Minutes – Executive Policy Committee – December 2, 2015

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 30, 2015

Item No. 11 Lease Agreement Amendments for the Portion of City-Owned Property and 745 Kingsbury Avenue (Old Kildonan Ward)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That the July 15, 2015, Council decisions with respect to Item 6 and 7 (Minute No. 505 and 506) of the Report of the Standing Policy Committee on Property and Development dated June 26, 2015, be amended by deleting Recommendation 4 in both instances and replacing it with the following:

    4. That the City enter into a grant agreement with the GCCC that sets out the terms and conditions of the grant to be provided by the City pursuant to Recommendation 3 hereof, including the authority for the GCCC to act as agent for the City in the collection and retention of the lease revenues that form the subject matter of the grant, and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 30, 2015

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On November 30, 2015, the Standing Policy Committee on Property and Development, Heritage and Downtown Development passed the following motion:

WHEREAS on July 15, 2015 Council approved reports entitled "Proposed Lease Agreement to Allow for the Use of a Portion of City-Owned Property at 745 Kingsbury Avenue for the purpose of a Fitness Centre" and "Proposed Lease Agreement to Allow for the Use of a Portion of City-Owned Property at 745 Kingsbury Avenue for the purpose of a Sports Shop" (the "Garden City Community Centre Reports"), of which recommendations 3 and 4 of each provided:

3. That for the time period equivalent to the term of the lease, for this and any subsequent lease agreements entered into for the premises shown as "Leased Area" on Schedule "A" attached hereto, an annual operating grant to the Garden City Community Centre ("GCCC") be approved in an amount equivalent to the annual lease revenue collected subject to Recommendation 4 hereof.

4. That the City enter into a grant agreement with the GCCC that sets out the terms and conditions of the grant to be provided by the City pursuant to Recommendation 3 hereof.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 30, 2015

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

AND WHEREAS GCCC has requested that GCCC be permitted to collect such lease revenues directly from the third party lessee, in order to streamline administrative processes associated with the City's grant;

AND WHEREAS the Public Service is prepared to recommend to Council that GCCC be permitted to act as the City's agent to collect and retain the lease revenues that form the subject matter of the grant, subject to terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City;

THEREFORE BE IT RESOLVED THAT:

1. Council delete Recommendation 4 of each of the Garden City Community Centre Reports and replace it with the following:

    4. That the City enter into a grant agreement with the GCCC that sets out the terms and conditions of the grant to be provided by the City pursuant to Recommendation 3 hereof, including the authority for the GCCC to act as agent for the City in the collection and retention of the lease revenues that form the subject matter of the grant, and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.