



**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**

13 April 2016

10:00am

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

**In Attendance:** The Secretary - Ed Benevides, JP  
The City Engineer - Patrick Cooper  
The Event Project Manager - Danilee Trott

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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 his role as Chair of the committee.
  3. **Open Meeting** - Councillor Harvey called the meeting to order at 10:01am.
  4. **Apologies** - The Secretary confirmed that no apologies had been received.
  5. **Public Participation:**  
There is no public participation/presentation.
  6. **Correspondence:**  
There is no correspondence.

**7. Minutes of Previous Meeting dated 9 March 2016**

**Councillor Harvey commented on:**

**Page 1** - the Mayor was not present at this meeting.

**Page 2 - 3<sup>rd</sup> Paragraph** - "The Mayor has expressed.....**should read:** Councillor Harvey stated that the Mayor had expressed....."

**Proposed:** Councillor G. Scott

**Seconded:** Councillor J. Harvey

The Minutes were accepted as read with the amendments.

**8. Matters arising from the Minutes dated 9 March 2016**

(i) **Update - Letter to Gibbons Company re: Container at Top of Washington Lane** - the City Engineer confirmed that the letter had gone out - action item completed.

(ii) **Update - Letter to Mr. Kempe of Bermuda Forwarders re: Container Trucks travelling en route from the Docks** - the City Engineer confirmed that the letter had gone out - action item completed.

(iii) **Review Challenges of Liquor Licensing for Events within the City** - this item is to be placed on the agenda of the next staff, Legislative & Governance Committee meeting scheduled for 19 April 2016. The Event Project Manager was asked to sit on a committee that the Joint Emergency Services has formed which is called JEST (Joint Agency Events Safety Team) and they held the first meeting yesterday. The City Engineer accompanied her because they were not sure of the scope of the content of the meeting. the committee consists of a collection of all of the emergency services as well as representatives from WEDCo, Corporation of St. George, Corporation of Hamilton, Planning, Police Service, Fire Services, Ambulance, BTA, St. John's Ambulance, Department of Health, Hospitals, Bermuda Regiment, Chamber of Commerce, etc.

(iv) **Proposal of Lower Al Fresco Rates to Yo Cherry and Nonna's Kitchen** - now that the Council has passed the recommendation, the City Engineer will reach out to them and have a meeting to discuss a resolution, i.e. either get them to pay or remove the structure. The Secretary said he was contacted by the owner of Yo Cherry and the Mayor forwarded an email exchange between him and Ms. Thompson of Nonna's Kitchen who is looking to meet with the CoH next week. Yo Cherry was told that the rates were being proposed at the last Board meeting and the Secretary would be in contact in that regard.

**9. Status Update:**

(i) **King Street, One-Way System** - the General Superintendent has met twice with PTB and is working on how to re-route the bus system. A communication plan is also being worked on. This is King Street between Front and Reid Streets being turned into one-way heading north (coming up).

First is safety reasons, vehicles trying to get out of the bottom of King Street on to Front Street, the view to the west is severely hampered because of the bend in the road. Secondly, vehicles crossing Reid Street coming down King Street from the Fire Station and crossing the lane of traffic. Vehicles are only supposed to do this at certain times but is not adhered to and causes all types of safety issues there. Lastly it is to allow the tractor trailers to utilise that section coming up to box the block to then go back down into the dock instead of turning right off Front Street into the cargo dock. This comes with a re-mark out of the intersection of King and Reid Streets to allow for a better turn for the buses without straddling the lanes. Still into the consultation stages with PTB. Dialogue continued.

The Mayor joined the meeting at 10:10am.

(ii) **Front Street Pump Station (FSPS) Piping and Screen Replacement** - there have been a couple of pipe breaks. The FSPS has two (2) larger pumps and two (2) smaller pumps and the affluent piping that comes out of the small pumps have developed leaks in them and have had to replace them. There is no certainty whether these pieces were badly manufactured or whether it is going to now work its way through other pieces of pipework in that section. These were small inexpensive easy pieces to do and if some of the bigger pieces start to fail then there is a major issue. Some investigative work has to be done and some experts might have to be brought in to x-ray the pipes to ascertain the wall thickness and identify if there is a corrosion problem that needs to be addressed rather than just waiting for each piece to fail one after the other. The worst case scenario is that all of the affluent would leak into the harbour.

The CoH is looking at two (2) options:

- Replace all of the pipework, have it ordered and have it ready to install. Will forego the inspection regarding the wall thickness and would need to buy \$100K worth of piping. Pipes would have to be fabricated and custom-made because all of the lengths of the pipes have to fit together.
- Cost of the x-ray is going to be in the tens of thousands.

Generally the pipes end up with a pinhole leak and then everything flows through that. That leak can be band aided to hold it until there is a replacement piece but it is not ideal. The whole area would have to be measured up so that all of the design lengths and pieces would be ready for the manufacturer. There was continued dialogue.

The City Engineer would have to get pricing - replace the pipes or have the x-ray done. The Mayor said that since the CoH has a Sewage Tax Ordinance that was passed by the Council that the City Engineer could write a report so that the Secretary could pass on to the Minister and the Permanent Secretary for their knowledge to possibly assist with some funding.

**ACTION:** The City Engineer will write a report with regards to the replacement of the pipes of the Front Street Pump Station.

**Screen Replacement** - the technicians are on island this week replacing the second screen. There are two (2) screens to screen the incoming sewage. One was replaced last year to a three (3) millimeter diameter screen and the other one is a six (6) millimeter. With replacing the second one, both will be three (3) millimeter to have better filtering of the incoming sewage to help pull out large solid matter and grease.

(iii) **ACBDA Super Yachts Requests** - the ACBDA and ACEA are selling that they are going to put Super Yachts on Front Street. They are asking the CoH on how they wish to be involved and have given three (3) options. BCM McAlpine Ltd. has done some preliminary pricing and it shows the amount of revenue that the CoH would potentially receive but the numbers do not make any sense for the CoH to do anything. They are asking whether the CoH wants to put in the infrastructure for the cost of \$800K and in return have this infrastructure and receive in return \$320K and be out of pocket \$400K but will have Super Yacht moorings for Super Yachts that may not come in the future. This is an easy exercise to say to ACBDA that they can do what they need to do but remove the infrastructure in the end or they can leave it there for free or sell it to the CoH. The risk is too great. Discussion continued.

There will have to be a mooring point for the Super Yachts to be tied to, i.e. two (2) off of each boat. They could have a 20ft. diameter 5ft. deep concrete pancake with a big shackle and ships' chain coming off of it. They could also drive piles in and connect the chain to the pile. No matter what they do, it will be costly. There was further discussion on dredging, etc. The other expensive part would be the bollards on the shore side (30 tons each) to tie the back end of the boats. The concrete would have to be checked to ensure that it is secure enough to put the bollards in and if it is not secure than excavation would have to be done to put in good concrete. They could put them in and the CoH would have them after, approximately 20 bollards.

**RECOMMENDATION:** That the Board agree to allow ACBDA to install whatever they need for the safe mooring of Super Yachts on Front Street. All discussions on what infrastructure is going to be left behind can be had afterwards.

Councillor N. Swan joined the meeting at 10:30am.

**Proposed:** Councillor G. Scott  
**Unanimous**

**Seconded:** The Mayor, Charles Gosling

The other issue highlighted is Stevedoring Services Ltd. (SSL). With this option with the CoH stepping out of the picture, the SSL issue falls away because then it will be up to ACBDA to negotiate with SSL. The CoH will end up leasing the area to ACBDA. The question is about line handling. SSL is saying that if any of the boats come alongside they are going to pay SSL to tie them up.

The CoH has the right to remove sections of the dock from SSL operating on behalf of the CoH as long as their operations are not hampered.

A short lease can be written whereas for this period the control of the docks is being handed over to this group, therefore, they do not need to go directly to SSL for line handling. This is an issue that ACBDA would have to sort out with SSL. These issues have been highlighted and all parties concerned are aware. Probably two thirds of these boats will be going in and out of those berths daily to the races for a 30-day period. The question is whether SSL would have enough resources to actually do what they are supposed to be doing on the dock plus do line handling twice a day for these boats and divers to pick up the moorings to line handle the boats to work the front of the boat. There was continued discussion regarding whether there has been much interest from the Super Yachts. The approximate number of Super Yachts that have shown any interest is 40-45.

#### 10. Recommendations for Review:

(i) **Request - Crossing on Victoria Street at Peoples' Pharmacy** - this is a request that has been around for a while but has never been progressed. It is a fairly used area where people cross, it is not the busiest street but it is a wide street and could benefit having a defined crosswalk. It will entail building a bit of curb work to narrow the road to keep it safe with a little loss of parking. This would head right on to Joell's Alley and the CoH would have to ensure that there is safe landing place on both sides because people cannot be dropped on to a crosswalk into the opening of a driveway. If the committee is minded, it can be placed on the work schedule to be done. Further dialogue continued. The committee unanimously agreed for the crosswalk to be installed.

(ii) **Request - Commercial Parking at 66 Serpentine Road** - this a request from the business that is in the Power House, the glass building behind Bermy Cuisine. The company wants to have commercial parking in the cycle parking bay area which is not being fully utilised and they are willing to pay for it. They have a vehicle that will not fit into their parking garage under Power House. There is room to put in some commercial bays. There is a right-of-way which is owned by the CoH and has been hatched out because it is a fire access and a pedestrian link.

It was noted that commercial entities who work in an area can purchase a yearly pass and park in a commercial space at \$2,500 per space. The permit gives access to an area, e.g. if the permit is for Par-la-Ville it does not mean that the person can park in Cavendish. This permit is for commercial vehicles only and not for private vehicles. The reason for putting in commercial parking was because there were some business owners that used commercial vehicles sporadically throughout the day and would not want them left on the street blocking up loading zones. They would need them close enough for access for them to function for their business. There was further discussion.

There would not be much of an issue to create a commercial bay for the one (1) vehicle and if additional spaces are required, can create a few more and get some additional revenue. There was a general consensus from the committee to proceed.

(iii) **Request - Parking at No. 8 for 141 Front Street** - this is behind the longtail Statue. Councillor Swan excused himself from the meeting due to a conflict of interest.

That area is generally kept blocked off because it became an equipment dumping ground. To the west of the gate is the SSL fueling point where they take fuel on board for their equipment, etc. Also that area behind the longtail statue is right over a water tank so would not want any heavy equipment on that. It is also a security area where you would not want vehicles right up against the port fence hidden behind the longtail's plantings. For security reasons would want to keep the area sterile. There can be some parking put in there but not very much. That entrance at #8, while it is not really used on a daily basis, is still an emergency access that has to be kept clear. Further discussion ensued.

**ACTION:** The City Engineer to get a map drawn up to show the existing area at No. 8 and what potentially could be put in.

The Mayor commented on the parking that is being taken away outside of Docksidiers for their Al Fresco dining. That area along there is heavily used in terms of parking needs and the Supermart is very reliant on that ability for their customers to park. The City Engineer said that if they could get rid of the planter and do it in a different orientation, would be able to get better parking in that area. There was a query of whether the triangle area at the bottom of Spurling Hill belonged to the CoH to which there was a negative response. Moving that statue to Spurling Hill would really mark out the beginning of the City.

(iv) **Request - Three (3) Parking Spaces - Ram Re House** - part of this building has been turned into residential and this is a request for residential parking permits. There are no residential parking bays in that area of the City. They are highlighting that the parking bays could be on Parliament Street where the old police station was located. The Mayor suggested revisiting the policy on residential parking. He queried if there are any residential parking bays south of Dundonald Street. Bulls Head Hill is the southernmost residential parking because there are no real residences south of there. There has to be more consideration in this regard because there are a bit more residential coming into the City. There are about 100 residential parking spaces in the City. Discussion continued regarding other persons requesting residential parking spaces.

**ACTION:** The Secretary to write to Mr. Branco of Innovation Ltd. thanking him for the letter. Because there have been other requests of a similar nature the CoH is doing a full and complete review of their residential parking policy in a way to further encourage the redevelopment of the residents within the City.

The City Engineer said that if one has a residence within the City, they can apply for a residential parking permit and it will be granted if they can demonstrate that they have a property and do not have an alternate parking arrangement, i.e. do not have the following: a garage, parking space on the property, do not have a parking lot next door that could be rented, etc. There was further dialogue.

**ACTION:** The City Engineer to send the policy to all of the members of the Infrastructure Committee for their review and feedback. Also get a view from the Residents Advisory Committee. Further discussion on the complete review to be had in the next Infrastructure Committee meeting in May.

(v) **Traffic Flow of Container Trucks re: Laffan Street Roundabout** - this item was raised in the last Residents Advisory Committee meeting. The concern was the traffic flow of the container truckers going east on Laffan Street, i.e. the speed in which the trucks travelled down Canal Road turning onto Laffan Street. Once the roundabout is completed it would be easier for the container trucks to turn. The problem with that stretch of Laffan Street is that it is mostly residential.

The City Engineer said most of those trucks are coming out of the U-Haul place and Butterfield & Vallis travelling back to the dock. Their alternate routes are either to go up Laffan Street down Cedar Avenue, Dundonald and Court Streets and work their way down to the dock. Or they are going to go up around Serpentine Road and then down Dundonald Street to Cedar Avenue. Or go John St. John's Road, Cedar Avenue and down. Those are the three (3) options that they can take, so if one (1) route is going to be banned would have to consider where they will be knocked to and if those routes would be better.

**ACTION:** The Secretary to ascertain from the Residents Advisory Committee whether they are concerned about the safety aspect or whether it is a noise or speed issue.

The City Engineer commented that if it is safety issue that will be addressed with the construction being finished. It is noisy at the moment because the road is so uneven. The project is proposed to be completed in 2-3 months. Councillor G. Scott commented on the age of some of the buildings that are in the area from the roundabout to Cedar Avenue. With trucks going up and down there, the buildings will start to crack. There was continued discussion.

(vi) **Plans for Pedestrian Crossing on Dundonald Street across from the Heritage Worship Centre** - Councillor G. Scott commented that the trucks on that street are right up to the speed bumps on both sides of the street. Anyone coming out on the pedestrian crossing will be coming out in between the trucks. On the side of the church there is more visibility. The City Engineer said the solution to this is to actually put bump outs to move the sidewalk out to stop vehicles from getting too close to the crossing. It also provides the person a safe place to stand where they would be visible. Councillor Harvey asked if it would be better to have the crossing at the intersection. It is a mid-block crossing and there are crossings at the intersection.

There was continued discussion regarding the parents collecting their children from the nursery school located in the church late in the afternoon and they will try and get their vehicle as close to the door as possible. They will not be paying attention to whether that crossing is moved.

**ACTION:** The City Engineer will ensure that the work to be done to the pedestrian crossing is placed on the work schedule.

**ACTION:** The Secretary to forward a note to the Residents Advisory Committee that the Infrastructure Committee has reviewed their request and it will be addressed and made safe.

## 11. Any Other Business

(i) **Concerns - Dr. Michael Bradshaw's Property on Ewing Street** - the building in question is the yellow building on the corner of Till's Hill and Ewing Street, Prosperity Heights which was built in 2007. The CoH was consulted on this project and the City Engineer reviewed the drawings that were given but they did not articulate the opening or the ramp or how it was to be treated on that entrance. On the drawing there was a note saying "cycle access" and on the elevation it does not show the opening. There is no information which would have highlighted this to the City of what was going to go on there. He went with Councillor Ming to Planning and pulled both the Planning file and the Building Control file. The Building Control file does not even have approved building plans in it. Whether they ever existed or whether they are lost, none of the files show anything to do with this opening or how it was to be treated or how it was approved. There is also a note on file from Dr. Bradshaw in 2008 that he contacted the CoH trying to get an easement to access this area which he never received from the CoH. This has been an ongoing issue since 2008. This matter was exasperated by the CoH re-doing the sidewalks there and there is the belief that the sidewalk had been altered by Dr. Bradshaw when he built the building to make it suit that entrance into the building. Unfortunately with the brick and the new sidewalk there is no physical way of altering it to meet his building levels. Usually the CoH makes the point with all the building owners and all plans is that the building has to meet the existing sidewalk. The sidewalk cannot be adjusted to meet every building. He also has a seven ft. wide opening on a very steep hill.

If Dr. Bradshaw uses the space for bikes or whether it is just for pedestrians, it cannot be determined. If it can be decreased from seven ft. to four ft. then there is less adjustment to try and meet. Maybe there are some other options to work with inside. There was continued discussion on the matter and the issues that prolonged the Ewing Street project.

The City Engineer met with Councillor Ming, discussed the issue and he is not in support of changing the sidewalk to suit the building.

**ACTION:** Councillor Harvey and the City Engineer to do a site visit of Dr. Bradshaw's property and look at what he has and what could be done and what he actually uses the space for and respond to him accordingly.

The other issue that has to be dealt with on this property is that Dr. Bradshaw has a roller door on this opening that protrudes across the boundary and is a danger to pedestrians walking down the sidewalk. It sticks off the building some 12 inches and will hit someone at shoulder/head height if they are not watching where they are going. Councillor Harvey suggested getting some feedback from the neighbouring residents in this regard.

(ii) **Boat Parade, Summer 2017** - Councillor Harvey spoke with Sandy's Rotary Club and they are willing to handle the organisation of a summer boat parade. The City Engineer said that one of the problems would be the public being able to view the race from the City with all of the Super Yachts, etc. berthed on Front Street. The Mayor suggested having a less formal event in the evening on a particular night and encourage as many boats as possible to come out and participate. Councillor Harvey pointed out that the CoH should never be blamed for not taking advantage of this opportunity of doing something. The City Engineer said that there is going to be so many other events going on during that period. He suggested doing a Harbour Nights type of event, have the boats decorated that are docked alongside Front Street (a festival of lights) and have a boardwalk type of event. Dialogue continued.

The Mayor commented that this would be a great opportunity, not necessarily for the CoH to do the events themselves but facilitating others to do it. Sandy's Rotary has proclaimed an interest for the actual event in December and when you have an organisation that has had experience in running events will enable the CoH to take that jump that it will be more than just a boat parade.

The Event Project Manager has been asked to Chair the Social Committee for the Tall Ships and she will be planning their events for the entire time that they are in Bermuda. The America's Cup events' schedule has not been organised as yet and she asked for some time for those events to be scheduled to ascertain what event is available to do, what days are available to do any event, etc. The Tall Ships are here for five (5) days in the middle of a 30-day period of events for the America's Cup. Tall Ships are also planning to do events on Front Street of which there is no clear picture to date. If the CoH tries to do a boat parade in the summer they will miss in doing the Christmas event. If this is going to be the first time that the CoH takes over the event as an organisation, it will not get off on the right foot and could possibly lose control of the event a bit. There was further dialogue.

There was continued discussion with regards to the challenges of obtaining liquor licenses for events within the City. Juan Wolffe, the Magistrate will not have any leniency regarding liquor licenses for the City. Scott Devine (Chair of the Liquor Licensing Authority) and Stephen Cosham (National Disaster Coordinator) said that the City's own laws state that it is illegal to drink in the streets so every time that the CoH wants to sell alcohol in the street a Board Resolution would have to be passed.

Previously one of the ways this was handled to avoid some of the restrictions was to charge a fee to get into the event and say that the liquor is included in the ticket. That is not going to be allowed anymore because it is purchasing the liquor in advance. The Secretary said that the Board does not have to pass a Resolution if the policy says that it is an event sponsored by the City and the CoH can grant permission. If there are vendors, i.e. Flanagan's, etc., the alcohol has to remain in their establishment, the licensed area. For the Food Festival, the CoH provided branded cups for all of the vendors that provided or sold alcohol. If the CoH had received its liquor license for the event it would state that anyone who had a City cup had received it through the City Food Festival and could have it on the street.

They complained because the Beach was selling alcohol and people were coming out of their establishment with Beach cups and said that the CoH was breaking the law.

Councillor Harvey commented on a recommendation that the current policy and attitude is not conducive to a progressive City going forward. There is currently a request for a temporary amendment to the law for Bermuda Heroes Weekend (BHW) because as the law is written they cannot have J'ouvert which takes place from 3:00am until 8:00am. According to the Liquor License Act liquor can be sold up until 2:00am unless it is a members club, then until 5:00am and this is island-wide. Comments were made by both the Event Project Manager and a representative from BTA that the Liquor Licensing Authority is over regulating and is reducing the ability to have a vibrant island and being able to create a tourism product.

**ACTION:** The Secretary to organise a meeting with BTA and the Chamber of Commerce to have a full discussion on the challenges of the liquor licenses for events within the City.

Further discussion ensued.

(iii) **Al Fresco Dining** - the Secretary received a phone call regarding the work being done for al fresco dining. He commented that for better practice that when an application is received by the CoH for al fresco dining that at the very least the establishments in the surrounding area should be notified. The CoH could do a mail out, an email, etc. but it should be a policy that the CoH adopts. There was further dialogue.

The Secretary commented that before moving to the Restricted Session he looked at the two (2) comments and the Minutes and there is nothing in the Restricted Session that qualifies for that session. He suggested that the meeting carry on with Any Other Business.

## **12. Motion to Move to a Restricted Session**

**Proposed:** Councilor G. Scott

The meeting was adjourned at 12:05pm.