

Legislation Text

File #: 10-G-321, **Version:** 1

TEMPORARY DELEGATION OF AUTHORITY TO THE CHIEF ADMINISTRATIVE OFFICER

1. That in accordance with the City of Barrie Delegation of Powers and Duties Policy, the Chief Administrative Officer be delegated temporary authority during the period of August 31, 2010 to December 31, 2010 to undertake the following actions:
 - a) To award or accept (proceed with the purchase of goods, services, or construction from one or more selected suppliers/contractors) contracts including the award or acceptance of contracts including award of contracts that exceeding the current authority thresholds and award of contracts on a single or sole source basis, subject to
 - i) The ability to manage any amount that exceeds the budget through total budget management, including funding from Reserves or Reserve Funds as appropriate; and
 - ii) The award and availability of sufficient funds is to the satisfaction of the Director of Finance.
 - b) To enter into contracts/agreements or to adjust budgets under the following circumstances:
 - i) The contract, agreement or budget adjustment is in the best interest of the Corporation as delays would result in significant financial loss to the Corporation or the contract, agreement or budget adjustment is required to fulfil an existing obligation of the City; and
 - ii) Such contract, agreement or budget adjustment is to the satisfaction of the General Manager of Corporate Services or Director of Finance/Deputy City Treasurer.
 - c) To negotiate and authorize the sale on behalf of the City of various parcels of industrial land in the Maplevue West Business Park and the South Barrie Industrial Park for the purpose of economic development, in consultation with the Director of Economic Development and subject to the following:
 - i) The value of the land that is the subject of sale does not exceed \$300,000 per acre;
 - ii) That Council policies and guidelines with respect to industrial land sales be given consistent and equitable application;
 - iii) The property has been declared surplus and notice has been provided in accordance with By-law 95-104 as amended;
 - iv) The sale price represents market value based on an appraisal of the site;
 - v) The purchaser is not seeking any exceptions to the standard covenants with respect to timelines for development or minimum lot coverage; and
 - vi) The Agreement of Purchase and Sale is to the satisfaction of the Director of Legal Services.
 - d) To authorize extensions in the period to start construction for a maximum of two years, said extension to be deemed satisfactory in consultation with the Director of Economic Development and Director of Legal Services and subject to the following;
 - i) The provision of a written undertaking to commence construction within one year and to

complete construction within two years;

ii) That all undertakings be received within 30 days of the notification from the City Clerk's Office of the extension and if not received within the 30 days, the City will exercise its option to repurchase;

iii) If construction is not commenced or completed as granted by the extension, the owner immediately deed back the lands unencumbered to the City;

iv) The purchaser has demonstrated commitment and made an investment in the property to facilitate the proposed development; and

v) That the owner reimburses the City for administration and legal costs in the amount of \$1,400.00 per the current Fees By-law.

e) To waive a right of repurchase for a property and remove any restrictive covenants registered on title, under the following circumstances:

i) The initial purchaser has an offer to purchase the property from a business that would generate employment in the community and/or would result in the development of lands that would otherwise be vacant for an extended period of time;

ii) The proposed use for the property conforms to the general purpose and intent of the City's Official Plan and Zoning By-law; and

iii) The terms of any agreements required are to the satisfaction of the Director of Legal Services.

f) To settle litigation or potential litigation where the offer of settlement is deemed fair and reasonable and in the best interest of the Corporation by the Chief Administrative Officer in consultation with the appropriate General Manager and the Director of Legal Services.

2. That the Mayor and City Clerk be authorized to execute any documents that may be requisite to give effect to the actions identified above.

3. That a memorandum be submitted by the CAO to Council advising of the exercise of the delegated authority in the first quarter of 2011. (CLK014-10) (File: L00)