



COUNCIL MEETING

September 16, 2016

Belize City Hall Council Chambers

Members to be attending

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

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

Agenda Items

1. Prayer
2. Confirmation of Minutes
3. Matters Arising

Mayor's announcements/matters

- i. Trade License Reform
 - ii. Kings Park Zoning Bylaw
 - iii. Software Update
 - iv. Ariel Rosado Street
 - v. Mayan Cable Tubing
4. Notices/reports/ discussion/information
 - Efficiency at Cemetery (Theus)
 - Overtime (Theus)

- Donations & Waivers (Theus)
 - ATM BTL Park (Theus)
 - Nominees Liquor Board (Theus)
 - Purchase of Truck Traffic (Singh)
 - Manager Special Constable (Singh)
 - Hiring of Staff (Elrington)
5. Any other business
 - Audit on Social Assistance (Garvin)
 6. Petitions from members of the public
 7. Questions from members of the public
 8. Request for leave to move adjournment of Council on matters of urgent public notice
 9. Motions relating to Council business or sitting
 10. Adjournment
 12. Setting the date for the next Council meeting



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

Present:

- | | |
|------------------------------------|-------------------------|
| 1. Mr. Darrell Bradley | Mayor |
| 2. Mr. Dean Samuels | Deputy Mayor (12:07 pm) |
| 3. Mrs. Hyacinth Latchman- Cuellar | Councilor |
| 4. Mr. Jason Edwards | Councilor |
| 5. Ms. Alifa Elrington- Hyde | Councilor |
| 6. Mr. Kevin Singh | Councilor |
| 7. Mr. Michael Theus | Councilor |
| | |
| 1. Ms. Candice Miller | City Administrator |
| 2. Mr. Jermaine Hyde | Administrative Officer |

Present by invitation:

- | | |
|-------------------------|------------------------|
| 1. Mr. Floyd Williams | City Engineer |
| 2. Mrs. Marilyn Ordonez | Director of Finance |
| 3. Mrs. Marilyn Garvin | Chief Internal Auditor |
| 4. Ms. Sharlene Rudon | Director HR/PR |

Absent with explanation:

- | | |
|--------------------------|-----------------------------------|
| 1. Mr. Philip Willoughby | Councilor |
| 2. Dr. Alain Gonzalez | Councilor |
| 3. Mr. Dion Leslie | Councilor |
| 4. Mr. Bernard Pitts | Councilor |
| 5. Ms. Margaret McKenzie | Director Legal Affairs & Training |

Minutes of Meeting

The meeting was called to order at 10:35 am.

Councilor Latchman- Cuellar opened the meeting with a prayer.

The Mayor welcomed Councilors and Directors to the Council meeting.

Adoption of Minutes

The minutes of the two previous meetings were circulated and but since quorum wasn't established, the adoption was deferred.

Mayor Darrell Bradley

i. Trade License Reform

1. The Mayor presented a schedule showing the proposed 18 categories of businesses along with the respective calculated Trade Fee. He indicated that this was presented to the Chamber of Commerce and Industry and that they would take it to their membership for discussion on the way forward.
2. He suggested that the Council put forward a resolution approving the schedule and execution of a Memorandum of Agreement with BCCI highlighting it as the basis for the Trade License fee calculation as of this tax year. Additionally, he added that the Council agreed to maintain negotiations with the Chamber to work on a future mechanism to eventually phase out the trade license.
3. He indicated that this has been tabled at the Mayors Association and they have had significant technical assistance in developing the schedule. This calculation strikes a balance between revenue for municipalities and a tax that is certain and predictable while affording some ease to businesses.
4. The schedule operates on the premise of ranges where businesses are classified by annual rental values.
5. Councilor Elrington indicated that a fixed rate should be on the property value and not the rental value. The Mayor stated that Central Government mandates the use of rental value hence municipalities must conform to that form of assessment.
6. The Mayor indicated that other municipalities have opted for schedule 2, which is 5% higher in terms of cost as compared to schedule 1, and schedule 3, which is 10% higher when compared to schedule 1.
7. Mrs. Ordonez suggested that the Council start at schedule 2 in order to balance the loss that would be experienced. The Mayor indicated that the Chamber would not agree to have more than 2% of businesses experiencing an increase in fees.
8. The Mayor asked that Councilors vote to approve schedule 2 as the basis of calculating trade license fees. He indicated that when a 6th Councilor arrived to make quorum that Councilor's vote would be recorded at that time. A vote was taken from councilors present:

	In Favor (Yes)	Opposed (No)
	Councilor Edwards	Councilor Hyde
	Councilor Cuellar	
	Councilor Theus	
	Councilor Singh	
	Deputy Mayor Samuels	
	Mayor Bradley	
Total	(6)	(1)

9. The Mayor asked Ms. Rudon to book the morning talk shows in the upcoming week to raise awareness of the trade reform and to schedule two public consultations where the consultant Mr. Dyon Elliot will be present to answer any questions. Additionally, Mr. Smith is to write all the businesses and circulate with a copy of the schedule attached.

ii. Kings Park Zoning Bylaw

10. The Mayor suggested that a final public consultation be done early in October since Mr. Hyde indicated that the final draft of the bylaw was sent to the Ministry of Local Government for its passage to the Solicitor General.

iii. Software Update

11. The Mayor informed Council that Mrs. McKenzie and Councilor Elrington are reviewing the contract for the acquisition of the software from NAMIS. He added that they had made a presentation earlier to the Council on the technical aspect of the program and now they are finalizing the contract with the Council.
12. Councilor Elrington stated that she doesn't agree with the acquisition since there is no benefit in it for the Council. She added that there is no difference between what we are currently using and NAMIS's program.
13. Mrs. Ordonez stated that this is not the case, she pointed out that the NAMIS program will give way for an integrated system as opposed to having a traffic system, a finance system and a tax system as is the case now.
14. Mrs. Ordonez added that while the program will be a great acquisition, the Council doesn't have the funds currently to pay for the software.
15. Mayor indicated that the payment terms could be negotiated. He stated that the Ministry of Local Government, the Mayors Association and Cariled have all made contribution towards the mobilization and acquisition of the software for all municipalities. Hence the Council would be in a position to negotiate payment terms, but for now the priority is to finalize the terms of the acquisition.
16. Councilor Theus stated that he would opt for the purchasing of the software as opposed to leasing it, he suggested acquiring the license. Mayor added that the language of the contract could be negotiated.
17. Councilor Edwards voiced his concern on the amount Belize City is paying in comparison to other municipalities. He stated that Belize City is paying almost double of what others are required to pay.
18. Mayor explained that there were donations given to the other municipalities to assist them in acquiring the software since they would not be able to afford it. He added that he surrendered donations to Belize City Council so smaller municipalities would have access to the program. He highlighted this as the reason for a difference in payments per municipality.
19. The Councilors cautioned the Mayor for negotiating and forgoing a discount which did not involve the Belize City Council.

20. Mayor ask for Council's authorization for a team comprising of himself, Ms. Miller, Mrs. Ordonez, Ms. McKenzie and Councilor Hyde to conclude negotiations with this agreement. A vote was taken from councilors present:

In Favor (Yes)

Opposed (No)

Councilor Edwards

Councilor Hyde

Councilor Theus

Councilor Singh

Councilor Cuellar (conditional vote, she agrees with acquisition but not the forgoing of the discount)

Mayor Bradley

Total

(5)

(1)

Vote not valid as there was no quorum.

iv. Ariel Rosado Street

21. The Mayor stated that some of the residents on the street have approached him and they are contributing over \$30,000.00 to the hot mixing of the street, which is to be done by Rodla Construction. They met with Rodla who has submitted a bill of quantity for a total of \$90,000.00.
22. The requested contribution from the Council would be \$60,000.00. He stated that they have approached Scotia Bank to join in with them and this should reduce the amount that the Council would need to contribute. The Mayor added that the \$30,000.00 contributed by residents would serve as mobilization fee and the Council would negotiate payment for December 2016.
23. The Mayor asked Councilors to authorize him to conclude all negotiation and affix the seal of the Council onto the contract. All Councilors present voted unanimously to authorize the Mayor to conclude the negotiations and affix the seal onto the contract.

Vote not valid as there was no quorum.

24. Councilor Cuellar pointed out that a portion of Cemetery Road needed urgent attention since a very large crater is there which is impacting the flow of traffic. The Mayor stated that works department should attend to this.

v. Mayan Cable Tubing

25. The Mayor indicated that there was a very healthy discussion on the proposal at the public consultation including a straw vote in favor of the proposed development. He shared that the developer Mr. Pelayo has been asking for the conclusion of his proposal.
26. The Mayor pointed out to Council that the project requires several licenses before they can launch the project. The Council's decision to give him permission to use the reserve will not allow him to start, it is just one of several permission he would require.

27. Mayor stated that the Department of the environment has granted him permission and now he's asking the Council for permission to use Sandlighters Promenade.
28. Councilor Elrington noted her concern on the project's impact on the traffic in that area and requested that a study be done before the Council makes any decision. The Mayor informed the Council that at the expense of the developer, an assessment of the traffic in the area must be commissioned.
29. Councilor Edwards stated that residents use the area for exercising purposes and this development would impact those people.
30. The Mayor pointed out that this proposal was tabled over one year and the development has been on hold since then. He asked Councilors to vote on whether they approve the use of the promenade for the development. A vote was taken from councilors present:

	In Favor (Yes)	Opposed (No)	Defer
	Mayor Bradley	Councilor Hyde	Councilor Cuellar Councilor Edwards Councilor Singh Councilor Theus
Total	(1)	(1)	(4)

Vote not valid as there was no quorum.

Theus

31. Councilor Theus raised the issue of inefficiency in the Council's operation. He stated that at the last meeting he ask that the Cemetery at 13 miles be upgraded. He suggested that instead of constructing a grave upon request, that materials be sent so ten graves can be constructed and be available.
32. He commented on the high overtime hours that are claimed by employees. He also added that the amounts of donations are also excessive.
33. The Mayor pointed out that the Finance Department could explain these donations, as that period was an extraordinary period since the Council lost a manager and took on the burial costs. Additionally another manager was hospitalized and Council assisted with the medical fees.
34. Councilor Theus also commented on the waivers granted to the public, stating that the numbers are too high. The Mayor asked Ms. Garvin to look at the revenue lost from waivers. Mrs. Ordonez indicated that a report was completed and will be sent to Councilors by email.
35. Councilor Elrington commented on the high amount of social assistance the Council granted between 1st, April to August 31st, 2016. The Mayor commissioned an immediate internal audit of the social assistance for the period highlighted. The internal auditor was tasked to commence the audit of the finance department records.

[Deputy Samuels arrived 12:17pm, quorum gained]

36. Councilor Theus indicated that he contacted Mr. Ysaguirre from Heritage Bank concerning the ATM in the park. He stated that the bank is willing to absorb the cost of repairing the booth where the police is and use it to house the ATM.
37. Mayor suggested that the bank construct another structure in the park to house the ATM so that the police booth remains as is.
38. Councilor Theus asked that the Council set aside funds during the high season as an emergency fund that would be used during times of disaster. He added that he visited the works department and most of the vehicles were down.
39. Ms. Miller indicated that there is an emergency fund that is set aside, however the funds were used when the Council found itself in financial difficulties. She added that a meeting was held with the Works Manager, Sanitation Manager, Director Finance, City Engineer and head of the vehicle care unit; a detailed listing of the vehicles out of commission and what they needed to be operational was prepared. She highlighted that finance and availability of parts were the main issues.
40. Councilor Theus nominated Mr. William Chang for the Liquor license board and Mrs. Kim Aikman for the Trade License Board. The Mayor requested that the names be submitted to Mr. Hyde in writing and Ms. Miller indicated that boards would be chosen in November.

Singh

41. Councilor Singh pointed out that the Traffic department received two new trucks and requested that Councilors be updated of the purchase. Ms. Miller indicated that the trucks were bought on credit and nothing has been paid as yet.
42. Councilor Elrington noted her concern in the acquisition of the vehicles stating that the Council is informed after the deed is done. The Mayor stated that there was a need for vehicles by the department and when the opportunity presented itself from Great Wall he seized it and signed for the vehicles.
43. He added that it is difficult to get Councilors to agree to attend meetings every two weeks highlighting that today's meeting which should have started at 10am didn't make quorum until almost 12:30pm. He stated that the role of the Council is to be an oversight body and ought not to put itself in the role of City Administrator, Finance Director or City Engineer. He said that Ms. Miller has to operate the Council in times when the walls are falling, Mrs. Ordonez labors tremendously to meet payroll and liaise with partner agencies. He continued that one of the reason he asked Directors to attend Council meeting is for Councilors to ask the relevant questions and be informed of what takes place within the Council.
44. Councilor Elrington stated that Council cannot continue to operate in this fashion where they are asked to ratify decisions after the Mayor has already done them.
45. Councilor Cuellar stated that she had to leave but wanted to make it known that she votes for the approval of Mrs. McKenzie's contract as Director Legal Affairs and Training.
46. The Mayor stated that since quorum would once again be lost, that the Deputy's vote for the acquisition of the software, trade license reform, Mayan Cable Tubing and Ariel Rosado Street be tabled. Mayor briefly reviewed all the matters for the sake of the Deputy Mayor and his vote was taken for each matter.

47. The Deputy Mayor voted to approve the negotiations to acquire the software. **MOTION CARRIED**
48. The Deputy Mayor voted to approve the schedule for the Trade License Reform. **MOTION CARRIED**
49. The Deputy Mayor voted to approve the conclusion of negotiations and affixing on seal to contract with Rodla Construction for the hot mixing of Ariel Rosado Street. **MOTION CARRIED.**
50. The Deputy Mayor deferred his vote on the Mayan Cable Tubing. **MOTION DEFFERED**
51. The Directors were asked to leave the room so the Councilors could discuss the approval of contracts.
52. The Mayor indicated that he wanted to standardize the director's contracts for three (3) years and City Administrator for four (4) years.
53. Councilor Elrington stated that before contracts are issued the Council must identify a structure to assess Directors. The Mayor stated that this issue would need to be properly ventilated.
54. The Deputy Mayor suggested that the contracts be deferred to another day. The Mayor added that a special meeting be held to address only the matter of the contracts.

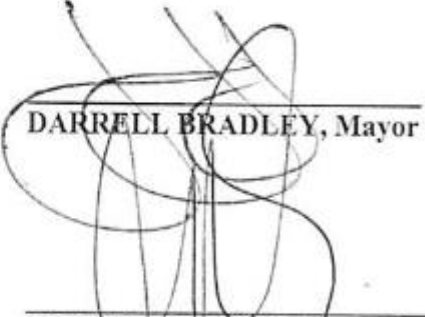
[Councilor Cuellar left, quorum lost]

55. Councilor Singh addressed the matter of hiring a new manager for the Special Constable Department.
56. Ms. Miller indicated that the HR department would advertise the vacancy internally, conduct interviews after which the names would be presented to the Council for selection by way of voting.
57. Councilor Elrington stated that she wanted a report from the interview panel so she is aware of what transpired during the interview. Ms. Miller indicated that minutes of the entire interview are recorded and sent out. The Mayor agreed and indicated that he had received minutes from the interview panel in the past.
58. The Mayor outlined the process by which the selection would occur. He said that the HR department would advertise the post internally and conduct interviews. Councilor Singh must be on the interview panel and the minutes circulated to the Councilors. Councilors will review the minutes and cast a vote at the subsequent meeting. Should the Council decide not to choose one of the applicants, then the post would be advertised externally.

Elrington- Hyde

59. Councilor Elrington voiced an issue with the hiring of staff that is not in accordance with the regulations. She highlighted that the hiring of the new procurement officer was hired without going through an interview.
60. Ms. Rudon stated an interview was conducted and that the HR manager, Director Finance, City Administrator and personnel officer were a part of the panel that conducted the interview. The Mayor mentioned that for certain positions there is no need to convene a complete panel for an interview.
61. Councilor Elrington stated that the fact that there are closed door interviews doesn't make it proper. She added that there is no oversight in that matter on the part of Council.

62. Councilor Elrington added that purchases are being made without purchase orders. The Mayor asked Mrs. Ordonez if this is the case, she indicated that there are times when businesses gave staff instant credit for quotations, especially in relation to vehicle parts.
 63. Ms. Miller stated that there are times when weekend work is being done and something happens to the vehicle and they need a tire for the backhoe or some other item and the store calls her. In these cases she would authorize the payment and subsequently inform Finance department of the event. Any other purchase should be done with a purchase order that is authorized with her signature.
 64. The Mayor said that any other purchases without authorization should not be paid.
 65. The Mayor asked that an immediate audit be done for the last three months to investigate the procurement of supplies. He asked Mrs. Ordonez if this is a current issue, and she stated not anymore. She added that she had sent out an email a few weeks before addressing the matter and such purchases have ceased.
 66. Mrs. Garvin presented the findings of the audit done on social assistance to Councilors, which indicated that the assistance are payments for summer interns and manual laborers hired after the storm to remove debris, payments for summer camp. The Mayor indicated that the reason the reason for some allocations is because they cannot be placed in a subhead of salaries category. He indicated that Councilors could satisfy their queries with the audit. Councilor Theus stated that he never alluded that there are any wrong doing happening.
 67. The Mayor moved for a motion to adjourn the meeting. Councilor Theus motioned that the meeting stands adjourned; Councilor Samuels seconded the motion. **MOTION CARRIED**
- All Councilors present voted in favor to adjourn the meeting. Meeting was adjourned at 2:10 pm.



DARRELL BRADLEY, Mayor

CANDICE MILLER, City Administrator





**Belize City Council
RESOLUTION NO. 27 of 2016**

A RESOLUTION TO APPROVE THE CEMENTING OF ARIEL ROSADO STREET

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,

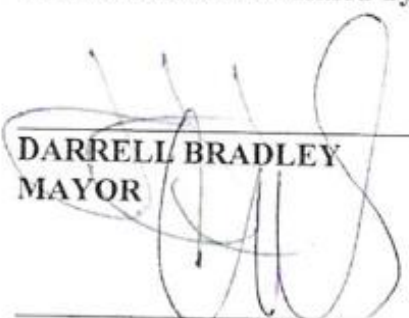
Whereas, the Belize City Council Act CAP 85 SEC 24 (2) (a) of the substantive laws of Belize empowers the Council to construct, repair, alter or widen all streets with such material and in such manner as the Council thinks fit,

Whereas, the Belize City Council approve to engage the services of RODLA Construction to repair Ariel Rosado Street

Now therefore, be it resolved that the Council approves, supports and authorizes

- The commencement of infrastructure on Ariel Rosado Street at a cost of \$90,000.00
- \$30,000.00 contributed by the residents will be used for mobilization fees
- \$60,000.00 to be paid by the Council December

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



**DARRELL BRADLEY
MAYOR**



**CANDICE MILLER
CITY ADMINISTRATOR**





Belize City Council
RESOLUTION NO. 26 of 2016

A RESOLUTION TO APPROVE THE TRADE LICENSE REFORM

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,

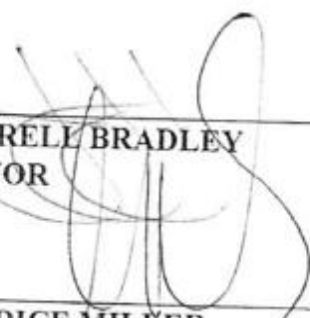
Whereas, the Belize City Council is a duly elected body by the residents of Belize City mandated to serve the citizenry and is entrusted with the general rule and good governance of Belize City,

Whereas, the Belize City Council through a duly appointed delegation has committed to engage in a trade license reform exercise

Now therefore, be it resolved that the Council approves, supports and authorizes

- That the schedule and execution of a Memorandum of Agreement with Belize Chamber and Commerce Industry (BCCI) be used to calculate the Trade License fee for the next tax year.
- The Council agrees to maintain negotiations with the Chamber to work on a future mechanism to eventually phase out the trade license.
- Approve schedule 2 as the basis of calculating trade license fees.

In pursuance of an order of the Belize City Council made on the 16 day of September 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. 25 of 2016**

**A RESOLUTION TO APPOINT A DELEGATION TO CONDUCT NEGOTIATIONS ON BEHALF OF
COUNCIL FOR COMPUTER SOFTWARE**

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,

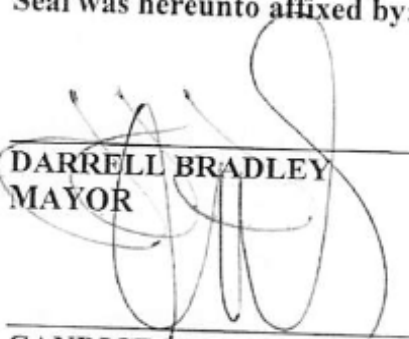
Whereas, the Belize City Council is desirous of upgrading the software used to operate the computer system,

Whereas, the Belize City Council has engaged a reputable software developer NAMIS in discussions to design a software for the Council's computer system,

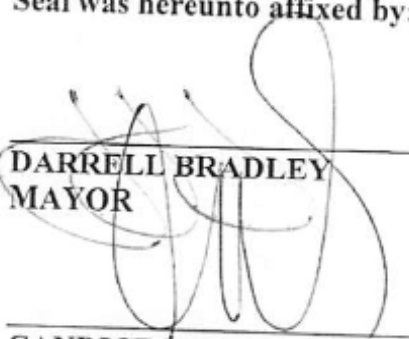
Now therefore, be it resolved that the Council appoints, supports and confirms

- **Mayor Bradley, Councilor Hyde, Ms. Candice Miller (City Administrator), Mrs. Marilyn Ordone (Director of Finance), Ms. Margaret McKenzie (Director of Legal Affairs)** to conclude negotiation on behalf of the Council with NAMIS to finalize the terms of the contract.

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



**DARRELL BRADLEY
MAYOR**



**CANDICE MILLER
CITY ADMINISTRATOR**

