



COUNCIL MEETING

February 16, 2016

Belize City Hall Council Chambers

Members to be attending

- | | |
|-----------------------------------|------------|
| 1. Mr. Darrell Bradley | Mayor |
| 2. Mr. Jason Edwards | Councillor |
| 3. Mrs. Alifa Elrington Hyde | Councillor |
| 4. Dr. Alain Gonzalez | Councillor |
| 5. Mrs. Hyacinth Latchman Cuellar | Councillor |
| 6. Mr. Kevin Singh | Councillor |
| 7. Mr. Michael Theus | Councillor |
| 8. Mr. Dion Leslie | Councillor |
| 9. Mr. Philip Willoughby | Councillor |
| 10. Mr. Bernard Pitts | Councillor |
| 11. Mr. Dean Samuels | Councillor |

12. Candice Burke, City Administrator

Persons to be attending by invitation

1. Floyd Williams, City Engineer
2. Marilyn Ordonez, Director of Finance
3. Sharlene Rudon, Director of Administration
4. Margaret McKenzie, Legal Counsel
5. Residents of Kings Park community

Agenda Items

1. Prayer
2. Confirmation of Minutes
3. Matters Arising
4. Mayor's announcements/matters
 - I. Monthly Financials
 - II. Palm Grove Zoning
 - III. Election Deputy Mayor
 - IV. Collective Bargaining Agreement
 - V. American Planning Association
 - VI. Staff Land Program

5. Notices/reports/ discussion/information
 - Credit for Asphaltting Mexico (Theus)
 - Motion CAB Plan of Action(Latchman)
 - Dollar Van concern (Edwards)
 - BWC garbage collection (Willoughby)
 - Barrier Queen Square School (Willoughby)
 - Mayan Cave Tubing concern (Singh)
 - Baymen Avenue (Elrington)
 - Staff Insurance (Elrington)
 - Benny's tax reduction (Samuels)

6. Any other business

7. Petitions from members of the public

8. Questions from members of the public

9. Request for leave to move adjournment of Council on matters of urgent public notice

10. Motions relating to Council business or sitting

11. Adjournment

12. Setting the date for the next Council meeting



MINUTES OF ORDINARY CLOSED COUNCIL MEETING
Tuesday February 16th, 2016
Belize City Hall Mayor's Office

Present:

- | | |
|-----------------------------------|--------------------------|
| 1. Mr. Darrell Bradley | Mayor |
| 2. Mr. Dean Samuels | Deputy Mayor |
| 3. Mr. Michael Theus | Councillor |
| 4. Mr. Kevin Singh | Councillor |
| 5. Mrs. Hyacinth Latchman Cuellar | Councillor |
| 6. Mr. Philip Willoughby | Councillor |
| 7. Mr. Jason Edwards | Councilor (arrived 4:17) |
| 8. Mrs. Alifa Elrington Hyde | Councilor (arrived 4:44) |
| 9. Dr. Alain Gonzalez | Councilor (arrived 4:44) |

- | | |
|-----------------------|------------------------|
| 1. Ms. Candice Miller | City Administrator |
| 2. Mr. Jermaine Hyde | Administrative Officer |

Present by invitation:

- | | |
|--------------------------|-------------------------|
| 1. Mr. Floyd Williams | City Engineer |
| 2. Ms. Margaret McKenzie | Director Legal Services |
| 3. Mrs. Marilyn Garvin | Chief Internal Auditor |

Absent with explanation:

1. Councilor Dion Leslie
2. Mrs. Marilyn Ordonez
3. Ms. Sharlene Rudon

Minutes of Meeting

The meeting was called to order at 4:15pm.

Councilor Bernard Pitts opened the meeting with a prayer.

The Mayor welcomed Councilors and Directors to the Council meeting.

Adoption of Minutes

The minutes of the previous meeting was circulated and Councilors were given time to read thoroughly before confirming.

The following corrections were made to the Minutes of January 26th, 2016:

- i) Paragraph 9. Which is to be read as: *"Councilor Theus pointed out that at the time then Councilor Roger Espejo spoke to him about zoning, he told him about the zoning within Home Park area confirmed by Mr. Henry Fairweather but it was uncertain if those bylaws extended to King's Park."*
- ii) Paragraph 48. Which is to be read as: *"Ms. McKenzie indicated that the purpose of the Child Care Friendly Initiative undertaking is to acquire certification which will open room for funding from international donor organizations (UNICEF)."*

The Mayor moved for a motion that the minutes of the Meeting held on January 26th, 2016 be confirmed as a true and correct record. Councilor Latchman motioned for the approval of the minutes, seconded by Councilor Theus. **MOTION CARRIED.**

Mayor Darrell Bradley

i. Monthly Financials

1. Mayor indicated that he would defer the financials until the public meeting since it would follow the Council meeting.

ii. Palm Grove Zoning

2. As directed by Council a Public meeting was held with the residents of Kings Park at the Lopez Mateos Park. Approximately 100 persons including Councilor Willoughby, Councilor Singh, Councilor Edwards, Councilor Theus, City Engineer, City Planner and Ms. McKenzie attended.
3. A review of the bylaw was done by Ms. McKenzie and members expressed their strong views about the proposed bylaw. A straw poll was taken and a significant amount of residents wanted the zoning bylaw.
4. It was decided that a steering committee comprised of some residents, Ms. McKenzie and Councilor Theus would meet to review the bylaw.
5. Ms. McKenzie will host a preliminary meeting with City Engineer, City Planner, Councilor Theus and Mr. Arnaldo Hernandez from CBA to discuss the layout of the bylaw, followed by a second meeting with the steering committee where this will be presented to them.
6. Mayor Bradley expressed Council's gratitude to Councilor Theus and Ms. McKenzie for channeling the effort along with the sub committee on the road towards passing the zoning bylaw.

7. Councilor Willoughby acknowledged the work of the committee, Ms. McKenzie and Councilor Theus but encouraged the Mayor to use this as an opportunity to do some groundwork and dialogue more with the people of the area.
8. Ms. McKenzie added that the Mayor is leading the process and that Min. of Local Government has sent a checklist that they are following as well. She also indicated that Min. of Local Government requested an electronic copy of the Palm Grove Estate Bylaw, so Mr. Hyde emailed the soft copy to them and Council now awaits their response.
9. Councilor Theus stated that he is adequately representing the Council, the Mayor as Councilor and area resident. He added that over 120 persons signed a petition that was sent to the Prime Minister which triggered this process. Residents want to secure their investment and future in Caribbean Shores. He pointed out that other residents are taking up the same momentum and are clamoring for zoning in their area.
10. Ms. McKenzie highlighted that this bylaw is a product of the residents of Kings Park and not the Council.
11. Mayor indicated that the dialogue and communication will continue with the residents and that Council fully approves the bylaw.

iii. Election of Deputy Mayor

12. Mayor informed Council that the City Council Act calls for the election of a suitable councilor as Deputy Mayor, which should be done prior to the first meeting in March. He highlighted that the election would be presided by the City Administrator and he opened the floor for nominations.
13. Councilor Latchman nominated Councilor Samuels, which was seconded by Councilor Edwards. Councilor Samuels was asked if he accepted the nomination to which he responded "yes".
14. The floor remained opened for additional nomination. After two minutes without another, the Mayor asked for the floor to be closed for nominations. All councilors present were in favor of closing.
15. With Councilor Samuels being the only Councilor nominated, the Mayor announced that he is the Deputy Mayor elect, and offered congratulations to him on being elected for a second consecutive term. Mayor added that the term would take effect on March 4th, 2016.

iv. Collective Bargaining Agreement

16. Mayor updated Council that they are engaging with the union with the CBA. He stated that a final draft would be brought back to Council for a vote and approval. He added that the HR Regulation was a great move on the part of Council since it standardized staff relation.
17. Mayor urged Council to make this a priority as it will would give another layer of protection to staff.
18. Ms. Miller asked that Council look at the regulation and implement an internal policy to look at the filling of vacancies while avoiding too many interviews. She added that it would be difficult to hold interviews for every post that becomes vacant at the Council.
19. She suggested that interviews be held for those post earning pay scale 5 and up while the others can be filled based on the recommendation of the manager.
20. The Mayor pointed out that the regulations make provision for a circular and a policy like this can be implemented in that fashion. He added that a circular signed by himself and the City Administrator highlighting that the Regulations be amended to provide that interviews will not be held for positions with pay scale 4 and below.
21. Ms. McKenzie stated that she would look at the Public Service Regulations to see how they handle occurrences like these because the Municipal Service Regulation is for the entire country and it wouldn't be practical to have a circular just for Belize City while other municipalities have something different.
22. She added that the regulation states that Council encourage upward and lateral mobility and in cases where the person below the vacant post is suitable then he/ she can be recommended for the post. Additionally where the person below is not suited for the post, then internal interviews must be held and if no one is selected then external interviews must be carried out.
23. Mayor asked Ms. McKenzie to make a recommendation on the matter and circulate an email to City Administrator and Director of Administration and copy himself on it.
24. Councilor Elrington asked who will determine if the person below the vacant post is capable?
25. Mayor responded saying that the job description will make the determination, since it identifies the roles, function and qualification of a post.
26. Councilor Hyde inquired who would then determine that the person is qualified. Mayor stated that it must be the manager and City Administrator.
27. Councilor Elrington stated that this is why we go back to an interview panel for impartiality.
28. Mayor rebutted highlighting that the manager and the City Admin can look at the individual and decide if they are capable or not.
29. Councilor Elrington stated that she did agree with that position.
30. Councilor Singh stated that he agrees that there should not hold a lot of interviews for vacancies but if the person below can't do the job then there must be an interview.
31. Ms. McKenzie stated that she would look at the PSR and see what they do because creating a circular will affect the entire country.
32. She also highlighted that in reviewing the CBA with Ms. Rudon and Ms. Smith, they realize that it goes in contravention with some of the policies of the HR Regulations and they are addressing them in the negotiations with the union.

33. Mayor indicated that the CBA must mirror the HR Regulations since it has already been in place.

v. American Planning Association

34. Mayor stated that the APA is working with the Council in partnership with the Inter Development Bank to do a project in Yarborough area.
35. He added three (3) senior planners were in Belize and they did a site tour of the Yarborough area, a city tour and a maritime tour. They are assisting with the Yarborough project and zoning as well.
36. Mayor added that they also had a meeting with over 150 persons from different sectors to map out area and develop a strategy for the Yarborough are ensuring that there was adequate community participation.
37. Mayor indicated that APA will give a grant of \$1million for buildings on the ground and they will continue the dialogue to clarify this with them. He added that it is a part of the larger sustainable city initiative and will assist in urban planning and design, as well as the Downtown Rejuvenation project.
38. Councilor Willoughby stated that he listened to the interview of the consultant who stated the need for a policy unit and a technical unit to look at all the planned projects. The Councilor added that it cannot be a situation where the Directors and senior staff be tied down looking at technical issues and developing policies afterwards. He pointed out that the Council is at a juncture where there is need to develop an additional unit of the Council that will look specifically at technical issues and guide the Council to develop proper policies.
39. He added that there is need for people that can properly look at the growth of Belize City beyond a year or two years, and see the larger picture from a technical standpoint focusing on urban planning, traffic and other areas to see where we will be in 20 or 30 years from now.
40. Mayor stated that it is a very good point because he has seen it from his travels to other municipalities how they place emphasis on growth and urban planning. Zoning in Belize City for example, is looked at when residents begin to complain whereas we should be looking at it from a strategically standpoint and a macro level.
41. Mayor added that maybe it should be a situation where Directors look at strategic and urban planning and another tier of management be created to look at the running and operation of the Council.
42. The Mayor stated that he is pleased that Ms. McKenzie has looked at zoning, CBA and policy regulations since these should be main focus areas of the council. He added that Council is in great need of a project analyst.
43. Councilor Singh stated that in the past Mr. Abil Castellanos was very active with the planning and development of the Foreshore area inclusive of zoning and planning, hence someone like that is needed to look at project and advise the Council.
44. Mayor indicated that the Council should look at specific projects that could be undertaken since the City Admin was suggesting that Council refloat a portion of the Municipal Bond to finance them. He added that a certain level of public expectation has been raised and Council needs to complete one or two projects to compliment the policies being put in place. He stated that over the last two years Council has set in

place a lot of policies for urban planning but nothing has taken off from the ground level as proof of the policy.

45. The Mayor pointed out that the plan for the downtown rejuvenation project is a great one but if the funds to build the Commercial Center cannot be secured then it makes no sense in having the plan.
46. Ms. McKenzie suggested that the plans that were discussed and outlined earlier in the year should be revisited and some of the projects undertaken. She stated that she fully agrees with Councilor Willoughby, the city is growing significantly and it must be looked at to see if there are provisions in place to track the growth. She urged the Council to seek someone that can give adequate advice on managing rapid growth and proper urban projection.

vi. Staff Land Program

47. Mayor stated that the clearing of the area has started and when completed, the laying of pegs for the subdivision will commence.
48. Deputy Samuels stated that he visited the area and can confirm that work has commenced and he would have an update for Council at the next meeting.

Councilor Theus

49. Councilor Theus informed Council that there is a firm in Mexico that is willing to extend a line of credit to Council for asphaltting the streets. This proposal was secured with the assistance of Mr. Valencia from the Mexican embassy.
50. Mayor Bradley indicated that it is something Council can look at especially since they plan to do some restorative work to streets.
51. Councilor Willoughby reminded Council that central government had indicated that when assistance is given for street works the preferred mode of repair is concreting. Mayor stated that it is not practical to concrete all the streets, so Council may consider to use asphalt to cover them.

Councillor Latchman

52. Councillor Latchman presented motion no.3 of 2016, which is a plan of action for the Child Care Friendly Initiative and moved that it be passed and accepted by Council.
53. Mayor acknowledged Councilor Latchman for the significant work she has done in this area and said he was privy to see several of the CAB meeting and was impressed by the members. He shared that they were well spoken and highlighted Ms. Candice Armstrong.
54. Mayor added that it is evident that Councilor Latchman is not just choosing randomly but rather she is ensured that the members are of the highest caliber. He pointed out that the program has a scorecard spearheaded by UNICEF that ranks cities, towns and communities worldwide to see if they are child friendly. He stated that Councilor is presenting an action plan with items that have all been fulfilled, and stated that one of the projects addressed child bullying and there is a plan for a partnership between

NCFC and City Council to launch an anti-bullying campaign. He urged Council to include the children in all their projects and programs undertaken.

55. The motion was seconded by Councilor Edwards. Council voted unanimously to approve the motion. **Motion Carried.**
56. Council extends its appreciation to Councilor Latchman- Cuellar, Ms. McKenzie, UNICEF, Ms. Kadie Vaughan and Ministry of Local Government for their role in the initiative.
57. Councilor Latchman stated that at the BTL anniversary concert the artist known as Consego was very unprofessional in his performance. She added that Councilors present at the event heard him attacking the Council for having an international artist headline the show and making false statements about not giving local artist the respect they deserved. She added that this was distasteful and unbecoming of a professional performer and stated that Council should consider this when hiring the artist again.
58. The Mayor stated that due to this display of unprofessionalism, Consego will no longer be allowed to perform at any Council sponsored function.

Councilor Edwards

59. Councilor Edwards pointed out that there is a problem with the \$1 van operators as many of them stop in the middle of the street to let off and pick up passengers. He added that many of them are operating using vehicles without license plate.
60. Councilor Singh added that they stop at the corner of Duck Lane and Orange Street obstructing the flow of traffic to disembark instead of doing so in the alley.
61. Councilor Pitts stated that there is an ongoing operation between CitCo and Police department targeting vehicles without license plates. He added that the plan is to get the operators organized and to form a union amongst themselves. Each vehicle would be assigned a number by the department so they can be readily identified.
62. Councilor Elrington stated that the issue is a lack of traffic officers to enforce and that the department requires more manpower.

Councilor Willoughby

63. Councilor Willoughby stated that Belize Waste Control Limited has agreed in principle to restructure how and when they collect garbage from around the city. He added that they are willing to collect garbage at night to avoid the traffic congestion in the morning by persons heading to work.
64. Councilor Pitts indicated that in Buttonwood Bay garbage is picked up early in the morning and residents ensure that their bins are placed in front of their houses for pickup.
65. Councilor Willoughby informed Council that Queens Square Anglican Primary school requested the assistance of the Council to install windows that were donated by the Ministry of Education. Mayor indicated that it is something that the Council can undertake by using the employees from the works department.

66. Councillor Willoughby added that the school also requested two barriers from the Council which they will use to close off vehicular traffic in front of the school at the start of the day.
67. Councillor Elrington stated that she had a concern with the precedent being set and that other schools will want to do the same thing, which she feels, will impact the flow of traffic. She highlighted other schools like All Saints Primary and St. Joseph School that are doing the same thing.
68. Councillor Willoughby stated that the barriers provide addition safety for these children from vehicular traffic.
69. Ms. McKenzie stated that Council is promoting a child friendly city and feels that it would benefit the schools.
70. Ms. Miller added that it is better to do something now than wait until a child is knocked down or killed near the school.
71. Mayor indicated that Council could look at each individual request as they come, but agreed that the barriers will assist in the safekeeping of the students. He added that the workmen at the works department could construct the barriers and deliver them to Queen's Square.
72. Councillor Willoughby stated that Ministry of Education will also be assisting the school with the construction of a fence and they school is requesting the expertise of the City Engineer to advise them in proper drainage planning for the school yard. Mayor indicated that this would not be a problem and the visit could be set based on Mr. Williams schedule.

Councillor Singh

73. Councillor Singh raised the issue of Mayan Cave Tubing stating that Mr. Pelayo visits the office frequently to get an update on the approval of his project and nothing has been done from Council's end.
74. Mayor stated that he would review the file but noted that he thinks public spaces should remain public. He stated that he doesn't want the character of Sun Lighter's promenade to change from being a public space. He added that a no objection letter was given to Mr. Pelayo for a zip-lining project and a ticketing booth, but nothing else that would be intrusive.
75. Councillor Singh added that he has plans on using the three extensions of the promenade to construct buildings. Councillor Edwards stated that all of that was not in the presentation he made to Council.

76. Council Elrington stated that when he did the presentation to Council, all this was quite clear and he made reference that there would be booths to sell food, and other products.
77. Mayor stated that there is a difference between stating what the parts of the business are and actually showing a rendering where the space becomes unusable. He stated that after seeing the actual plans and how much of the space is used, then a decision could be made.

Councilor Elrington

78. Councilor Hyde voiced her concern with the completion of Baymen Avenue. She stated that the street is in need of urgent attention and asked if Council intends on doing the street.
79. Councilor Willoughby inform Council that FMIP had a contingency plan and if funds from the project remains, he will lobby for it to be used to complete Baymen Ave.
80. Deputy Samuels stated that Council was going to do the street but they were stopped by FMIP who said they would concrete the street after the drainage work was completed.
81. Councilor Elrington requested the budget from the BTL Park anniversary concert. Councilors were given a copy of the budget. Ms. Miller stated that small additions would be added on for portable toilets and incidentals.
82. Councilor Elrington stated that recently she has visited several staff who were hospitalized and thought that Council should do a little more.
83. Mayor stated that Council had already decided on providing health insurance for supervisors and coordinators. Ms. Miller stated that it was costly and they were looking at it. Mayor inquired if it would be more practical if the coverage would be reduced. She stated that it could be looked at and added that all field workers were provided with insurance.
84. Mayor asked Ms. McKenzie if staff were entitled to free health care at KMH. She stated that they are.
85. Mayor asked Mr. Hyde if the staff members who went to the hospital got free services. He indicated that they did, all that was requested were their work ID and social security card. He added that only some of the services require payment like cat scans are some complex blood tests. Mayor indicated that these services are excluded because they are 3rd party services.

86. Ms. McKenzie stated that Council workers get the same treatment as that of public officers.
87. Councilor Elrington stated that these information needs to be passed on to staff. She added that something must be done to assist staff who are in need of specialist service that is not offered at KMH. She also stated that Council needs to look at those employees who have been at the Council for long years and pass the retirement age. She pointed out that Council loses because they may not be fit to work but refuse to retire at 55 years.
88. Mayor stated that Council does offer assistance to employees when faced with sickness. He pointed out that in the last year Council used almost \$200,000 in medical assistance given to staff.
89. Councilor Elrington suggested that Council starts a fund and deposit monthly payments in it to assist staff members.
90. Ms. McKenzie stated that this is not done in the public service and they have more assets than Council. She added that Council simply couldn't afford it, though it would want to help, it cannot be afforded.

Deputy Samuels

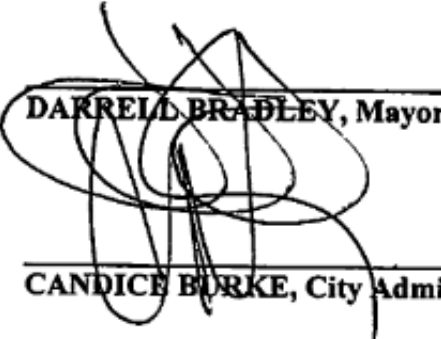
91. Deputy Samuels stated that he met with Mr. Feinstein from Bennys and he indicated that the company has invested well over \$35,000 in the roundabout on Philip Goldson Hwy that was given to them. He asked Deputy to ask Council to consider a 15% reduction in taxes due to his investment.
92. Mayor indicated that after Council had given him the roundabout, they were stopped by Central Government and after many meetings, which the Council was a part of, the roundabout was given back to Bennys. He stated that during this time the company lost in terms of construction cost and other commitments. He asked Council to offer a \$15,000 set off as consideration and compensation for loss incurred. All councilors present agreed unanimously to approve the set off of \$15,000.00 to Bennys for their loss incurred.

Other Business

93. Mayor asked that public requests be differed to the next Council meeting since they had to move into the Public meeting. He asked Councilors to attend the meeting as it was planned and publicly advertised.
94. Mayor moved for a motion to adjourn the meeting. Councilor Pitts motioned that the meeting stands adjourned, Councilor Edwards seconded the motion. **MOTION CARRIED**
95. All Councilors present voted in favor to adjourn until March 8th 2016 at 2pm. Meeting adjourned at 6:06pm.

Confirmation of Minutes

These minutes, which are the minutes of a Council Meeting of the Belize City Council duly convened and held on 10th of November 2015 were reviewed and approved by a Resolution of the Council dated (16) February, 2016



DARRELL BRADLEY, Mayor

CANDICE BURKE, City Administrator



Belize City Council
RESOLUTION NO. 12 of 2016

A RESOLUTION TO ADOPT A CHILD CARE FRIENDLY INITIATIVE PLAN OF ACTION

WHEREAS, the Belize City Council, is a body corporate established by Sec 3 (1) of the Belize City Council Act, CAP 85 of the Substantive Laws of Belize, Revised Edition 2000,

Whereas, the Belize City Council is a duly elected body by the residents of Belize City mandated to serve the citizenry and is entrusted with the general rule and good governance of Belize City,

Whereas, the Belize City Council installed a Child Advocacy Board under the Women and Children portfolio held by Councilor Latchman-Cuellar,

Whereas, Councilor Latchman-Cuellar presented a plan of action as Motion No.3 of 2016, which enlists a group of activities and schemes for child friendly environment within the Council,

Now therefore, be it resolved that the Council, adopts, supports and confirms

- **Motion No.3 of 2016 (Plan of Action)** as presented by **Councilor Latchman-Cuellar** as a policy of the Council to implement child friendly initiatives in its daily operations.

In pursuance of an order of the Belize City Council made on the 14 day of February 2016, the Common Seal was hereunto affixed by:


DARRELL BRADLEY
MAYOR

CANDICE MILLER
CITY ADMINISTRATOR



North Front Street, P.O. Box 259, Belize City, Belize, Central America
Tel (Mayor's Office): 227-0056, City Manager & Offices: 227-3073/7205/2308.
Fax: 227-7236. Email: mayor@btl.net



**BELIZE CITY COUNCIL
RESOLUTION NO. 11 of 2016**

A RESOLUTION TO APPOINT THE DEPUTY MAYOR

WHEREAS, the Belize City Council, is a body corporate established by Sec 3 (1) of the Belize City Council Act, CAP 85 of the Substantive Laws of Belize, Revised Edition 2000,

AND WHEREAS, the Belize City Council having been duly elected by the residents of Belize City mandated to serve the citizenry and entrusted with the general rule and good governance of Belize City,

AND WHEREAS, Section 10 (2) of the Belize City Council Act CAP 85 of the substantive laws of Belize directs that on the first meeting of a newly constituted Council, the members of that Council shall elect a Deputy Mayor from among their number,

AND WHEREAS, the newly constituted Belize City Council of 2015- 2018 held nominations and voted for a member from their number,

AND WHEREAS, Councilor Dean Samuels received the majority of votes casted in a balloted election held March 13, 2015,

NOW THEREFORE, BE IT RESOLVED that the Council elects, supports and confirms

- **COUNCILOR DEAN SAMUELS** as the **DEPUTY MAYOR** of the Belize City Council for the assigned period of one (1) calendar year, and all authority is conferred onto him where he shall exercise and perform all powers and duties conferred upon the Mayor in the Mayor's absence.

In pursuance of an order of the Belize City Council made on the 16th day of February 2016, the Common Seal was hereunto affixed by:


DARREEL BRADLEY
MAYOR

CANDICE MILLER
CITY ADMINISTRATOR

