



**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.

City Hall, Hamilton  
**Infrastructure, Development & Future Committee**

10 June 2015

9:30 am

**Present:** Councillor John Harvey (Chair)  
Councillor Nicholas Swan  
Councillor Larry Scott

**In Attendance:** The Secretary - Ed Benevides  
The City Engineer - Patrick Cooper  
The Event Project Manager - Danilee Trott  
The Ports Superintendent - Earl Francis

**Apologies:** Councillor George Scott, JP

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1. **Confirmation of Notice** - The Secretary confirmed that the notices were posted and sent out in accordance with the new meeting guidelines.
  2. **Role of the Chairman** - Councillor J. Harvey acknowledged that he is Chair of the committee.
  3. **Open Meeting** - Councillor Harvey called the meeting to order at 9:40 am.
  4. **Apologies** - The Secretary confirmed apologies from Councillor George Scott.
  5. **Public Participation** - The Secretary confirmed Messrs. Emery and Branco from the Hamilton Congregation of Jehovah's Witnesses were in attendance to make a presentation.
  6. **Correspondence** - The Secretary confirmed correspondence was received from Mr. Wendell Emery from the Hamilton Congregation of Jehovah's Witnesses.

Mr. Emery commented on the correspondence forwarded to the CoH outlining the concerns regarding the Ewing Street project and the impact on the church's parking situation. He commended the CoH for their interest in that part of the City in wanting to beautify that street. He further commented that the pedestrianised section begins at their place of worship. Over the years they have been restricted more and more as to where to park and for a while managed to secure a lot across from Kingdom Hall where they rented parking space. That has been now taken out of the equation as that lot has been sold and is now in the process of being developed. On the street, there is no parking and they have attempted to secure a spot for a handicapped vehicle. The initial plan for Ewing Street was not to brick that whole portion of the street which would have allowed for minimum parking.

During the evolving plans, there has been no consideration to the parking situation and are now looking for some direction from the CoH.

The City Engineer said this has been exasperated by two (2) things: (i) the development of Ewing Street and (ii) the development of the property where the church previously parked and the loss of that private parking. Limited parking will be put back on the street for the public but it will be not at the same level as previously. There were some public consultations and designs and the residents, business owners and places of worship were all invited to these consultations where everyone had input. Unfortunately, this complaint has come when the plans have already been set and this complaint was not heard when the design was being shared. In the meetings, it was shared that the design would limit parking and there was a consensus to the design that the trees and the median remain.

Mr. Emery said that he was present in a couple of presentations before the "tree fiasco", where the design had no median, no bricking of the street, etc. When the new design was introduced he was not informed of any meeting where that was being discussed. He learned about it when the CoH workmen started to lay bricks outside of the church's door. He commented on the median continuing past Princess Street.

The Secretary said the majority of the persons did not want the trees kept and the recommendation was put forward to the Infrastructure Committee and then approved by the Council. Then the work started and there were those persons that felt strongly about the trees not being moved. The Council reacted to that protest, held a press conference and determined that the plan would cease and then moved ahead with a different plan. Two (2) residents of the area were engaged to re-design the area and that was the plan that went forward. There was no further consultation with the public once the event with the trees took place. The new design was recommended by the Infrastructure Committee and approved by the Council.

Councillor Harvey said the Council needs to be made aware of the full ramifications of the development of Ewing Street, i.e. parking, sidewalks, bricking, etc. It is his view that the committee should visit Ewing Street again and take a comprehensive look so that all who lives, works and worships in that area can be accommodated. He knows of other places in that area where parking can be accomplished, i.e. Dellwood School, TCD and the Elliott Street parking lot.

Mr. Emery commented that they have been making approaches to determine what other options are available. He asked if the CoH could assist with their approaches to the Dellwood School and others. They have also requested from the Bermuda Housing Corporation to consider allowing them to park in the lot that is being used for staging. His concern is when there is a funeral, etc. and the parking availability for the congregation.

**ACTION:** The Infrastructure Committee to set up a visit to the Ewing Street area.

There is also a member of the congregation who comes to the church a couple of times a week and on weekends and drives a handicapped vehicle. The handicap requirement is a left ramp, the door opens and the ramp goes on to the sidewalk.

**ACTION:** The Secretary on behalf of the Hamilton Congregation of Jehovah's Witnesses to write a letter to the principal regarding the usage of their lot for parking.

Parking would be required Wednesday and Thursday evenings and Sundays. Councillor L. Scott suggested providing the CoH with an approximate # of vehicles for parking to be included in the letter to Dellwood, etc.

Discussion continued on residential parking, derelict vehicles in the area, etc.

**Note** - there is a commercial vehicle that parks in a residential parking space all day.

Mr. Emery and Mr. Branco left the meeting at 10:00am.

#### 7. Review of Committee Minutes of 8 December 2014

**Proposed:** Councillor N. Swan  
**Unanimous**

**Seconded:** Councillor L. Scott

The Minutes were accepted as read.

#### 8. Matters Arising from the Minutes of 8 December 2014

- (i) **Sun Shines Shoe Shine Proposal** - a basic lease was drawn up but there is no need to proceed with the matter until a location is determined. It was felt that an outside shoe shine establishment would have a limited chance of succeeding, i.e. weather conditions. No further action required.
- (ii) **Standard Lease Agreement for the Spinning Wheel Entertainment Complex** - the initial sketches were received and a standard lease was provided with the estimated costs for the al fresco. There has been no response from the Spinning Wheel Complex. No further action required
- (iii) **Contact re: Report on Sir Henry Tucker and Mr. Artie Black** - a historian (suggested Dr. Kim Dismont-Robinson) was supposed to have been engaged to research the lives of Sir Henry Tucker and Mr. Artie Black to support a recommendation made to the Board in January 2015 to rename two (2) streets in the City. This was not done but the Board passed an amended Resolution to not name Queen Street after Sir Henry Tucker but to name a portion of King Street in honour of Artie Black. It was suggested to discuss further in the Staff, Legislative & Governance Committee meeting. In 2012 a draft policy was drawn and submitted to the then Governance Committee but was never reviewed or approved.

Once the policy is approved then any suggestion of renaming could be dealt with accordingly. There was further discussion on the cost impact/deed implications, etc. of renaming streets. The Minister instructed to defer any further action until the new Council was in office. There was discussion regarding the former Deputy Mayor requesting to bring this matter forward in a committee meeting to which he was invited to attend the Infrastructure meeting scheduled for 8 July 2015. It was noted that the former Deputy Mayor will probably not have to attend the next Infrastructure Committee meeting in view of the current process.

**ACTION:** The Secretary to advise the former Deputy Mayor that the Draft Policy for Street Naming and Renaming is being forwarded to the Staff, Legislative & Governance Committee for review in the first instance.

- (iv) **Meeting to Discuss MOU for the America's Cup** - a separate meeting should be scheduled to discuss the impact on the City, costs, events, etc. for October 2015. There was a unanimous agreement to discuss this matter in the Restricted Session.

## 9. Status Update:

- (i) **Bull's Head Solar Project** - this project never received any funding. The idea was to take the top level of Bull's Head car park and place a roof over it with solar panels. This is a large area (250 car spaces) and would be a large generator of power. During the summer peaks it would produce more power than the CoH could consume even with the pump station, Bull's Head lighting, etc. Discussions were had with the Belco to see how they could take that excess power. They said that solar does not help them but if given the project, they would be happy to work on it. The project does have merits but there are a lot of technical requirements in how to get the electricity into the grid. The other issue was the rate at which Belco would accept back the electricity, offering 15¢ per kilowatt and would charge it out at over 40¢ +. Discussion continued on the "brown outs", Belco's generators being kept running to be able to ramp up to fill in the gaps and fuel savings. There was another suggestion to mount the solar panels right on the deck and not put them on a framework and raise them up (savings on the steelwork). This would be a worthwhile project and get technical persons to start working on a proposal. It would need capital approval and funding to get the proper studies done. Before an RFP could be put out it has to be defined as to what the CoH is asking for. Further dialogue continued on a possible partnership with the rate payers. A comment was made in cutting Belco out completely and approach the local businesses in the area, i.e. Butterfield & Vallis, MSA, etc. There was a discussion on the connection details because that would be a substantial cost to the project. There is an extensive document that Belco produced for what they called large power producers with all of the legal details involved.

**ACTION:** The Secretary to write to Belco, W&E to venture into the possible viability of a partnership.

- (ii) **Wastewater Improvements** - this is an ongoing project. The bath metric study of South Shore is being done today mapping the sea bed. Results will be received in a few weeks and will look at a new alignment of the outfall pipe. A decision has to be made on whether to look at a better surface route or to do directional drilling. The outfall has to be replaced within the next 3-5 years due to its age and frailty. It is quite an in-shore outfall, it extends about 750 metres off the shoreline. The pipe is in an exposed location, it runs through a cave underneath some reefs and hung suspended in air by chains. One possible solution is to extend it out further to get better dispersal and dilution. Looking to do some directional drilling to cover that in-shore portion to get underneath the first reef. Will then try to find a route through the outer reef and to get into the deep water. Less than a mile off, it drops two (2) miles down and if the pipe can get the closer to the edge where it drops off, the better it will be. The problem with directional drilling is that both ends have to be accessed so that the drill can be pulled and not pushed.
- (iii) **Outfall Replacement Project**- discussed previously.
- (iv) **Barr's Bay Marina** - CoH has received in principle planning approval from the Department of Planning for the proposed Barr's Bay marina (a floating marina). The concept would be to provide day parking for boats, for persons that want to access the City and it would be a Pay and Display concept paying for space and time. It is not for permanent moorage. There is no budget for this project for this year but would be a great project to have in place for 2017. An environmental impact study would have to be done, would have to go for final approval and get construction drawings. Will also have to consider looking at moving the moorings out of the bay. Discussion continued.

#### 10. Recommendations for Review:

- (i) **Request for Dedicated Parking - TASTE 141 Front Street** - this item deferred to the next meeting.
- (ii) **Request for Rental of Designated Parking for the Disabled behind City Hall** - in the last few months, the back of City Hall has been blocked off to all private vehicles to ensure that there is enough space for staff, current and past Council Members. There are two (2) handicapped spaces and the wish is to rent one (1) space to a disabled person. The reason is based on the type of vehicle that she has and the way in which she has to get in and out of the vehicle.

**RECOMMENDATION:** That the Board approve the rental of a designated parking space for the disabled behind City Hall.

**Proposed:** Councillor N. Swan

**Seconded:** Councillor J. Harvey

- (iii) **Spots for Senior Citizens and the General Public - Bermuda Day Parade** - this has been an ongoing discussion for years and every year the public outcry for private spaces continues to increase. A number of years ago, pricing was put together as to what it would cost to secure and execute. Looking for approval to move ahead with the layout, i.e. proposed streets where this could be done and which streets should remain open to the public, starting with a broad-based conceptual layout based on historical preference, i.e. senior levels, camps, etc. Then put a proposal together to take to public consultation for their views and feedback. This would have to be started now so by January 2016, the logistics would be organised. The question is how to do it and make it pay for itself. One of the biggest issues with this is the enforcement and the cost which will not be recouped through the rental of these spaces. There is some merit with the CoH sitting down with the Department of Community and Cultural Affairs as this is their event and they do pay for a lot of the services that are done for the event.

**ACTION:** The City Engineer and the Event Project Manager to meet with the Department of Community and Cultural Affairs to discuss the charging of spaces for Bermuda Day.

Further discussion continued.

- (iv) **Request for Rental of Designated Parking for the Disabled behind City Hall** - this is a request from the National Office for Seniors and the Physically Challenged (NOSPC) which is on the corner of Church Street and Cedar Avenue. Their vehicle is used by the managers and case managers for home visits and emergency cases should a senior or person with a disability require assistance.

**RECOMMENDATION:** That the Board approve to lease a space on the north end of Victoria Park opposite Mount St. Agnes (MSA).

**Proposed:** Councillor N. Swan

**Seconded:** Councillor J. Harvey

- (v) **Signage re: Speed Bumps within the City** - this item was brought forward by Councillor G. Scott in the last Board meeting in which the City Engineer gave sufficient response that this matter was dealt with.

- (vi) **Request for Street Leasing of Car Parking Space** - this request is in the area of #8 Car Park - 131 Front Street (opposite the Supermart). The owner of the building has a tenant that occupies a large portion of the building and is requesting to lease three (3) or four (4) spaces. The same building was previously used for the Family Court and three (3) spaces were allocated but they have since moved. Discussion continued.

**RECOMMENDATION:** That the Board decline the request for street leasing of car parking spaces in #8 Car Park.

**Proposed:** Councillor N. Swan

**Seconded:** Councillor J. Harvey

- (vii) **Street Tree Policy** - a policy has been drafted.

**ACTION:** The City Engineer will circulate the draft policy for street trees to the members for feedback so that a draft can be proposed to the Board for approval.

- (viii) **Sanitation Ordinance** - there are some terms of reference that the CoH wants to be placed in an amended Sanitation Ordinance to achieve some of its wishes so that the persons drafting the Ordinance can see what the CoH is looking to accomplish.

**ACTION:** The City Engineer will forward the document regarding the terms of reference for the Sanitation Ordinance to the members.

11. **Discussion re: America's Cup and the Impact on the City** - deferred to the Restricted Session.

## 12. Any Other Business

- (i) **Bleachers on Front Street** - left out for the next event on Friday evening - Heroes Weekend.
- (ii) **Updates - Fashion Festival July 6-11 2015** - there are number of events and the members will receive invitations via email.

**Note:** Dismont Drive will be closed from Tuesday through to Sunday and there will be limited parking in the City Hall car park (restricted parking laws from Thursday July 9). This will not affect cycle parking.

- **Wednesday July 8** - local designer show to be held on the top level of Bull's Head Car Park. Parking will be restricted on Tuesday evening until Wednesday evening for set-up and breakdown.
- **Thursday July 9** - international designer show to be held at Barr's Bay Park. The road will be closed between Woodbourne Avenue and Bermudiana Road.
- **Friday July 10** - the global red carpet movie premiere for the sequel "**Girlfriends Getaway**" to be held in the middle of the day. Church Street will be closed from the top of Queen Street to Dismont Drive.

The Event Project Manager then gave an overview on: the international fashion mentors, international agencies, international mentor coordinators, international models, the local fashion designers and international guests. Four (4) Guest Houses have been sold out, i.e. Edgehill Manor, Rosemont, Rosedon and Royal Palms.

Hamilton Princess and Beach Club is hosting 40 + room nights, they are the official hotel sponsors and Jet Blue is the official airline and have contributed 31 airline tickets.

**ACTION:** The Event Project Manager to give a full report of the overall costs regarding the hotel stays, etc. for the international guests once the event is over.

The Event Project Manager advised that there is a request for BTA to do an uplift survey for the week on the hotel rooms, restaurants, retail, etc.

The Event Project Manager left the meeting at 11:10am.

- (iii) **Planning Applications** - previously the development applications came in, were reviewed and then they would go to committee to be recommended to the Board. The Planning Department had issues with the length of time it took for the applications to be processed. This process was changed by having an ad hoc committee to just look at development applications - Thursdays at lunchtime.

It was previously suggested that anything that was within the City Plan and had no issues, the Council would empower the technical officers to sign off on behalf of the Council. Anything that required discretion would then be brought to the Council's attention. It was also suggested that in order to reduce the time taken up with these applications with the Members, to modify the proposal and use the meetings for those applications that would require discretion. The technical officers would then give a report in the monthly Board meetings. The Planning Department wants to consult with the CoH for their particular expertise (operational issues) and not judge versus the plan. To date, most of the applications are internal conversions.

**ACTION:** The City Engineer will provide copies of the consultation forms for planning applications to the Recording Secretary to be included in the Board packages for the monthly meetings.

**RECOMMENDATION:** That the Board approve the continuation of the current process of dealing with development applications with weekly meetings as needed. Also the Council be given a quick review in the monthly Board meetings.

**Proposed:** Councillor N. Swan

**Seconded:** Councillor J. Harvey

**Note:** Councillor Harvey will be Acting Mayor for the period 10 June - 22 June 2015.

### 13. Motion to move to a Restricted Session

**Proposed:** Councillor J. Harvey

**Seconded:** Councillor N. Swan

**14. Review of Minutes of Previous Meeting dated 8<sup>th</sup> December 2014 (Restricted Session)**

**Proposed:** Councillor N. Swan

**Seconded:** Councillor L. Scott

**Unanimous**

**15. Matters Arising from the Minutes of 8 December 2014 (Restricted Session)**

(i) **Meeting with Mr. Gildon Lightbourne, Car Washer in City Hall Parking Lot** - delinquent in making payments to the CoH and did not adhere to his lease. Mr. Lightbourne was warned verbally, in writing and then finally was terminated. He is currently still washing cars in the car park illegally but the challenge is having police enforcement. Further discussion continued regarding the CAT team. Councillor Harvey commented on City rangers. The Secretary stated that the Commissioner of Police supports the programme but does not support the use of special police officers. The CoH requires the Government to pass legislation as they did for the parks and TCD.

**ACTION:** The Secretary to get the City ranger programme placed back on the list to the Minister for further discussion.

Dialogue continued regarding Sonya Smith and the service that she provided for the people on the street. If the CoH could hire a couple of officers for three (3) hours a day @ \$35 per hour, it would be less expensive than paying for Ms. Smith. The City Engineer suggested exploring the hire of off-duty police officers because there is a long list of issues that have to be dealt with. The Secretary said this matter would normally be dealt with in the Homelessness in the City of Hamilton Committee but the Mayor has stated that he wants a co-chair from the Government and for them to have by-in on this issue with the homeless. A letter was received from GET Security who would like to approach the Board with a "**Safer Street Proposal**". They already have a programme that can be introduced. He suggested for GET Security to attend the Infrastructure Committee meeting in July to make a full presentation and then a possible recommendation to the Board.

**ACTION:** The Secretary to contact GET Security so that they can present their proposal to the Infrastructure, Development and Future Committee on 8 July 2015.

The City Engineer said that there is a huge problem with the car washers in the City's car parks and he could really use the assistance of hiring off-duty officers to assist with serving letters in the first instance and then follow-up and make sure that they stay out of the car parks. He needs a continued police presence. Further dialogue continued.

(ii) **Stevedoring Services Ltd.** - a renewal notice for Terminal Operating License (TOL) was received. Currently in arbitration/litigation with Stevedoring over a number of matters.

In the discussion yesterday, the Minister suggested that the CoH try and resolve the differences and possibly extend the current lease for one (1) more term without going to RFP with the proviso that they agree to change the lease so that it does not roll over after that five(5) year period.

Stevedoring believes that their contract should continue to roll over from five (5) year to five (5) year unless they are in breach. The CoH can demonstrate that they have been and continue to be in breach. The CoH believes that the contract does not need to roll over.

Stevedoring said that the CoH does not have the authority to charge demurrage therefore this was contested and went to arbitration. They approached the Minister to resolve. The previous Council passed a Resolution for this contract to go to RFP and to hire someone to evaluate the ports and then issue another RFP to do the license. Due to the lack of funding, the evaluation could not be done and in January 2015 all committee meetings ceased. The Minister deferred all action on the arbitration until June 2015. The timeline is that the CoH has to make the decision to either take the litigation or move ahead or agree to the Minister's suggestion. Stevedoring would also have to provide all information in a format that is amenable to the CoH. Discussion continued on wharfage charges and the security on the docks.

**ACTION:** The Secretary to provide a memorandum with the recommendations for the Council so that any Member can, prior to the July meeting, make a recommendation to the Board and the matter be placed on the Restricted Session agenda for July.

**RECOMMENDATION:** That the Board agree to withdraw from the arbitration issue with Stevedoring Services Limited and negotiate on the terms of contract.

(iii) **America's Cup 2015** - the largest impact would be the closing of Front Street for three and a half (3½) days (Thursday lunchtime through to Sunday night). This will be a Harbour Nights event, same road closure and operate in the two (2) car parks as well as Pier 6 and Albuoy's Point. The actual racing event is going to be run out in the Great Sound but moored off of Front Street. There will be fan zones, big screen TV's, tour boats, Opti races, paddleboard and seagull races, concert on Saturday night, etc. The practice race is on Friday and the real race is Saturday and Sunday. Prior to the event the team bases will be down on the end of #8 dock using anywhere from 400 - 600 ft. which will impact the cargo operation. This event will occupy a majority part of the waterfront and will impact how the public access and operate through the City. They are also asking for some parking in City Hall, Bull's Head and Barr's Bay Park for a day care centre. There is a Health and Safety team chaired by Dr. Francioni. There are a number of committees formed off of the event, i.e. the Secretary is on the Security Committee, the City Engineer on Health and Safety and the Event Project Manager on Vendors, Harbour Night type activities, etc.

The costs for services - \$180K for lost revenue for car park closures, labour and equipment costs for closing down the streets, i.e. extra garbage collections, electricians, etc. and the asks are that amount plus \$160K. Dialogue continued on the potential sponsorship for American's Cup and the CoH's financial status.

**Note:** The Secretary and the City Engineer are scheduled to travel with the team to Portsmouth to see the set-up and operations in July. The Secretary, on behalf of the City, has already signed a non-disclosure agreement which extends to everyone present in the meeting.

Councillor Harvey suggested inviting the ACBDA to meet with the full Council to get by-in and ascertain CoH's commitment and Government's commitment to the CoH through the Host Agreement.

The CoH has no issue with waiving fees where they do not stand to lose anything but if there has to be payouts for labour, etc., the CoH needs to receive that funding. Further discussion continued on the conflict in 2017. Front Street is sterilised for America's Cup for October 2015 but in 2017 all of the teams will be out in Dockyard. The mega yachts will want to be down on Front Street. July 2017, the Tall Ships will be here at the same time (same week). The Government and the CoH has to make a decision before September 2015 because the Tall Ships are now booking space.

**ACTION:** The Secretary to organise a meeting with ACBDA within the next few days for information, questions and answers on America's Cup.

Councillor Swan commented on possibly having the mega yachts in conjunction with the Tall Ships berth alongside Front Street to generate as much revenue for the City as possible.

The meeting was adjourned at 12:10pm.