



VISION - We will be a democratically elected, vibrant, safe and clean city focused on economic growth and livability.

MISSION - To provide positive experiences for everyone through the delivery of quality initiatives and services.

**CORPORATION OF HAMILTON
STAFF, LEGISLATIVE & GOVERNANCE COMMITTEE
PUBLIC SESSION
AGENDA**

Tuesday, January 18, 2022, 10:00 am

Online Remote

1. **Confirmation of Notice**
2. **Role of the Chairman**
3. **Open Meeting**
4. **Apologies**
5. **Public Participation/Presentation**

There is no public participation/presentation.
6. **Correspondence**

There is no correspondence
7. **Minutes of the Previous Staff, Legislative & Governance Meeting dated 21 December 2021 (Public Session)**
8. **Matters Arising from the Previous Staff, Legislative & Governance Meeting dated 21 December 2021 (Public Session)**
 - 8.1. **Parking Legislation**

Await a response to the CEO/City Secretary's letter sent to the Permanent Secretary, for the validation of the Parking Legislation 2013 Ordinance which had been outstanding since November 2015. (CEO/City Secretary)

8.2. Anti-Bribery and Corruption Act (ABC) Policy

Discuss the response from the Attorney General's Chambers to the Controller's enquiry dated 8 December 2021, which had been to consult the Ministerial Code of Conduct 2018, The Good Governance Act 2012 and the Bribery Act 2016, as it related to the Government's position on the Anti-Bribery and Corruption Act (ABC) Policy and the COH's application of same.

8.3. Disabled Parking Permits

Draft a Disabled Parking Permit Policy to include extending the validity of the Permits for permanently disabled person from one (1) year to five (5) years up to age 75, at a discounted rate of \$110.00. The Permit would be returned on the death of the Permit Holder and misuse of the Permit would result in prosecution. **(CEO/City Secretary)** The Executive Assistant said that items had been added to the existing Policy in, namely, paragraph 7, paragraph 8 and the Procedures. She recommended an amendment that the ceiling age for five (5) year permits should remain at 70, to expire at 75, after which annual permits would be issued in line with the Transport Control Department. The Mayor noted that the life expectancy would be over 80 years and the holder of the Disabled Parking Permit may not possess a driver license. The Disabled Parking Permits were issued to individuals and not vehicles. Discussion ensued. It was agreed that the final five (5) year permits would be issued at aged 75, with annual permits commencing at aged 80, be added to the draft Policy which would be reviewed at the next meeting.

9. Status Updates

9.1. Current Litigation/Legislation (CEO/City Secretary)

9.2. Wayleave Agreements (CEO/City Secretary and COO/City Engineer)

9.2.1. BELCo Renegotiated

The current Wayleave would be renegotiated to reach an amicable agreement between BELCo and COH, whereby both could take ownership. There would be ratification by the Board to allow phased under-grounding of cables throughout the City, without time limit and a legal document signed by both parties in agreement.

Update: 20 October 2020 - Pricing agreement awaited.

Last update: April 2021 - Recommendation received from Hilco Global on How to Price a Wayleave. An amount would be calculated.

9.2.2. BTC/Digicel - Initiated: Pre-13 April 2018

Update: 17 April 2018

Update: 17 February 2020 - Draft Wayleave received from MDM.

Update: 20 October 2020 - Pricing agreement awaited.

Last update: April 2021 - Recommendation received from Hilco Global on How to Price a Wayleave. An amount would be calculated.

9.2.3. One Communications - Initiated: Pre-18 April 2018

Update: 18 April 2018

Update: 17 February 2020 - Draft Wayleave received from MDM.

Update: 20 October 2020 - Pricing agreement awaited.

Last update: April 2021 - Recommendation received from Hilco Global on How to Price a Wayleave. An amount would be calculated.

9.2.4. Bermuda Water Works - Initiated: Pre-13 April 2018

Update: 18 April 2018

Update: 17 February 2020 - Draft Wayleave received from MDM.

Update: 20 October 2020 - Pricing agreement awaited.

Last update: April 2021 - Recommendation received from Hilco Global on How to Price a Wayleave. An amount would be calculated.

9.3. Waste and Litter Control Act (CEO/City Secretary and COO/City Engineer) - Initiated: 8 August 2018

Update: 26 October 2018

Update: 20 October 2020 - Awaiting Regulations specific to COH.

Update: 15 June 2021 - Following the distribution of wheelie bins throughout the City over the last three (3) years and the COH continue to hold a supply, now a public notice for the mandatory use of wheelie bins would be issued.

Last update: 20 July 2021 - PS had been informed of the matter and he had submitted a draft paper to Cabinet in support.

9.4. Parking Legislation (COO/City Engineer) - Initiated: 2013

Last update: 3 November 2015 - Request from COH to validate the 2013 Ordinance.

9.5. Anti-Bribery and Corruption Act (ABC) Policy (Controller) - Initiated: 9 July 2019

Update: 17 February 2020. Request to Attorney General.

Last update: 27 May 2020. The Minister had approved the Resolution. AG's response was awaited.

9.6. Land Swap Procedures (CEO/City Secretary and COO/City Engineer)

9.6.1. Butterfield & Vallis - Initiated: June 2017

Update: 14 May 2019 - PS Azhar checking.

Update: June 2019 - Passed Cabinet. Awaiting Legislature. PS Rochester checking.

Update: 18 August 2020 - PS Rochester - Cabinet papers have been edited to reflect new Minister. Awaiting Minister's approval before going to Cabinet, then to Legislature.

Update: 25 August 2020 - PS Rochester confirmed that the Land Exchange agreement had been passed by the Legislature.

Update: 20 October 2020 - One (1) of two (2) Trusts to be readjusted by Government.

Update: 4 June 2021 - Before the House of Assembly. A decision was awaited.

Update: 20 July 2021 - Approved by the Senate and awaiting Governor's Ascent.

Last Update: 16 November 2021 - To lawyers for conveyancing.

9.6.2. SPA Canal Road - Initiated: 21 March 2018

Update: 23 January 2019 - To be tabled in the House in the next Legislative session.

Update: 18 August 2020 - PS Rochester - Cabinet papers have been edited to reflect new Minister. Await Minister's approval before going to Cabinet, then to Legislature.

Update: 25 August - PS Rochester confirmed that the Land Exchange Agreement had been passed by the Legislature.

Update: 20 October 2020 - Conveyancing documents for Dianthus Trust were being drafted by lawyers.

Update: 4 June 2021 - Before the House of Assembly. A decision was awaited.

Update: 20 July 2021 - Approved by the Senate and awaiting Governor's Ascent.

Last Update: 16 November 2021 - To lawyers for conveyancing.

9.7. Arnold Discount Warehouse - Sale of Land - Initiated: 19 May 2020

Update: 19 May 2020 - Mr. Frank Arnold had instructed his lawyers to proceed with the purchase of the land.

Update: 16 June 2020 - The exchange of the Sale and Purchase Agreements was underway.

Update: 20 October 2020 - The Sale and Purchase Agreements have been signed. Will go to the PS and Minister for approval by the Legislature.

Update: April 2021 - The Sale and Purchase Agreements had been sent to the PS and Minister for forwarding to the Legislature.

Update: 4 June 2021 - Before the House of Assembly. A decision was awaited.

Update: 20 July 2021 - Approved by the Senate and awaiting Governor's Ascent.

Last Update: 16 November 2021 - To lawyers for conveyancing.

10. Resolutions Approved by the Minister

That the Board approve the COH Employee Handbook, rebranded and updated.

That the Board approve the COVID-19 Travel Policy (Return to Work).

That the Board approve the Customer Service Policy.

That the Board approve the Data Classification Policy.

That the Board approve the Data Protection Policy.

11. Recommendations for Review

There are no Recommendations for review.

11.1. Policies

COH Policies have been reviewed and will be presented for approval with the new branding and formatting. Any other changes to the policies will be described.

11.1.1. Dock Pass Policy

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RECOMMENDATION:

That the Board approve the Dock Pass Policy.

11.1.2. Doctors' Parking Policy

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RECOMMENDATION:

That the Board approve the Doctors' Parking Policy.

11.1.3. Employee Housing Rental Policy

Formatted; changed title to Director of Human Resources, from Human Resources Manager.

RECOMMENDATION:

That the Board approve the Employee Housing Rental Policy.

11.1.4. Employee Long Service Awards Policy

Formatted.

RECOMMENDATION:

That the Board approve the Employee Long Service Awards Policy.

11.1.5. Fire Emergency Procedure Policy

Formatted and amended.

RECOMMENDATION:

That the Board approve the Fire Emergency Procedure Policy.

12. Any Other Business

13. Motion to Move to Restricted Session



Dwayne A. Caines
CEO/City Secretary