



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
12 August 2015
10:00am

Present: Councillor John Harvey, MBE, JP (Chair)
Rt. Wor. Charles R. Gosling, JP
Councillor Nicholas Swan
Councillor Larry Scott
Councillor George Scott, JP
Councillor Henry Ming

In Attendance: The Secretary - Ed Benevides, JP
The Senior Engineer - Ian Hind
The Event Project Manager - Danilee Trott

Apologies: The City Engineer - Patrick Cooper

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- 1. Confirmation of Notice** - The Secretary confirmed that the notices for the minutes and the agenda were posted and sent out in accordance with the new meeting guidelines.
 - 2. Role of the Chairman** - Councillor Harvey acknowledged that he is Chair of the committee.
 - 3. Open Meeting** - Councillor Harvey called the meeting to order at 10:00 am.
 - 4. Apologies** - The Secretary confirmed apologies from the City Engineer and the Recording Secretary.
 - 5. Public Participation:**

(i) **Mr. Donal Smith re: Renaming Part of King Street** - Mr. Smith commented on the Resolution that was passed by the previous Council with regards to the renaming of the section of King Street from Victoria Street to Union Street. After having a conversation with the Mayor Mr. Smith learned that the Council was going to look at a policy change. He said that a policy cannot supersede a Resolution. There was no record of this policy (dated October 2012) prior to the Resolution being passed. Nor at any time during the many committee meetings where the subject of street naming was discussed and recommended, was there any reference made to the existence and/or any substantive directive on how this policy was going to influence the process of naming streets in the City of Hamilton. The purported October 29 2012 Naming and Renaming Street Policy was not even referred to by the CoH's Executive Management.

He further commented on Mr. Black's reputation and good standing in the community and Bermuda. The minutes of the various meetings in this regard will show the absence of this policy leaving suspicion of the current timing of this document being brought forward. He submitted that he would be taking this matter to the wider public audience for their participation. He asked for the current Council to reconsider moving forward with the Resolution.

The Mayor said he did not speak about policy changing but of a policy. The original recommendations came forward from the previous Council to change Front Street and be renamed after Sir Henry Tucker and Church Street after Mr. Arnold Francis. The Council decided that a policy needed to be put in place. There are no records after that indicating any mention of that policy and that was the recommendation at that time. It is not a Resolution trying to supersede a policy; this Resolution was never carried out. After that there was a recommendation that Queen Street be renamed after Sir Henry Tucker and King Street after Mr. Artie Black. Then it was a part of King Street recommended to be renamed after Mr. Artie Black. None of the property owners or residents in that particular area of Hamilton were consulted. There are financial implications in name changing and that is what is being looked at. If it is appropriate for Mr. Black to be recognized in this way then this Council would be willing to go along with that change as long as there is support from the owner and residents in that area. There was continued dialogue.

Mr. Smith left the meeting.

(ii)Mr. Jim Butterfield, Mr. Spencer Butterfield and Alan Hughes of Butterfield and Vallis - they have a growing concern of 40ft. containers being imported into Bermuda. These containers are on occasion allowed in Bermuda and Butterfield and Vallis themselves brought in three (3) containers last year for the hospital. They went through the necessary protocols and procedures and the container was delivered to the hospital. Now there is a food importer that has canvassed the government and convinced some of them particularly Minister Shawn Crockwell that 20ft. containers are being replaced and they would have to deal with 40ft. containers on a general basis, all of which is false information. The food importer is also claiming that it would help the pricing of food in Bermuda, also a false statement. The 40ft. containers may show an advantage of a few thousand dollars on the ocean and onto the local distributor. Butterfield and Vallis as an importer brings 40ft. containers from Canada to New Jersey and puts them into two (2) 20ft. containers to be shipped to Bermuda. The Act says that a trailer container is 20ft by 8ft. Also Bermuda Container Line is making it very easy for this food importer; this is the only importer that is doing it (Somers Isles and Bermuda Islander do not). This would be a risk on the roads, traffic, weight restriction, etc. and apparently they would be putting weights (60K lbs.) in a container. They approached the Minister who said that it would be difficult for them to police and suggested that Butterfield and Vallis approach the CoH. They are asking for the CoH to intervene.

The Secretary said the current policy as it refers to 40ft. containers; the CoH does have control and has to give authority to the shipping company before the container can be loaded on the ship.

40ft. containers are not allowed as a general rule, there are two (2) exceptions in the policy: (i) the load would not physically fit in a 20ft. container. An application would have to be made to the CoH stating what the load is and then permission would be given or (ii) a 20ft. container cannot be sourced within a reasonable space of time. The CoH's Ports Superintendent does adhere to that policy very strictly. There have been occasions over the years that applications have been made and brought forward to the Council for approval and have been refused under the policy. The Council can waive the policy or even alter the policy if needed. The importer has to provide documentary evidence to show that a 20ft. container cannot be sourced. What was being presented in this particular case was that the port that this importer comes from reportedly said that they could not source a 20ft. container. There are numerous importers that use 40ft. containers to a port and break them down to 20ft. containers. 40ft. containers are not encouraged by the Bermuda Police Service because the current infrastructure does not support them safely.

The secondary issue is Bermuda Forwarders dragging a 40ft. chassis around supporting two (2) 20ft. containers which is convenient for them but not good for the public. There was further dialogue.

The Secretary said the issue that the police is struggling with is the double-ganged 20ft. container - TCD licenses the vehicle and once that is done the police will not report that the vehicle is illegal because the government has provided the license. The CoH does not support having the two (2) 20ft. in tandem because effectively that is a 40ft. container. TCD would have to revoke that license for the police to get involved, and then the police could enforce the rules requiring the appropriate way to transport a 40ft. container within the island.

The Senior Engineer said there is a permit application on the CoH's website that spells out clearly the procedures for importing a 40ft. container.

RECOMMENDATION: That the Board agree to inform the offending parties that they are to desist from their current practice of using 40ft. containers on the City's docks and roads. Also that the Board agree to inform TCD as soon as possible that this will be a recommendation to the full Board to adopt.

Proposed: Councillor J. Harvey

The Mayor suggested going to the Minister in the first instance for support.

The team from Butterfield and Vallis left the meeting.

6. Correspondence:

- (i) **Email to Ms. Tina Duke, Principal of Dellwood School re: Parking for the Jehovah Witnesses** - a letter was written to the Dellwood School. Mr. Emery from the Jehovah Witnesses also made contact with them and has come to an arrangement with the school. He thanks the CoH for their efforts and they will be using the Dellwood School parking lot as part of their parking facility.

- (ii) **Restoration of the Arcade on Burnaby Street** – correspondence was received from MarshallWorx. The redevelopment is to bring residential living to the very heart of the City, i.e. five (5) residential units and two (2) retail units. The request is for three (3) designated parking bays in front of the Arcade at a quarterly or monthly rate.

The Secretary said the residential parking policy in the City is that anyone that has a residential parking sticker can park in any residential parking bay unless the policy changes to have colour-coded spots. Then they would be dedicated spots. There was continued discussion regarding discouraging underground parking within the City, i.e. the Marketplace on Church Street where the sidewalk has become somewhat like a roadway with all of the traffic going in and out.

Councillor Ming declared his interest; the preliminary design was done by his office. The policy with Planning is to discourage vehicular traffic across the sidewalk within the City. The City has always had a problem with parking within the City but never had the density of residential buildings. When the Council makes a decision on parking for this building, it is not necessary to have parking in front of the building or across the street, etc. The Secretary suggested that a comprehensive review should be done when doing next year's budget to ascertain whether residential parking remains at no charge. Then the committee would be in a better position to give a more formal response. Dialogue continued.

ACTION: The Secretary to write to Mr. Tim Marshall of MarshallWorx and advise that the CoH will be doing a comprehensive review of residential parking within the City.

It was suggested that Mr. Marshall approach the Perry family to see if a few spaces could be rented from the parking lot on the lower level under the Marketplace.

7. Review of Committee Minutes of 8 July 2015

Proposed: The Mayor

Seconded: Councillor G. Scott

The Minutes were accepted as read.

8. Matters Arising from the Minutes of 8 July 2015

- (i) **Visit to the Ewing Street Area** – still waiting on a response from the committee and/or members. Friday 14 August 2015 at 11:00am is the tentative date scheduled. Date and time was confirmed for the site visit of Ewing Street.

ACTION: The Secretary to send out a meeting request via Outlook inviting the committee members to the site visit of Ewing Street.

- (ii) **Copy of Letter Sent to Principal of the Dellwood School re: Parking for the Jehovah's Witnesses** – a letter was forwarded to all members. Action item completed.

(iii) **Copy of Amended Street Naming and Renaming Process to Former Deputy Mayor** - a copy was forwarded to the former Deputy Mayor. Action item completed.

(iv) **Feedback from Committee Members re: Proposed Amendments to the Sanitation Ordinance** - no feedback has been received from committee members. This matter is deferred to the next Infrastructure Committee meeting.

ACTION: The Secretary to forward a copy of the proposed amendments to the Sanitation Ordinance to all Council members.

(v) **Invite to Constable "Smokie" Dill** -

ACTION: Councillor Harvey will make contact with Constable "Smokie" Dill and invite him to the next Infrastructure Committee Meeting.

(vi) **Contact G.E.T. Security re: presenting "Safer Street Proposal** - deferred to the next Infrastructure Committee meeting.

(vii) **Goals and Objectives re: America's Cup** - the City Engineer shared the goals and objectives of the America's Cup.

ACTION: The Event Project Manager to forward a copy of the goals and objectives of the America's Cup to all members.

(viii) **Letter to the Government re: CoH's Outstanding Issues** - the Secretary has not written to the government although he is putting together a letter to the Minister concerning the PLV guarantee funding. It was noted that in the last Council meeting there was lengthy discussion regarding the lack of consensus that is at the Cabinet level in terms of supporting the CoH. The letter should be part of the process to come up with some financial agreement with government.

(ix) **PDF Copy of Asset Management Plan** - the plan has been updated from last year. The big effect will be the impact on the assets themselves, i.e. replaced or not, the age, etc. all of that information which would have to be continually updated. It would significantly impact the CoH's suggestion for the budget.

The plan is to have a special meeting regarding the Asset Management Plan. All of the departments have to have their budgetary requirements in to the Treasurer by the end of August. The Asset Management Plan will be discussed in the next Infrastructure Committee meeting.

(x) **Letter to Restaurants re: Oil Containers on Sidewalks** - deferred to the next meeting.

Councillor Harvey commented on:

(i) **Page 2 of 8- item (v) - Meeting with the Department of Community and Cultural Affairs** - the Event Project Manager said the meeting is scheduled for next week once when the City Engineer returns from vacation.

(ii) **Page 2 Of 8 - item (iv) - Letter to Belco and W&E re: Bulls Head Solar Project** - the Mayor was in contact with Tim Madeiros who was the successful proponent originally with the Bulls Head Solar project. Mr. Madeiros mentioned that he is now the energy consultant for Ariel Sands and has developed contacts with the electric car company, Tesla. He is in a position where he can entertain projects such as this. The Secretary said an RFP was not put out for this project; Mr. Madeiros had made an individual proposal.

ACTION: The Secretary to follow-up with Mr. Tim Madeiros to get an update on his proposal and what benefit it might have for the City.

The Secretary advised that the CoH did meet with Ascendant and they are very interested in a joint proposal on Bulls Head. The issue has always been the buy-back; the CoH could not use the amount of power that would be generated if it was fully operational and would need to sell it back which would be part of the viability. Based on an avoided cost payback, it is not viable. But if Belco is the partner, this would not be the issue. This would also remove the issue for storage because Belco will factor it in as one of its contributor to the grid.

The Senior Engineer said before doing an RFP or look at numbers there has to be an understanding what the costs are. At the moment Bulls Head, the new Works Depot building and underneath, the pump station are all on one (1) meter. He had spoken to Mr. Madeiros and others advising them that the CoH does not have the numbers to show what the consumption is. He has a building permit to have that building area split to have three (3) sub meters. A meeting is scheduled with Doug Frith from Belco soon to get that installation done. Discussion continued.

(iii) **Page 2 of 8 - item (viii) - Full Report of Overall Costs re: The Bermuda Fashion Festival** - the event is barely post 30 days and just received the last of the invoices on Monday. There is also a full event report that will be ready by the end of the month but will present the financial report in the Finance Committee meeting scheduled for tomorrow Thursday 13 August 2015.

Page 7 of 8 - item (ii)- Discussion re: America's Cup and the Impact on the City - the list of items that would impact the City was forwarded to ACBDA. There was an article in last week's paper and ACBDA will not probably deal with any kind of awareness to the wider public audience until October. The Event Project Manager was asked to sit on another committee of the America's Cup's, the Land Transportation Sub-Committee and attended that meeting yesterday. The discussion was basically on what the CoH normally does as far as the marketing for road closures, etc. In the initial discussions with ACEA there was a six-week marketing plan as far as distributing information relating to road closures, car park closures, transportation changes, etc.

The CoH would work in conjunction with their transportation committee in order to create a full marketing plan. They were provided with templates of all the road closure notices as well as the map road closures to assist with putting together the six-week marketing plan. Discussion continued.

ACTION: The Secretary to have a conversation with or send an email to Mr. Mike Winfield of ACBDA voicing the concerns of the Council.

9. Status Update:

(i) **Meeting re: Tall Ships** - BTA, the Ministry of Transport, ACBDA, the Harbourmaster and the Secretary of CoH were in attendance at this meeting to discuss the potential congestion in 2017 for the culmination of Tall Ships, America's Cup and cruise ships. The week that the Tall Ships are due to be in Bermuda, cruise ships are not scheduled to be in port. The CoH is looking to ask the ACEA to relinquish their rights on the Flag Pole, #5 and #6, the commercial dock and Albuoy's Point to allow Class "C" boats to be moored there and leave #1 for super yachts. For the rest of month of May through to the end of June looking to have various cruise ships for most weeks at #5 and #6. A package was just forwarded to the super yachts and should there be an overwhelming response from the super yachts, the cruise ships will move to the first part of the commercial dock. The Tall Ships will have to sign off that only Class "A"s will come into Hamilton. The cruise ships will have to confirm that they will use the commercial dock. SSL will have to confirm that the commercial dock can be used.

ACTION: The Event Project Manager to forward the plan for the docks on Front Street for 2017 to all members.

The government signed over the rights of the CoH's waterfront for October 2015 and April - June 2017. Dialogue continued.

Update: Event Project Manager:

- Sunday 16 August 2015 - summer party for the CoH. RSVP to Thomas Lightbourne if planning to attend.
- A 20ft. container was dropped off in front of City Hall yesterday which is a mobile art gallery called "We Are Now". Have been working with an independent group and the container will be moving around the City and placed at different locations. They have decided to have an opening tonight at 5:30pm. It holds twelve (12) people at a time but will be open for the next couple of weeks. The next location will be on Front Street.
- **Reopening of Ewing Street Event** - going as planned for next week Thursday 20 August 2015 and the budget has been approved and is coming out of the Resident Advisory Committee. This event would involve ribbon cutting, free lemonade and popcorn, a few speeches, etc.

ACTION: The Event Project Manager to invite members of the previous Council to the reopening of Ewing Street.

- **Walk of Fame** - scheduled for 17 September 2015. This event came out of a budget from last year but it was not finished in time. The CoH received a government grant in order to purchase the extra plaques to be installed. The Walk of Fame is on Court Street and the opening will be held in the City Hall foyer. Last year's budget was \$6,500 but would have to get an approval from the Residents Advisory Committee to use the funds out of their budget for the event. The five (5) plaques to be installed are for the five (5) national heroes that have been inducted over the last five (5) years. Invites and additional information will go out to the members soon.

- **PARKing Day** - scheduled to run for a month from 18 September - 18 October 2015. It was a one (1) day event three (3) years ago. Last year it was held for one (1) week. Received news from the Planning Department that the majority of the staff that worked along with the CoH are no longer there except for one (1) person. Will be meeting with the Director of Planning this week to find out if they are able to do the event with the CoH or if they are asking the CoH to completely organise. There is a budget for the event. Twelve (12) parking bays will be used but it would not restrict the traffic flow on Reid Street. The event finishes the last day of the America's Cup. The Mayor suggested having the event end just before the America's Cup. Front Street is already being closed off for three and half days (3½) - restricting people coming into Hamilton. The Event Project Manager said the America's Cup is aware of the event and are working along with the CoH. This event is meant to enhance the atmosphere in the City for that time period. Dialogue continued. There was a general consensus from the committee members to go ahead with the event as planned.

- **City Arts Festival** - also planned in October which is being worked along with America's Cup. Meetings will be held on Thursday and next Monday so will not be able to give a full update until after those meetings on when this event will be held.

- **Freedom of the City** - an expansion of the Veteran's Parade in November. Have been working along with the Bermuda Regiment as they are celebrating their anniversary. It is a big ceremonial event and the Council will be asked to attend.

- **Christmas Committee** - commences in two (2) weeks.

- **Parking in the City for 2016** - if there are any major parking changes coming out of this committee will need some notice. Parking stickers get ordered in September.

10. Recommendations for Review:

There are no recommendations.

11. Any Other Business

(i) **Road Markings on Angle Street near the Centre** - completed.

(ii) **Proposed New Access Right of Way - North Street** - the Secretary received a call from Helen Forrest of Terra Law who is acting on behalf of the new owners of the property on North Street. The CoH had granted an easement because they had encroached on the CoH property. Now they are looking for a new access right of way over the CoH property (the sidewalk) and a piece of property that the CoH has to the north of that pavement to get access to their property. This property is to the east of the TCD parking. This request would have to be approved by the government. There was further discussion. The matter was deferred pending securing additional information and then an informed decision can be recommended at the next Infrastructure Committee meeting.

12. Motion to move to a Restricted Session

Proposed: Councillor G. Scott

Seconded: The Mayor

The meeting was adjourned.