



**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 Committee**  
**13 June 2018**  
**10:00am**

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

**Staff:** City Engineer - Patrick Cooper (Acting Secretary)  
Event Project Manager - Danilee Trott  
Zoe Mulholland - Communications manager  
Earl Francis - Ports Superintendent PPSO

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**1. Confirmation of Notice:**

The Acting 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 John Harvey acknowledged his role as Chair of the Committee.

**3. Open Meeting**

The Mayor called the meeting to order at 10:00am.

**4. Apologies:**

The Acting Secretary confirmed that no apologies had been received.

Councillor Harvey welcomed Mr. Warren Jones and his team from Stevedoring Services Limited (SSL) to the meeting.

He then commented on the Port of Hamilton Study prepared by Ports Consultant, Mr. Alan Burns. The Acting Secretary requested for the agenda to be altered so that the study could be shared with the Committee and the team from SSL.

**5. Public Participation/Presentation:**

(i) **Presentation: Port of Hamilton Study:** Mr. Alan Burns produced a report on the prevailing port conditions as it pertains to the container and general cargo operations on behalf of the CoH. The report is a review of the current cargo operations at the dedicated cargo area of the Port of Hamilton. The principal objective of the study is to identify the current characteristics of the port, its operational efficiency and how these should be considered in the development of a re-tendering exercise for port services. The approach applied is therefore from a perspective of informing the development of a Request for Proposal (RFP) for an exclusive stevedoring license at Bermuda's principal port.

The review study was progressed on site at the port but builds on experiences and current practices from around the world. The standard methodology applied is based on observational studies considered with inputs from a wide range of stakeholders.

The views, opinions, findings expressed in this report are strictly those of Mr. Burns. The material included is the output of Mr. Burns' analysis and should not be considered in any way as policy adopted by the CoH.

The City Engineer then gave a brief overview through a PowerPoint presentation giving Mr. Burns' key findings of the prevailing conditions for the Port of Hamilton. The Executive Summary would be available next week for review for comments from the Committee and then a full report on the Port of Hamilton.

The Mayor asked if the full report would speak to the possibility of having a longer contract or lease period with the license holder to which the City Engineer gave a positive response. The Mayor said the CoH should be looking at, particularly if going into a different system of unloading/offloading. Obviously, a five-year lease with a five-year renewable would not be sufficient enough time period. The City Engineer said talks are being had about major capital improvements and looking for an arrangement where there is cost-sharing or pushing the CoH's liabilities off on to license holder or a concession. Therefore, looking at much longer-term leases.

**ACTION:** Circulate the Port of Hamilton Study to the full Council. **(City Engineer)**

The City Engineer said to get the Executive Summary out first, get comments back and then get the full report, have a couple of weeks with the full report in hand. Then have Mr. Burns to come out in September 2018.

Councillor Harvey thanked Mr. Jones and his team and they left the meeting at 10:18am.

The Mayor asked about sharing the report or parts of the report with SSL and other interested parties, e.g. truckers, etc. to get some feedback on the report? The City Engineer said there is no problem with sharing the prevailing conditions report of the Port of Hamilton. It is a document based on facts of observation from Mr. Burns on what he has seen on the port. The document also provides the CoH with options and there are recommendations. That is the reason why he invited SSL and one (1) of the shipping lines to the meeting as the CoH is trying to be open and transparent and trying to get the best outcome for everybody.

Councillor Harvey suggested that they receive a copy. The City Engineer said once the Members of the Council have sight of the Executive Summary and if there is something in the report that the Members think might affect the CoH's decision-making ability, then advise accordingly. Councillor Harvey also suggested that Mr. Burns get comments from Mr. Jones of SSL. The City Engineer said the CoH should not be soliciting feedback from a potential tenderer. He also said if the CoH is sharing any document with SSL as a potential tenderer, then it would have to be accessible to everybody so as not to tilt the playing field.

The Mayor then commented on holding off until publishing the Expression of Interest (EOI) which has been recommended and to release the documents with it.

#### 6. Correspondence:

The first three (3) letters received were at the request of the Chairman who wanted to understand the costs of painting and repairing the walls at Till's Hill.

- (i) **Letter from RENEW re: Proposal for Masonry & Concrete Repairs for Till's Hill Retaining Walls:** This proposal (#2519) is for the repair of the walls with a quote of \$17,910.00.
- (ii) **Letter from RENEW RE: Proposal for Xpex Restoration & Waterproofing for Till's Hill Retaining Walls:** This proposal (#2503) is for the coating, i.e. clean, brush apply one (1) coat and spray apply a second coat with a quote of \$70,273.00.
- (iii) **Letter from Sunrise Construction Limited re: Quote for Till's Hill Retaining Walls' Refurbishment:** This proposal is for masonry repairs with a quote of \$26,500.00 and wall coating with a quote of \$51,315.00.

This is similar to a roof structure where the walls would have to be painted every five (5) years. There is no budget for this but if the Council was minded to do this project, to put it in as a capital project for next year. Structural repair work is being addressed now because there was a traffic accident a couple of months ago where a car hit the steps and is an insurance matter. Councillor Edwards queried if the structural repairs were only for that area where the accident happened. The City Engineer said the repairs will be carried out on the eastern side going up the hill in the first instance and then will look for any other repairs that are needed.

Discussion continued regarding the art work installation on the wall at Till's Hill. The Mayor commented that the current artwork is going to be replaced and it was agreed by the Committee to double the budget for that artwork there but is yet to be installed. The Event Project Manager advised that this is three or four (4) month project which is being created off-site and is due to be installed September or October 2018. The Mayor then commented on any PR that would have been done for the current artwork to which the Event Project Manager advised that PR is always done for the installations but there has not been any actual unveilings. PR has always been done through social media, stories, etc.

Councillor Edwards queried if the next installation of artwork will be going up on the wall as is without any type of preparation done to the wall. There was an affirmative response. The City Engineer said that to paint that wall because of the slope that it is on, cannot do it from machinery, will have to scaffold it and reduce the road to one (1) lane. Dialogue continued.

The Mayor said that he would like to see that hillside cut down about another 20 feet, have a nice wide bridge going across which could be a public space, i.e. have a street market there as well as other activities. It would turn that area into an iconic part of Hamilton. It was noted that the Committee would be very interested to see how the painting of the walls at Till's Hill can be implemented into the budget over the next two (2) years. The City Engineer would put this into the first draft of the 2019 budget.

- (iv) **Letter from Marshall Diel & Myers (MD&M) re: Hamilton Sewerage Act 1917:** The City Engineer reached out to Mr. Diel to seek clarification in this regard. In re-reading the Act, found a statement which could be used to the CoH's advantage, i.e. **"The owner or occupier of any house or building in the sewerage district abutting on any street, or within one hundred and fifty feet of any connecting sewer, shall within thirty days after receiving from the Corporation written notice to that effect, construct or lay therefrom to such connecting sewer covered branch drains or pipes, of such size and materials, at such level, with such fall and connections, and in such position as the Corporation may require for the drainage of the sewage from such house or building, its areas, water-closets, baths, offices and stables."** This is only if the CoH writes to the landowners requesting them to join, and if they do not join, then they are illegal. If the CoH does not make that first request, they would not have to join.

The City Engineer proposed that the CoH should grandfather in those properties that are situated below the City sewer main and cannot easily put a gravity system in to drain from the property or allow them to remain with cesspits with a proviso that if they develop in the future the CoH would re-visit the situation. Councillor Ming suggested an additional proviso that there would be no potential environmental damage. The City Engineer spoke with the Environmental Officers and with the number of cesspits in the City compared to Island-wide, they do not foresee any issues.

The Mayor commented that the landowners should recognize that they would have to pay the sewerage tax which would probably be about \$20.00 per year per resident. The CoH is going out of their way to save the residences huge capital costs in terms of connecting to the sewerage system.

The City Engineer said the residences were probably asked if they wanted to join instead of stating that they **must** join. There are no records to support.

Councillor Ming was averse to charging these landowners sewerage tax for using a facility that they do not have. They are paying City taxes. He did reiterate that should the landowners do any additions/alterations to their properties, they must connect to the sewerage system. The Mayor asked if there would be any protection with the Planning Department for the CoH that they are aware of the CoH's position. There have been numerous developments with these residences.

**ACTION:** Highlight to the Planning Department that if there is any development to any of the properties not connected, that they would have to connect to the City's sewerage system. **(City Engineer)**

Councillor Edwards queried what was meant by the elevation. The City Engineer explained that some properties are set lower than the roadway, so the water runs downhill by gravity to the lowest part of the house. If the City sewer is above that point, it cannot run by gravity into that pipe. It would have to be pumped up and out. The majority of the residences are above the City sewer and runs by gravity into the pipe. He would go back to those landowners that have cesspits and if agreed in the Committee meeting to change position in that the CoH would not be requiring them to connect to the City sewer with the provisos discussed earlier in the meeting.

**RECOMMENDATION:** That the Board approve that the Corporation of Hamilton will not give properties not connected to the City sewerage system a letter requiring them to do so at this time. If any major development is done on the site, with the volumes substantially increasing or it becomes an environmental issue, then the requirement would be re-visited.

**Proposed:** Councillor H. Ming  
**Unanimous**

**Seconded:** Councillor R. Edwards

**ACTION:** Letter to be provided to those property owners explaining the CoH's position on connectivity to the CoH's sewerage system. **(City Engineer)**

Councillor Harvey asked if it was timely to appoint some Sewerage Commissioners. The City Engineer advised that they would be appointed by the Governor as stated in the Act.

**ACTION:** Ask the Governor to have the Members of the Infrastructure Committee be ex-officio Commissioners on the Sewerage Commission. **(City Engineer)**

The City Engineer also asked the Permanent Secretary (PS) if there are any appointed Sewerage Commissioners but she was not aware that the position existed.

**ACTION:** Contact the Permanent Secretary regarding the Sewerage Commission. **(City Engineer)**

The Mayor said nothing has been said about the waiving of the sewerage tax. With the comment made that the Governor appoints the Commissioner and the requirement through legislation, maybe a look at the Sewerage Tax might actually allow the CoH to see if the tax could be waived or not. The City Engineer suggested looking at the wording, i.e. whether the property is in a sewerage district, therefore gets charged the Sewerage Tax or whether the property is connected to a sewerage system, therefore could be charged two (2) very different charges. Debate continued about charging sewerage tax to these landowners and the benefits from the City by being connected to the sewerage system.

(v) **Letter from Mr. Winston Godwin Sr. of Titan Express re: Minibus Parking in the City of Hamilton:** This is a request for parking near the yellow restroom building across from English Sports Shop going towards the flag pole approx. 100ft. because it is close to the washrooms, parking near the Ferry Terminal approx. 50ft. as well as outside of the Cathedral across from the Market Place approx. 30ft for 15 minutes. The City Engineer and the Mayor met with the Minibus Association a couple of weeks ago. Minibuses have increased dramatically over the last few years. The majority of tourists are transported now through minibuses rather than taxis. They are seeing a need for parking and drop-off areas as well as having somewhere to park when they drop their patrons off for shopping. Where the taxis currently park, it is not meant to be a taxi parking area where they wait, it is meant for a drop-off/pick-up area. That area is now signed for any public vehicle to drop-off/pick-up patrons. There was discussion on the area further east where the horse and carriages used to park.

The Infrastructure Committee needs to consider that every space on Front Street is allocated, so to accommodate the request from the minibuses, something else would have to be taken away. It is a delicate balance of trying to keep everyone happy or dissatisfied to the same level. There was additional discussion on the parking spaces on Front Street and the lack of enforcement. The City Engineer recommended that the CoH put in a few minibus parking bays on Front Street near the public washrooms near the #1 Car Park. Another space could be at Albuoy's Point, removing some of the paid parking spaces that are in the middle.

Councillor Harvey suggested spaces at the flag pole where the bleachers are to which the City Engineer advised that is where the public bus stops all along that area just to the west of the flagpole. Minibuses do drop-off and use that area as well. The issue is they need to have spaces to stand and wait for their passengers. Dialogue continued.

The Mayor suggested that the taxi ranks signage for after-hours be re-named to parking for public vehicles. The City Engineer said the spots could be dual usage for after hours for both taxis and minibuses. He said the issue would be that after hours, everyone will use those parking spaces because there is no enforcement.

There has to be proper signage and PR advising the public that the CoH will be implementing this initiative.

**ACTION:** Re-visit the hiring of a Traffic Warden to assist with parking after hours. (City Engineer)

The City Engineer commented on another request for parking outside the Cathedral on Church Street. Historically there have been double yellow lines all in front of the Cathedral to keep its prominence and visibility as a tourist attraction. Discussion continued on the parking area on the Cathedral grounds.

Currently there are two (2) 15-minute parking spaces outside the MarketPlace for pick-up and drop-off for anybody's use. It was noted that spaces are marked and signed but the public would ignore if there is no enforcement. The current parking situation was done in agreement with the MarketPlace and has been that way for the last four (4) years.

**ACTION:** Speak with the mini-bus people first and advise them of the CoH's proposal to provide spaces at Albuoy's Point in the middle section block of the public parking. Also sign it as such to allow parking for the minibuses between the hours of 10:00am & 3:00pm and outside those hours it would be parking for anyone. Also, look at the Cathedral area to see if a 30ft. spot could put in at the eastern end of the double yellow line. (City Engineer)

**ACTION:** Re-visit the signage for parking by #1 Car Park. In doing this, will get with the Traffic Wardens and TCD to review enforcement with a view of assisting with the minibuses getting established.

#### 7. Minutes of Previous Meeting dated 23 May 2018

**Proposed:** Mayor, Charles Gosling  
Edwards

**Seconded:** Councillor R.

The Minutes were accepted as read.

#### 8. Matters arising from the previous meeting dated 23 May 2018:

(i) **Look into the replacement of the signage on the top of Till's Hill advising trucks and heavy trailers not to drive down Till's Hill:** It was noted that the sign had been placed on a CCTV pole that was knocked over in an accident. The City Engineer has asked that the temporary sign be placed there until such time that a new pole could be installed. Councillor Edwards asked if the sign could be made larger than what was there. The City Engineer advised that the sign was the standard 600-millimeter diameter traffic sign. Councillor Harvey suggested for the sign to be erected before the trucks and heavy trailers reach the top of the hill.

**ACTION:** Put signage for tractor trailers at Elliott Street stating: "No Tractor Trailers Ahead". (City Engineer)

(ii) **Follow-up with the Ports Superintendent on the qualifications of the security officers who are employed by SAS and report back to the Committee at the next meeting scheduled for 13 June 2018:** SAS Protection Services has a number of their staff trained to ISPS qualifications. They intend to train additional staff up to that level in preparation for taking over the dock contract 1 August 2018. A refresher course is being provided for the staff members who are already qualified. They have had experience in working at Morgan's Point. SAS have about 30 staff members and had 12-13 already qualified to ISPS level. They are looking to train an additional ten (10). SAS will forward all information in this regard to the City Engineer and be then passed on to the Infrastructure Committee. They are using a Mr. John Pierce who has done quite a bit of training in maritime and aviation. He is in Bermuda now and working with Skyport.

(iii) **Letters to be sent to all residents who have encroachments on Ewing and Angle Street:** This action item has not been professed - outstanding.

(iv) **Raise the possibility of a legal issue as it relates to Wrexford Trust, 22 Ewing Street at the next Board Meeting:** The City Engineer went to the Planning Department and viewed the planning application and the building control file for 22 Ewing Street. The planning application never showed the boundary of the property so when they applied, they never provided a proper survey of their property. When it turned into a planning application, the building control officer never checked the boundary because there was no boundary to check it against. This was a major oversight of the Planning and Building Control Department. In talking with the Deputy Building Control Officer, because this matter is over six (6) years, they enforcement-wise have no means to do anything about it now. Their recommendation was that if the CoH has this issue, they will have to go through the courts to get any restitution. The Building Control Department would not be able to assist in getting someone off of CoH property. If the CoH wants to preserve its rights to that piece of property, then should do so. 22 Ewing Street goes 12 feet into the CoH property.

**RECOMMENDATION:** That the Board approve for the Corporation of Hamilton to seek to engage a lawyer with regards to retaining all rights as it relates to Corporation of Hamilton property at 22 Ewing Street.

This goes back to a letter where it was agreed to charge for the encroachment. If it is done through a legal representative to ensure that it is documented properly.

**Proposed:** Councillor H. Ming  
**Unanimous**

**Seconded:** Councillor R. Edwards

(v) **Respond to Bermuda Medical Specialist Group declining their request for an additional Disabled Parking Bay on Reid Street:** Action item completed.

## 9. Status Update:

### (i) Events:

#### **Bermuda Heroes Weekend (BHW):**

Thursday 14 June - Evolve at Fort Hamilton

Friday 15 June - 5-Star Friday in City Hall

Saturday 16 June - Breaking Soca - #1 Car Park

Sunday 17 June - Glow Bermuda in Queen Elizabeth's Park (QEP), Kiddie Carnival and Pan in the Park

Monday 18 June - Carnival Parade, St. David's

The City Engineer commented on the scale of the 5 Star Friday event. The Event Project Manager advised that the first year of Carnival, this event was held on Front Street attracting over 8K people. The police forced to have this event out of the City because it was too many people to accommodate on Front Street. This is the first year that this event has been brought back to the City in the City Hall Car Park with Queen Street, Wesley Street, Victoria Street and Church Street closed off. Looking at accommodating about 9K-12K people. There are about 18 international acts. The barriers will be coming down and security fencing blocking off roads from 6:00pm. There will be VIP parking in Par-la-Ville Car Park.

**Note:** The CoH is a sponsor and partner for these events.

There was a query regarding tickets for the Council members to which the event Project Manager commented that the tickets were sent to the HR Manager for distribution.

**ACTION:** Follow-up with the distribution of the tickets for Five Star Friday for Council Members and forward an email including the other events for BHW. **(Event Project Manager)**

#### **Bermuda Fashion Festival (BFF) 8-15 July 2018: The events are as follows:**

There are three (3) fashion shows:

Evolution, International Designers and Local Designers

Float Fashion Cruise

Bermuda Fashion Expo

Bermuda Fashion Gala

The Event Project Manager then advised the Members on how to redeem their complimentary tickets for the events. There will be no physical tickets this year, everything is being done digitally.

**Update on Ball Hockey Presentation:** The City Engineer and the Event Project Manager met with Spanish Town who agreed to work with the CoH in coming up with a good rate for sponsorship so that the CoH can host the event.

**Update on Ice Skating Rink Proposal:** The City Engineer and the Event Project Manager proposed #5 Car Park for this event to be held in December 2018.

**ACTION:** Send out schedule of events to the Members. (Project & Rentals Coordinator)

(ii) **Take Note: Project Charters 2018:**

**ACTION:** Email a copy of the Project Charters 2018 to the Infrastructure Committee Members. (City Engineer)

#### 10. Recommendations Approved by the Minister:

That the Board approve the bid from SAS Protection Services Ltd. in the amount of \$1,430,085.00 for the Docks Security Contract effective 1 June 2018.

#### 11. Recommendation for review:

There is a Recommendation from a consultant, Mr. Terry Barrow who has worked closely with the CoH's Senior Engineer on putting together the RFP for the Solar Project as well as evaluating what the companies had returned. This is for a solar installation on top the Works Depot roof and will handle most of the daily load of the building plus the lighting of Bulls Head and the pump station which is underneath the Bulls Head Car Park. He then spoke about the payback period.

**Note:** This project was budgeted for \$200K. If the Committee would be willing to approve this Recommendation, a request for a virement has been placed on the agenda of the Finance Committee.

The project would commence as soon as the Recommendation is approved by the Council and the Minister.

The Mayor declared his interest in that Tim Maderios installed solar at Goslings and at his residence. While Mr. Madeiros is not the lowest bidder, he would give the least expensive dollar cost per watt and would give the fastest payback period.

The City Engineer said after consultation with the Senior Engineer, Mr. Madeiros put together a very disordered return package and was scored very harshly because of that. He did not provide the information requested in the tender. Dialogue continued on the bids received.

**RECOMMENDATION:** That the Board approve the bid from Bermuda Air Conditioning Group of Companies (BAC/BUE) in the amount of \$255,772.00 for the Works Depot Solar PV Project.

**Proposed:** Councillor J. Harvey  
**Unanimous**

**Seconded:** Councillor H. Ming

**Note:** An \$80K virement would be sought for this project. \$15K - \$25K has already been spent on the design of this project with the consultant, Mr. Terry Barrow.

**12. Any Other Business:**

- (i) **H.M. Customs Building:** It was noted that a site visit was done by the Members. A comment was made regarding the future use of this building as well as considering putting out an Expression of Interest (EOI). The Mayor said maybe an EOI could be done to see who would be capable in leading the CoH through the RFP process and who would be able to meet with Government to ascertain what their aims and objectives would be in terms of the development of the waterfront. Would be looking at going through a staged process of the development leading up to getting a developer to take the CoH through the first section of the process. The best place on the waterfront to use as a starting point would be the Customs shed down to #6 Car Park. If there is an interest from Government for this to be a concerted effort, why not go to the cruise ship industry and have them fund the development of the waterfront. There would be a constriction to a particular cruise line for a number of years.

The whole idea for an EOI would be asking someone to lead the CoH through the process, setting out what the challenges and opportunities would be but not to get into any specifics because that is what the RFP process would address. Would be looking for an individual, e.g. a planner or a project leader who has done similar projects elsewhere and would give the CoH direction in how to go about drawing up an RFP, laying out the scope. Also, an individual who would have the idea and the revenue source or the capital to do the project. Identifying the right person to define what the CoH wants to achieve and build up a good business sense. Lengthy dialogue continued.

It was suggested to form a sub-committee to continue the discussion further with the view of coming back with some recommendations. It was recommended that the Mayor Councillors Edwards, Ming and Harvey to sit on this sub-committee.

- (ii) **Port of Hamilton Study:** Discussed earlier in the meeting.
- (iii) **Discussion re: Sewage Act and Connection of Properties within the City:** Discussed earlier in the meeting.
- (iv) **RFI Process re the Waterfront:** Discussed earlier in the meeting.
- (v) **Review of Letter from the Permanent Secretary re: "Smart City":** The Mayor, the Acting Secretary and the City Engineer have had a few discussions and are of the opinion that the CoH should not be taking the lead in the "Smart City" arena as requested in the response letter from the Minister. It is really a national project rather than a City project and why should the City be paying for a report on how to make the Island "Smart". Additionally, the CoH is already progressing their own "Smart" initiatives. There was continued discussion.

**ACTION:** Respond to the letter from the Minister regarding "Smart City". Circulate to the Infrastructure Committee a copy of the response letter to the Minister. (City Engineer)

(vi) **Update: Meeting with Mr. Arthur Hodgson re: Veritas Place:** This item to be discussed in the Restricted Session.

(vii) **Request from Michael Swan re: Rental Mini-Car (Localmotion Ltd.):** This request is for permission to use 40 ft. containers as opposed to two (2) 20 ft. containers to import his Bermi cars from China. There was a unanimous decision from the Committee to decline this request because it does not meet the requirements as per the CoH's policy for exemption.

**13. Motion to Move to Restricted Session.**

**Proposed:** Councillor H. Ming

**Seconded:** Mayor, Charles Gosling

The Public Session closed at 12:25pm.