

CITY PROPERTY LEASING & LICENSING

Date Issued: November 10, 2020 – R338-20

Mandated by: City Manager

Current Revision: November 10, 2020

Cross Reference:

- Municipal Government Act
- Grants to Non-Profit Organizations Policy (GEN-029-C)

Next Review: January 1, 2026

Responsibility: Director, Economic Development

1. PURPOSE

To establish guiding principles related to the Leasing and Licensing of City Property.

2. POLICY

The City shall in a consistent, equitable and transparent manner, and as prescribed by this Policy, administer the Leasing and Licensing of City Property in a way that enhances the City's financial sustainability, improves municipal service delivery, strengthens the community services and contributes to the quality of life in Fort Saskatchewan.

3. DEFINITIONS

- 3.1 *Below Market Rent* – means a Rent which is less than Market Rent.
- 3.2 *City* – means the City of Fort Saskatchewan.
- 3.3 *Capital Replacement Costs* – means the costs associated with the replacement of a property's major components such as structural components, mechanical systems and electrical systems.
- 3.4 *City Property* – means any real property, including land, buildings and structures which are owned by the City.
- 3.5 *Commercial Activity* – means any transaction, act, sale, barter, lease, rental or conduct (excluding Fundraising Activity) that is of a commercial nature where programs, products, or services are provided and where profits from such activity are used for personal gain of individuals, Members, and/or shareholders.

- 3.6 *For-Profit Organization* – means a person, group, or business which aims to earn profit through its operations and is concerned with its own interests.
- 3.7 *Fundraising Activity* – means activities associated with generating financial support for a charity, cause, or other enterprise, including Commercial Activity, where a substantial amount of the revenue generated is used to offset costs associated with achieving the Organizational Purpose and/or Operational Costs.
- 3.8 *Lease* – means a contractual arrangement between a Lessee and a Lessor for the legal right to exclusive possession of a premises for a period of time in return for payment of Rent.
- 3.9 *Lessee* – means an individual or an organization that enters into a Lease for the use and/or occupancy of a premises or a property.
- 3.10 *Lessor* – means an individual or an organization that owns a premises or property which is for Lease.
- 3.11 *Licence* – means a contractual arrangement between a Licensee and a Licensor for the non-exclusive, use of a premises or property in return for payment of a Rent.
- 3.12 *Licensee* – means an individual or an organization that enters into a contractual arrangement to for a specific use of a premises or property.
- 3.13 *Licensor* – means an individual or an organization that owns property which is being licensed for a specific use.
- 3.14 *Market Rent* – means a Rent that a property would be expected to realize on the open market, indicated by recent transactions for comparable space, with a willing Lessee and a willing Lessor, both parties being fully informed.
- 3.15 *Market Value* - means the amount that a property might be expected to realize if it is sold on the open market by a willing seller to a willing buyer.
- 3.16 *Member* – means an individual belonging to, or is part of a group or organization, including but not limited to users, registrants, participants, and/or shareholders.
- 3.17 *Membership* – means the state of belonging or being part of a group or organization
- 3.18 *Nominal Rent* – means a form of Below Market Rent, intended to provide a financial subsidy to the Lessee, where nominal consideration (normally \$10.00 per year) of payment is used to satisfy the requirements for the creation of a Lease or Licence.
- 3.19 *Non-Profit Organization* – means the definition included in the *Municipal Government Act*; a society, credit union or co-operative established under a law of Canada or Alberta, a corporation that is prohibited from paying dividends to its members and distributing the assets to its members on a winding-up, or any other entity established under a law of Canada or Alberta for a purpose other than to make a profit.
- 3.20 *Operating Costs* – means the expenses associated with operating a property, including repairs, maintenance, janitorial services, landscape maintenance, utilities, property tax, insurance, legal

fees, administration costs and any other rates or services assessed in connection with the use and/or occupancy of a property.

- 3.21 *Organizational Purpose* – An organization’s foundational reason for existence and primary objective, which guide all aspects of their operation.
- 3.22 *Qualification Requirements* – means the requirements, outlined in the Leasing and Licensing Procedures (FIN-005-A), which must be met in order qualify for Below Market Rent.
- 3.23 *Rent* – means a compensation or fee paid, usually periodically (i.e. monthly, annually) for the occupancy and use of any property, land, or buildings.
- 3.24 *Subsidized Rent* – means a form of Below Market Rent intended to provide a financial subsidy to the Lessee or Licensee while also recovering the Operating Costs and Capital Replacement Costs
- 3.25 *Term* – means the period of time in which a Lease or Licence is in place.

4. GUIDING PRINCIPLES

- 4.1 The City has a responsibility to hold City Property in trust and manage it prudently on behalf of the taxpayer.
- 4.2 The City has an obligation to ensure public access and public use of City Property that is designed for such public use.
- 4.3 City Property shall be Leased and Licensed in a manner which:
- a) is consistent, equitable, and transparent;
 - b) enhances the City’s financial sustainability;
 - c) improves municipal service delivery; and
 - d) strengthens community services that contribute to the quality of life in Fort Saskatchewan.
- 4.4 City Property is primarily for public use and for the delivery of municipal and community services, and shall not be restricted based on race, culture, ethnic origin, religious belief, or finances.
- 4.5 The City shall Lease or License City Property in accordance with the *Municipal Government Act*.
- 4.6 The City shall have the authority, without restriction, to determine the availability of the City Property, for municipal use, sale, Lease, or License.
- 4.7 When a City Property is determined to be available for Lease or Licence, the City shall administer a public expression of interest or request for proposal process.

- 4.8 The City shall ensure that the Term for a Lease or Licence is in best interest of the City and will not impede the City's ability to prudently manage City Property.
- 4.9 Any new Leases and Licences, or upon the renewal of any existing Leases and Licences at their expiration, shall be subject to the provisions of this Policy and associated Procedures.
- 4.10 The City values partnerships, both with Non-Profit Organizations and For-profit Organizations, where there is a common interest and an opportunity to leverage the strengths, resources and means of each respective organization to obtain maximum benefit for the City and taxpayers.
- 4.11 The City values the significant benefits, valuable services, and substantial volunteer time that Non-Profit Organizations contribute to community and the enhancements they provide to quality of life in Fort Saskatchewan.
- 4.12 The City considers Below Market Rent Leases and Licences an indirect form of grant, with a real dollar cost to the City in the form of foregone Rent, property taxes, Operating Costs and Capital Replacement Costs.
- 4.13 The City may grant Below Market Rent, either Nominal Rent or Subsidized Rent, to Non-Profit Organizations which meet the Below Market Rent Qualification Requirements, in accordance with the City Property Leasing and Licensing Procedures (FIN-005-A).
- 4.14 Operating grants to Non-Profit Organizations, according to the Grants to Non-Profit Organizations Policy (GEN-029-C), may be taken into consideration when granting Below Market Rent.
- 4.15 Non-Profit Organizations that transfer property, such as buildings or other structures, to the City, shall be eligible for compensation from the City in accordance with the City Property Leasing and Licensing Procedures (FIN-005-A).
- 4.16 Non-Profit Organizations which have directly contributed financially to the development and/or construction of a City Property, with all necessary acceptances and permissions of the City, shall be eligible for compensation from the City in accordance with the City Property Leasing and Licensing Procedures (FIN-005-A).
- 4.17 The following organizations shall be ineligible for a Below Market Rent:
- a) For-Profit Organizations;
 - b) any organization which provides personal financial gain to its Members or shareholders;
 - c) individuals;
 - d) political parties and/or organizations; and
 - e) religious societies and organizations.
- 4.18 Organizations which are ineligible for Below Market Rent and which Lease or License City Property shall pay Market Rent.

- 4.19 An independent appraiser may be used to assist in determining Market Value for Market Rent Leases and Licences.
- 4.20 Council shall have the ability to make special exceptions to this Policy explicitly through Council resolution.

5. AUTHORITY / RESPONSIBILITY TO IMPLEMENT

City Manager or their designate is authorized to establish procedures for the implementation of this Policy which are consistent with the governing principles.

CITY PROPERTY LEASING & LICENSING

Date Issued: November 10, 2020

Mandated by: City Manager

Current Revision: November 10, 2020

Cross Reference:

- Municipal Government Act
 - FIN-005-C City Property Leasing & Licensing Policy
 - GEN-029-C Grants to Non-Profit Organizations Policy
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1. PURPOSE

- 1.1 To establish the administrative process for Leasing and Licensing of City Property, as referenced by Policy FIN-005-C, in a manner which;
- 1.1.1 is consistent, equitable, and transparent;
 - 1.1.2 enhances the City's financial sustainability;
 - 1.1.3 improves municipal service delivery; and
 - 1.1.4 strengthens community services that contribute to the quality of life in Fort Saskatchewan.

2. DEFINITIONS

- 2.1 *Below Market Rent* – means a Rent which is less than Market Rent.
- 2.2 *Board of Directors* – means a group of individuals duly elected by the organization's membership/shareholders, acting as the governing body of an organization that provides management and oversight.
- 2.3 *Capital Replacement Costs* – means the costs associated with the replacement of a property's major components such as structural components, mechanical systems, and electrical systems.
- 2.4 *City* – means the City of Fort Saskatchewan.
- 2.5 *City Property* – means any real property, including land, buildings, and structures which are owned by the City.
- 2.6 *City Manager* – means the Chief Administrative Officer for the City.

- 2.7 *Commercial Activity* – means any transaction, act, sale, barter, lease, rental, or conduct, excluding those associated with Fundraising Activity, that is of a commercial nature where programs, products, or services are provided and where profits from such activity are used for personal gain of individuals, members, and/or shareholders.
- 2.8 *For-Profit Organization* – means a person, group, or business which aims to earn profit through its operations and is concerned primarily with its own interests.
- 2.9 *Fundraising Activity* – means activities associated with generating financial support for a charity, cause, or other enterprise, including Commercial Activity, where a substantial amount of the revenue generated is used to offset costs associated with achieving the Organizational Purpose and/or Operational Costs..
- 2.10 *Land Administration Committee* – means a committee, selected by the City Manager or their designate with responsibility to review new, existing, and expiring Leases/Licences, and to provide relevant information and recommendations to the Real Estate Management Officer.
- 2.11 *Lease* – means a contractual arrangement between a Lessee and a Lessor for the legal right to exclusive possession of a premises for a period of time in return for payment of Rent.
- 2.12 *Lessee* – means an individual or an organization that enters into a Lease for the use and/or occupancy of a premises or property.
- 2.13 *Lessor* – means an individual or an organization that owns a premises or property which is available for Lease.
- 2.14 *Licence* – means a contractual arrangement between a Licensee and a Licensor for the non-exclusive use of a premises or property in return for payment of Rent.
- 2.15 *Licensee* – means an individual or an organization that enters into a contractual arrangement for a specific use of a premises or property.
- 2.16 *Licensor* – means an individual or an organization that owns property which is being licensed for a specific use or purpose.
- 2.17 *Market Rent* – means a Rent that a property would be expected to realize on the open market, indicated by recent transactions for comparable space, with a willing Lessee and a willing Lessor, both parties being fully informed.
- 2.18 *Market Value* – means the amount that a property might be expected to realize if it is sold on the open market by a willing seller to a willing buyer.
- 2.19 *Master List* – means a comprehensive list of all current Lease and Licence agreements including information on Term, Rent, Lessor/Licensee, insurance, and other relevant information.
- 2.20 *Member* – means an individual belonging to, or is part of a group or organization, including but not limited to users, participants, registrants, and/or shareholders.
- 2.21 *Membership* – means the state of belonging or being part of a group or organization.

- 2.22 *Membership Fee* – means fees paid to the organization on a regular basis (typically annually) in return for Membership. Includes Registration Fees.
- 2.23 *Nominal Rent* – means a form of Below Market Rent, intended to provide a financial subsidy to a Lessee or Licensee, where nominal consideration (normally \$10.00 per year) of payments is used to satisfy the requirement for the creation of a Lease or Licence.
- 2.24 *Non-Profit Organization* – means the definition included in the *Municipal Government Act*, a society, credit union, or co-operative established under a law of Canada or Alberta, a corporation that is prohibited from paying dividends to its members and distributing the assets to its members on a winding-up, or any other entity established under a law of Canada or Alberta for a purpose other than to make a profit.
- 2.25 *Operating Costs* – means the expenses associated with operating a property or organization, including but not limited to repairs, maintenance, janitorial services, landscaping maintenance, utilities, property taxes, insurance, legal fees, administrative costs and any other rates or services associated with achieving the Organizational Purpose.
- 2.26 *Organizational Purpose* – means an organization's foundational reason for existence and primary objective, which guide all aspects of their operation.
- 2.27 *Real Estate Management Officer* – means a person authorized by the City Manager or their designate to carry out the provisions of these Procedures.
- 2.28 *Registrant* – means Member.
- 2.29 *Registration Fee* – means Membership Fee.
- 2.30 *Rent* – means a compensation or fee paid, usually periodically (i.e. monthly or annually) for the occupancy and use of any property, land, and/or buildings.
- 2.31 *Subsidized Rent* – means a form of Below Market Rent intended to provide a financial subsidy to the Lessee or Licensee, while also recovering some or all of the City's Operating Costs and Capital Replacement Costs associated with the premises or property.
- 2.32 *Term* – means the period of time in which a Lease or Licence is in place.

3. RESPONSIBILITIES

- 3.1 The City Manager or their designate shall:
- 3.1.1 Designate a Land Administration Committee, and Real Estate Management Officer;
 - 3.1.2 Approve, within signing authority, Lease and Licence agreements; and
 - 3.1.3 Determine the availability of City Property for Lease or License.
- 3.2 The Land Administration Committee shall:
- 3.2.1 Be comprised of the Real Estate Management Officer and staff from the Departments of Legislative Services, Fleet Facilities & Engineering, Financial Services, Recreation &

Culture, Planning & Development, Economic Development, and other staff as deemed necessary;

- 3.2.2 Review expiring Leases/Licences to make recommendations to the Real Estate Management Officer as it relates renewal and/or termination of an existing agreement;
 - 3.2.3 Provide relevant information as it relates to, but not limited to; Rent, Term, Market Rent, Operating Costs, Capital Replacement Costs, and City Property;
 - 3.2.4 Ensure that Lessees and Licensees meet the qualification requirements for Below Market Rent as set out in these Procedures, if applicable; and
 - 3.2.5 Meet every 6 months or as necessary.
- 3.3 The Real Estate Management Officer shall:
- 3.3.1 Serve as the City's primary administrator of these Procedures;
 - 3.3.2 Ensure these Procedures are adhered to;
 - 3.3.3 Maintain Master List of active Leases and Licences;
 - 3.3.4 Assist in the maintenance of the Master List of Leases and Licences;
 - 3.3.5 Provide Council with updates on City Property Lease and Licence agreements upon request;
 - 3.3.6 Review annual reports submitted by Lessees and Licensees in accordance with these Procedures; and
 - 3.3.7 Negotiate Lease and Licence agreements with support from the Land Administration Committee.

4. PROCEDURES

4.1 PROPERTY AVAILABILITY

- 4.1.1 The City Manager has the authority to determine the availability of properties for Lease or Licence.
- 4.1.2 The City shall consider the following aspects of a City Property when determining availability for Lease or Licence:
 - a) future municipal requirements;
 - b) appropriateness for intended use;
 - c) benefit to the public; and
 - d) contribution to the City's financial sustainability

4.2 BIDS & REQUESTS

- 4.2.1 When it is determined that a City Property is available for Lease or Licence, the City shall issue a public expression of interest or request for proposal process.
- 4.2.2 Expressions of interest and requests for proposals shall be conducted in an open and fair manner that is open to the general public.
- 4.2.3 The City will consider and evaluate the relevant criteria for selecting eligible Lessees or Licensees prior to commencing the expression of interest or request for proposal process.
- 4.2.4 Requests for expressions of interest and proposals shall be posted on the City's website and include the evaluation criteria for selecting eligible Lessees or Licensees.
- 4.2.5 The City shall select an eligible Lessee or Licensee that offers the best value to the City with respect to Section 1.1 of these Procedures.

4.3 INELIGIBILITY

- 4.3.1 The following organizations shall be ineligible for a Below Market Rent Lease or Licence:
 - a) For-Profit Organizations or any organization which provides personal financial gain to its members and/or shareholders;
 - b) political parties and/or organizations; and
 - c) Religious organizations and/or societies.

4.4 GENERAL LEASE AND LICENCE CONDITIONS

- 4.4.1 The City shall not Lease or Licence a City Property to any organization on an indefinite basis.
- 4.4.2 The City shall not grant a Term which exceeds 5 years, except in instances where a Lessee or Licensee intends to undertake a major capital construction or improvement project on City Property.
- 4.4.3 Where a Lessee or Licensee intends to undertake a major capital construction or improvement project on City Property, the City Manager may grant a Term of up to 20 years.
- 4.4.4 The City may choose to renew an existing Lease or Licence for an additional Term not to exceed 5 years, in accordance with Section 4.10 of these Procedures.
- 4.4.5 If at any time during the Term of the agreement, a Lessee or Licensee fails to satisfy any of the conditions of the agreement, the City shall be entitled to terminate the agreement.
- 4.4.6 Assignment or sub-letting of a Lease or Licence will not be permitted.
- 4.4.7 A Leased or Licensed City Property which is no longer required by an organization shall be returned to the City's inventory and be assessed for availability in accordance with Section 4.1.

- 4.4.8 Non-Profit Organizations that transfer property, such as buildings or other structures, to the City, shall be eligible for compensation of fair value at the time of transfer, which shall be granted in the form of pre-paid Rent.
- 4.4.9 Non-Profit Organizations which have contributed financially to the development and/or construction of a City Property shall be eligible for compensation of fair value, which shall be granted in the form of pre-paid Rent.
- 4.4.10 Operating grants to Non-Profit Organizations, according to the Grants to Organizations Policy (GEN-029-C), shall be taken into consideration when granting Below Market Rent.
- 4.4.11 Any exceptions to these Procedures shall be made through Council resolution.

4.5 NOMINAL RENT CONDITIONS

- 4.5.1 A Nominal Rent will be charged to satisfy the requirement for an agreement.
- 4.5.2 The City shall be responsible for property taxes, should the Lessee or Licensee not be exempted.
- 4.5.3 To be granted Nominal Rent, organizations must, to the satisfaction of the City, meet and maintain the eligibility criteria outlined in Section 4.8 of these Procedures.
- 4.5.4 Any Lessee or Licensee which is found to be in default of any provisions of their Lease or Licence shall not be granted Nominal Rent.
- 4.5.5 A Lessee or Licensee shall provide the City with an annual report which includes:
 - a) confirmation of continued compliance of the qualification requirements outlined in Section 4.8.1 of these Procedures;
 - b) annual statistics related to operations, including but not limited to, number of participants/Members, Membership Fees and/or other fees, services provided to the community, etc.;
 - c) a list of all members of the Board of Directors or similar governing body; and
 - d) annual financial statements.

4.6 SUBSIDIZED RENT CONDITIONS

- 4.6.1 A Lessee or Licensee may be responsible for some or all Capital Replacement Costs and Operating Costs incurred by the City as it relates to their Leased or Licensed property, either directly or through Rent.
- 4.6.2 Unless exempted, A Lessee or Licensee may be responsible for property taxes for their leased or licensed property either directly or through Rent.
- 4.6.3 To be granted Subsidized Rent, organizations must, to the satisfaction of the City, meet and maintain the eligibility criteria outlined in Section 4.8.1 of these Procedures.

- 4.6.4 Any Lessee or Licensee which is found to be in default of any provisions of their Lease or Licence shall not be granted Nominal Rent.
- 4.6.5 A Lessee or Licensee shall provide the City with an annual report which includes:
- a) Confirmation of continued compliance of the qualification requirements outlined in Section 4.8 of these Procedures;
 - b) annual statistics related to operations, including but not limited to, number of participants/Members, Membership Fees and/or other fees, services provided to the community, etc.;
 - c) a list of all members of the Board of Directors or similar governing body; and
 - d) annual financial statements.
- 4.6.6 The City and the Lessee or Licensee will have the right to terminate the Lease or Licence should the Capital Replacement Costs of a major building component exceed the expected economic life of the building.
- 4.6.7 A Lessee or Licensee may be required to pay Market Rent for leased or licensed areas that are used for Commercial Activity.

4.7 MARKET RENT CONDITIONS

- 4.7.1 A Lessee or Licensee, which is not eligible for Nominal Rent or Subsidized Rent, shall pay a Market Rent.
- 4.7.2 Prior to entering into a new Lease or Licence, or renewing an existing Lease or Licence, the City may consult an independent appraiser to assist in determining the current Market Value of a property. The cost of an independent appraiser will be the responsibility of the City.

4.8 QUALIFICATION REQUIREMENTS

- 4.8.1 To be eligible for Below Market Rent, organizations shall meet the following requirements:
- a) intended use of the property must be deemed appropriate by the City Manager;
 - b) must be designated as a Non-Profit Organization in accordance with Section 241(f) of the Municipal Government Act, or designated as eligible by resolution of Council;
 - c) must benefit the community in one or more of the following areas:
 - (i) charitable and/or benevolent activities;
 - (ii) arts/cultural activities;
 - (iii) support for youth, seniors, and/or veterans;
 - (iv) amateur sports and recreation activities;
 - (v) museums and interpretive exhibits; and/or
 - (vi) aids to persons with disabilities.

- d) must demonstrate it has the organizational capacity to carry out operations within the proposed City Property;
- e) must not provide services which are restricted based on race, culture, ethnic origin, religious belief, property ownership, or economic situation;
- f) must not use Leased or Licensed property for programs and/or services that do not form part of their Organizational Purpose;
- g) must not use Leased or Licensed property for Commercial Activity (excluding Fundraising Activities) that competes directly with For-Profit businesses based in Fort Saskatchewan; and
- h) Membership must be open to the public and not be restricted based on race, culture, ethnic origin, religious belief, property ownership, or economic situation.

4.8.2 In addition to the criteria outlined in Section 4.8.1, organizations must meet the following conditions to be eligible for Nominal Rent:

- a) programs and services must primarily benefit the residents of the City of Fort Saskatchewan;
- b) must demonstrate to the satisfaction of the City that a Subsidized or Market Rent would place undue financial hardship on the organization;
- c) must demonstrate significant volunteer involvement in the organization, and not involve the use of paid staff, unless it can be demonstrated that the use of paid staff is required to achieve the Organizational Purpose;
- d) property must be accessible to the general public when not in use by the Lessee or Licensee, provided that public access does not create undue risk to the property and/or assets of the organization;
- e) Membership Fees and other fees must not be financially prohibitive such that it restricts access to the majority of the public, and must be below market rates for similar services;
- f) Membership Fees and other fees must be used to offset Operating Costs and not for the personal gain of individuals, Members, and/or shareholders.
- g) the Lessee or Licensee must be governed by a Board of Directors or similar body, and be comprised of volunteer members who do not receive compensation, financial or otherwise, for their participation; and
- h) the Lessee or Licensee assumes a majority of the Operating Costs associated with their Lease or Licence of the property, or, the operations of the organization does not significantly increase the City's Operating Costs associated with the property.

4.8.3 In addition to the criteria outlined in Section 4.8.1, organizations must meet the following conditions to be eligible for Subsidized Rent:

- a) programs and services may provide benefit primarily to Members and/or shareholders;
- b) must demonstrate to the satisfaction of the City that Market Rent would place undue financial hardship on the organization;
- c) may involve the use of paid staff to deliver programs and/or services as it relates to their organizational purpose. Paid staff however may not serve on the organization's Board of Directors or other governing body.
- d) may, with prior approval from the City, restrict access of the Leased or Licensed property to the general public.
- e) Membership Fees and other fees must not be financially prohibitive such that it restricts access to the majority of the public, and may be at or below market rates for similar services.
- f) Membership Fees and other fees must be used to offset Operating Costs and not for the personal gain of individuals, Members, and/or shareholders, excluding paid staff of the organization.
- g) Lessee or Licensee may be governed by a Board of Directors or similar governing body, or individual or group of individuals, provided that they do not receive compensation, financial or otherwise, for their participation.
- h) Lessee or Licensee assumes a majority of the Operating Costs associated with their Lease or Licence of the property.

4.8.4 Prior to entering into a Market Rent Lease or Licence:

- a) the Lessee or Licensee must be registered as a legal entity within the Province of Alberta.
- b) the intended use of the property by the Lessee or Licensee must be appropriate as determined by the City Manager.

4.9 AGREEMENTS

- 4.9.1 A written agreement shall be required for any Lease or Licence.
- 4.9.2 Standardized agreements shall be developed for Leases and Licences.
- 4.9.3 Standardized agreements shall be updated at the discretion of the City Manager or their designate to protect the interests of the City.
- 4.9.4 Negotiation of the agreements, including but not limited to, the Term and Rent shall be the responsibility of the Real Estate Management Officer, with support from the Land Administration Committee.
- 4.9.5 Agreements shall be approved by the City Manager or their designate.

4.10 RENEWAL AND/OR EXPIRATION OF AGREEMENTS

- 4.10.1 The Land Administration Committee shall identify Lease and Licence agreements expiring within the current year, and recommend for renewal those agreements that provide benefit to the City as outlined in Section 1.1 of these Procedures and in accordance with FIN-005-C City Property Leasing & Licensing Policy.
- 4.10.2 The Real Estate Management Officer shall, with support from the Land Administration Committee, be responsible for negotiating the renewal of the expiring Lease or Licence.
- 4.10.3 The City is not obligated to renew a Lease or Licence agreement that has expired or is expiring.
- 4.10.4 The City may is not obligated to renew a Lease or Licence agreement under the same conditions as the agreement that has expired or is expiring.
- 4.10.5 The City shall make every realistic effort to provide the Lessee or Licensee with reasonable notice of its intent to not renew a Lease or Licence agreement.