



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.

Works Depot
Laffan Street, Hamilton
Infrastructure Committee
10 May 2017
10:00am

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

Staff: Secretary - Ed Benevides, JP
Treasurer - Tanya Iris
City Engineer - Patrick Cooper
Event Project Manager - Danilee Trott

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 10:00am.

4. Apologies:

The Secretary confirmed that no apologies had been received.

Councillor G. Scott and the Treasurer joined the meeting.

Councillor Edwards advised even though it was not on the agenda that Mr. Burt would be attending the meeting to give a presentation with regards to the plaque for Mr. George Trott.

Councillor Harvey commented on the exchange between Councillor Edwards and the Communications Manager and that the project is a work in progress. When the work is completed then would ask Mr. Burt to come in and give a presentation on his historical input about City Hall. Dialogue continued.

Councillor Ming expressed his concern as Mr. Burt was already in the building and did not want to turn him away. Councillor Edwards said Mr. Burt has made himself available. Councillor Harvey commented that Mr. Burt could attend the meeting as a member of the public.

5. Public Participation/Presentation:

There is no correspondence

6. Correspondence:

(i) **Letter from Dr. Lynette E. Thomas - Bermuda Renal Associates:** Bermuda Life Center is a dedicated dialysis clinic which has been designed and equipped to provide state-of-the-art care to Bermuda's increasing number of dialysis patients. For the convenience of her clients, she is requesting to rent from the CoH ten (10) designated parking spaces at #8 Car Park. Councillor Harvey commented on doctors' parking spaces on the eastern side of the car park. The City Engineer advised that one of those spaces belongs to Dr. Thomas.

Councillor Ming expressed his non-support of the request. There about approximately 30 car spaces in the car park and the request would be for a third of those spaces.

Councillor Ming said according to the current policy, the CoH does not rent parking spaces to private enterprises.

ACTION: The Secretary to write to Dr. Lynette Thomas advising that the policy that currently exists will be adhered to.

7. Minutes of Previous Meeting dated 12 April 2017

Councillor Edwards commented on Page 3 of the Agenda - Recommendation Update regarding the event "Battle on the Rock" and noted that she had opposed this recommendation. She referred to the Minutes of 12 April 2017 where she had abstained and the meeting of 3 May 2017 where she had opposed the recommendation and requested that it be properly recorded.

Councillor Harvey said the Minutes of the Infrastructure Committee meeting of 12 April 2017 are a proper reflection of what transpired in that meeting and the Minutes of 3 May 2017 will properly reflect the Councillor's opposed vote. It was noted that these were two (2) different meetings.

Proposed: Councillor G. Scott

Seconded: Mayor, Charles Gosling

The Minutes were accepted as read with the amendment.

8. Matters arising from the Previous Meeting dated 12 April 2017:

(i) **Forward the YouTube video link as it relates to the Hydroflight sport so that the Committee can get a visual of what the event would entail:** Councillor Harvey confirmed that the YouTube video link was circulated to the Committee Members.

(ii) **Ascertain if the fire exit area near Bulli Social is still being used as a smoking area or a short-cut and if so to write to them addressing the matter:** The Secretary said the Action Item should read the fire exit area of the Orbis building. He is getting a report from the Parks Superintendent and once received he will write to them and report back to the Committee.

(iii) **Write to Mr. Henry Cox to get clarity on why the current arrangements that are in place are not sufficient:** The City Engineer advised that he has left telephone messages trying to get a meeting with Mr. Cox but has been unsuccessful to date. He will continue to try and make contact.

(iv) **Invite Mr. Victor Alleyne of the Spring Garden Restaurant Bar & Catering to the CoH offices to discuss the issues of bike parking in Washington Lane outside of his establishment:** The Secretary advised that he has not had the opportunity to invite Mr. Alleyne to the CoH's offices as yet. Councillor Harvey suggested calling Mr. Alleyne advising him that the CoH is not trying to shut his business down but to ensure that there is a safe environment in Washington Lane. The Secretary advised that the CoH is currently listed to testify in the Liquor License hearing for Spring Garden. He asked if that is still the will of the Committee to continue with that. Councillor Harvey said that he will continue to support because of the public safety issue. Further dialogue continued in this regard.

The Secretary said there have been several complaints made by other establishments in the area.

ACTION: The Secretary to forward the written complaints regarding Spring Garden to Councillor Edwards.

The Mayor said there is absolutely no reason why the owner of Spring Garden could not meet with the Secretary in the meantime and make a commitment to ensure that the practice ceases. It was noted that Mr. Alleyne of Spring Garden has been approached before in 2012 and 2015 in this regard.

ACTION: The Secretary will endeavor to contact Mr. Alleyne to meet with him.

The Secretary advised that the Treasurer, in his absence, will be called upon to testify next Friday 19 May 2017 at the Liquor License hearing. Discussion continued.

(v) **Send out an electronic copy of the options proposed for the New Year's Eve event with a view of receiving feedback on or before the next Council meeting scheduled for 3 May 2017 at which time there should be a decision made in this regard:** It was confirmed that the proposed options for the New Year's Eve event was forwarded to the Committee.

(vi) **Write to the Department of Community and Cultural Affairs, copy in the two (2) Ministers, the Minister of Social Development & Sport the Hon. Nandi Outerbridge, JP, MP, the Minister of Tourism, Transport & Municipalities Sen. the Hon. Michael M. Fahy, JP and the Hon. Trevor Moniz, JP, MP Attorney General and Minister of Legal Affairs with regards to the application process for services from the CoH for Bermuda Day:** The Secretary said the demands had been withdrawn, they have completed the application process and plans are moving ahead for Bermuda Day.

(vii) **Make the recommended change in the Awnings & Signage Policy and bring back to the Committee:** The Secretary distributed a copy with the changes and said that it would be the remit of the Staff, Legislative & Governance Committee to recommend the changes. The Policy will be placed on the agenda for the next Staff, Legislative & Governance Committee meeting scheduled for 18 May 2017.

The Mayor commented on the discussion of charging the annual fee if they refused to acknowledge the encroachment. The Secretary said they can be instructed to remove the encroachment.

Councillor Ming commented that the CoH needs to find out if these encroachments are on the plans of the businesses and if they have been approved by the Department of Planning. When an application comes to Planning and there is an issue of encroachment, the CoH has "teeth". The Secretary said the Policy was \$25 fee and there are about 13 businesses that have been paying that for the last 20 years. The remainder were never charged because when the CoH changed the Policy, it was rejected and there was no further direction given to pursue. The fee was increased to \$75 in 2012 and reduced back to \$25 in 2013.

Councillor Harvey said to first get an agreement on the Policy and then it might be prudent to have a PR notice of the encroachments with some history of them, etc. The Mayor said the policy should stipulate the repercussions if in the event that they did not sign acknowledging the encroachment. They are putting "stuff" over the CoH sky rights.

ACTION: The Secretary will modify the Awnings and Signage Policy and bring it forward at the next Staff, Legislative & Governance Committee meeting scheduled for 18 May 2017. The Policy to state what penalties would be given if there is no acknowledgement of the encroachment.

9. Status Update:

(i) Events:

- **Busking and Vending Programmes** - have started working on these programmes with the Engineering Department. There is one (1) more section to be completed so that buskers can be added to the end space closest to Queen Street. They buskers have been well-received and now that the programme is in place there are more people wishing to sign up. The month of May is being sponsored by DCCA and in June will move into the Events budget. Have also received commitments from persons to busk in the North-East Hamilton area.

Worked with the local Business Opportunity Committee of America's Cup who is working with the Emperial Group of Companies to add an extra event in June (23 & 24th), another vending event, i.e. food, entertainment, etc. This event will be held in City Hall Car Park.

Initially, the event was going to be held at the National Stadium and they asked if the CoH would come on board and send their vendors which was declined because it was outside of the City. They were told if they were willing to bring the event into the City, they would be welcomed.

Councillor Harvey commented on the tent for City Hall Car Park. The Event Project Manager advised that the last bit of information that Building Control requested yesterday has been submitted. The Secretary commented that the MOU is being completed which is a pre-cursor to a full agreement. A formal lease agreement is being drawn up.

- **Bermuda Day** - finalising some of the details for Bermuda Day and still do not have the application for the road closures for the race. What will end up happening is that if the CoH does not receive the application, the police will close the road. Most of the race is outside of the City but it does come in through some of the streets. The parade is under control and working with DCCA to get all the details in place.

(ii) **Tender Operations:** The Secretary commented on the schedule for the tender that was supposed to commence operating this week. It was supposed to have moved to the Ferry Terminal.

(iii) **Cavendish Car Park Barrier System Design Issues:** The Secretary said the CoH is working through a number of issues there. He advised that there are a mixture of issues, i.e. rights-of-way, policies that the Council had approved, e.g. seven (7) one-hour free car parking spaces for businesses in that area. There cannot be free parking in a barrier parking system car park. Island Trading has containers loading to their warehouse through that car park, they have the right-of-way to get to the back of their building and their staff park back there. They load containers from both Reid Street and inside the car park. The CoH has met with Island Trading to discuss some of the potential issues. The CoH has re-visited the policy a couple of times of whether the CoH should remove the seven (7) free car spaces. There was no appetite at either time for the Council to do so.

The container will have a bigger impact on the tax payer as well as the right-of-way. Councillor Harvey expressed his support if the Secretary had to approach Island Trading again in this regard.

The Mayor commented on a discussion that was had outside of the Committee meeting regarding the Traffic Ordinance that if the Ordinance was approved, the CoH could use clamping instead of the barrier system. It was noted that there are no resources being put into designing Cavendish at the moment. At the moment, the design for Bull's Head Car Park is being worked on and then Elliott Street Car Park.

Councillor Harvey commented that at some point these businesses will have to do their loading/unloading on a Sunday. The Secretary said that may end up being the conversation to be had to work toward a solution that can work.

(iv) **Take Note: Project Charters 2017:** The information was included in the Members' package. If there are any queries, the City Engineer will avail himself. The projects in green on the left-hand side are completed. The City Engineer said the motor controls, the variable frequency drives on the main pumps at the Front Street Pump station have been switched out. The control panels have been changed as well. They were 15 years old and this was quite a major undertaking. Thanks to the CoH's electricians who did a sterling job working with the consultants.

The City Engineer commented on the Fort Hamilton bathrooms. They are almost complete, all the tiling and the exterior masonry are done. Now into painting and doing fixtures for the major event coming up next month.

Councillor Harvey asked about the Pier 6 venue and the proposed renovations. The City Engineer advised that there was a bit of a snag in that the CoH gave approval for the renovations to be done and she came back requesting her cheque which was never agreed upon. The Event Project Manager advised that events are planned in Pier 6 for the months of May and June 2017.

10. Confirmation of Recommendations for Review:

RECOMMENDATION update: That the Board approve to endorse the proposal from the HI Group of Companies as presented. **(Approved in Corporation Board meeting dated 5 April 2017 and approved by the Minister)**

RECOMMENDATION update: That the Board approve Councillor George Scott and the Treasurer, Tanya Iris to be signatories for the Bermuda Boat Parade charity and represent the Corporation of Hamilton on that Committee. That the Board also approve for Councillor John Harvey to serve as a reserve signatory as well as sit on that Committee as deemed necessary. **(Approved in Corporation Board meeting dated 1 March 2017 and approved by the Minister)**

RECOMMENDATION update: That the Board approve Edible Creations as the food concession for Victoria Park. **(Approved in Corporation Board meeting dated 5 April 2017 and approved by the Minister)**

RECOMMENDATION update: That the Board accept the bid in the amount of \$30.00 per hour from Granite Enforcement Team (GET) for City Hall Security. **(Approved in Corporation Board meeting dated 5 April 2017 and approved by the Minister)**

RECOMMENDATION update: That the Board approve the restriction of tractor trailers on Victoria Street between Cedar Avenue and Parliament Street. **(Approved in Corporation Board meeting dated 5 April 2017 and approved by the Minister)**

RECOMMENDATION update: That the Board agree to support the event "Battle on the Rock" by Savvy Entertainment 25 - 27 August 2017. The event is an Open Hydroflight Invitational Competition. The HR Manager to prepare and present a Memorandum of Understanding (MOU) which will set out the terms and conditions of the relationship between the Corporation of Hamilton and Savvy Entertainment so as to protect the Corporation of Hamilton, the Corporation of Hamilton's Event Project Manager and the public from any potential conflicts of interest. **(Approved in Corporation Board meeting dated 3 May 2017)**

RECOMMENDATION update: That the Board approve Option 2 of \$100,000.00 for the New Year's Eve event from the three (3) different budgets that were presented. **(Approved in Corporation Board meeting dated 3 May 2017)**

11. Any Other Business:

(i) **Request from Dr. Lynette Thomas, Bermuda Renal Associates re: Dedicated Parking:**
This matter was discussed earlier in the meeting.

(ii) **Proposal from James Cooper - Art Installation:** The Event Project Manager said this is the gentleman that has painted black blobs on certain walls of the CoH's property without the CoH's permission. Mr. Cooper said that he was inspired and that his free right as an artist led him not to seek permission. This is also the gentleman who, once the CoH sorted out the painting issue on the property in Washington Lane owned by Ms. Dismont, took the liberty to paint the wall again without her permission or the CoH's. He has been written to on numerous occasions and he has written to the CoH saying that he would not do anything again without permission but continues to do so. He has also reached out to BTA who said they will pay for the art installations. He is not asking the CoH for any funds, just for approval for the first time. BTA has suggested to him that instead of doing various installations around the City to do a walk-through structure like an art gallery. Mr. Cooper is proposing to have this structure on the grass on the front lawn of City Hall for a minimum of one (1) month.

The Event Project Manager expressed her frustration in dealing with Mr. Cooper and asked the Committee how they wished for her to handle this request. There was continued dialogue about having Mr. Cooper to come in and give a presentation.

The Mayor commented on why Mr. Cooper has not been made to re-paint the wall and why he has not been reported to the police for the vandalism.

The Infrastructure Committee unanimously agreed not to support this request.

RECOMMENDATION: That the Board resolve not to support the proposal received from Mr. James Cooper for his art installations around the City.

Proposed: Councillor J. Harvey
Unanimous

Seconded: May, Charles Gosling

ACTION: The Event Project Manager to write to Mr. James Cooper with regards to him taking the liberty of painting on the CoH's property and that his current proposal, the Infrastructure Committee is not willing to support. Councillor Ming said that an invoice should accompany the letter with regards to the cost of having the wall re-painted.

City Market Proposal: The Event Project Manager said the Farmer's Market would like to move back to the City. They initially wanted to come back for the summer period but had some challenges with moving and would be coming back in November during the regular start of their season. They want to revert to Bull's Head and they are aware that all of the previous electricals on the higher level have been taken out so they have agreed to go on the bottom level where there is electricity, storage, etc. They are asking for the CoH's support for providing the venue. They are not asking for a weekly manager, a role that the Events Department used to do, as they have hired their own person that will be their own weekly manager. 18 out of the group have committed thus far and they now have the entire season to prepare to get more support. They provided a draft MOU which has been reviewed and a couple of changes were made.

ACTION: The Event Project Manager to scan the draft MOU and forward to the Infrastructure Committee Members.

Further discussion continued regarding the best venue for the Farmer's Market. The hours are going to be from 7am - 1pm. If the CoH were to use any other location other than Bull's Head, staffing would be required, i.e. electricians, custodians, etc. and would be an extra cost to the CoH.

Councillor Ming commented on his view of a good location, e.g. the lot on the corner of Court and Dundonald Streets or in the parking lot outside of Place's.

The City Engineer said the CoH has been struggling with this Market for years and it gets moved from one place to another continuously. There never seems to be a consensus of where the Market should go. Other venues have been looked at but the Market needs to have a covered venue. Pier 6 did not work because of the issues related to parking.

RECOMMENDATION: That the Board approve the partnership request from the Farmer's Market to waive the rental fees.

Proposed: Infrastructure Committee

Unanimous

ACTION: The Event Project Manager to forward to the Committee Members via email the MOU relating to the Farmer's Market.

(iii) **Request re: Wrap for One Side of No. 1 Bathrooms:** The Event Project Manager commented on the proposal from America's Cup to have a banner placed on the wall on one side of the bathrooms at No. 1 Car Park.

The idea is to have a silhouette of a person where the head is to be used as a photo-op for persons to stand in front of the banner and have their photo taken.

RECOMMENDATION: That the Board approve the request from America's Cup to place one of their banners on the side of the bathroom wall of No. 1 Car Park to be used as a photo-op.

Proposed: Infrastructure Committee
Unanimous

12. Motion to Move to Restricted Session

Proposed: Councillor H. Ming

Seconded: Councillor R. Edwards

The Public Session adjourned at 11:20am.

The Public Session re-opened to discuss two (2) bids that were put out to tender.

The City Engineer advised that these tenders had to be put back out because when they came in, they were much higher than the budget. The budget for these projects is \$200K. The Mayor requested that the General Superintendent, Mr. Monkman place his signature at the bottom of the Bid Recommendation.

RECOMMENDATION: That the Board approve the bid from Horsfield Landscaping in the amount of \$107,340.75 for Traffic Lights - Victoria Street and Parliament Street junction.

Proposed: Mayor, Charles Gosling
Unanimous

Seconded: Councillor N. Swan

RECOMMENDATION: That the Board approve the bid from Brown & Co Landscaping in the amount of \$98,063.00 for Traffic Lights - Victoria Street and Court Street junction.

Proposed: Mayor, Charles Gosling
Unanimous

Seconded: Councillor N. Swan

The City Engineer commented on a request from America's Cup to put forward some legacy projects to be funded because America's Cup has access to quite a network of funding persons who are always looking for things to invest in.

The CoH has put forward a number of projects to them: (i) the redevelopment of the City Hall Theatre; (ii) development the waterfront; and (iii) wastewater improvements at Front Street. In order to get a reasonable proposal together, he reached out to Associate Engineering and they put together a proposal based on improving the treatment on Front Street by going to micro-screening and then to disinfection. The proposal presented shows how it could be done and the cost associated with it. With the funds that the CoH has left over from not doing the Bio study this year, the City Engineer would like to get permission to repurpose that money to expand on this preliminary conceptual report and get some actual construction drawings done to build this. His hope is that the CoH would go ahead with this project whether they received the funding or not.

The Mayor said his understanding was that they are talking about \$2.5 million for the entire project without doing any of the additional development. He commented on the development of two (2) streams and the possible issues of sharing the load. He asked what the expenses would be if the CoH needed to expand on the current footprint. The City Engineer said then they would be looking at a \$10 million range. He commented on what the CoH could do with the funds that they have available. There was continued dialogue.

The City Engineer said that investors will be looking for investment opportunities where they will get a reasonable return in a reasonable timeframe and provide a benefit.

The Mayor commented that he and the City Engineer met with the owner of Great Things on East Broadway. His property has been mistakenly identified as being an ideal location for putting in a full sewage treatment plant where they would be able to produce water to be used for flushing purposes, etc. He is willing to get the funding for this and is also looking for an annual budget for the operation of this plant. He gave a verbal quote of \$6 million per year. The only issue is that when partnerships are done between the private sector and the public sector is that it is done with profit money. He would like to see if there is a reasonable ability on the CoH's part with a partnership with Government to see if they could actually go the route of two (2) streams and to run it properly. If not, the CoH would be in no position but to go to with the lesser choice. He has been informed that there have been grease balls in instances already this year.

RECOMMENDATION: That the Board approve to give the City Engineer permission to explore these options. If it is the will of the Board to shelve the proposal for Wastewater Effluent Improvements for the one (1) stream system and work on how to actually get two (2) streams and work out the costs for that.

This proposal was put together in a week to meet the deadline for this America's Cup legacy. It was not done with the fullness of intention. This proposal fits within the existing property and was the least expensive option. It would take more time to investigate the option of extending the plant west and moving down the line and creating two (2) full streams. Dialogue continued.

Proposed: Mayor, Charles Gosling

Seconded: Councillor N. Swan

Unanimous

The Public Session closed at 11:40am.