Grade 2.

Proposed: Property & Safety Committee
Unanimous

10. Any Other Business:

Councillor Tucker - there is a meeting of the Council 3 November 2016 at 1:30pm for KPMG to give an update on where the CoH stands with the liquidation in reference to PLV and Argyle.

Motion to Move to Restricted Session

Proposed: Councillor J. Harvey

Seconded: Councillor R. Edwards

The Public Session adjourned at 1:35pm.

Date

Mayor

Secretary