

Report to Council



Date: March 22, 2021
To: Council
From: City Manager
Subject: Delegation of Authority Amendment – Property Management
Department: Real Estate

Recommendation:

THAT Council receives, for information, the report from the Real Estate department dated March 22, 2021, with respect to minor changes to Council’s delegation of authority bylaw;

AND THAT Bylaw No. 12182 being Amendment No. 4 to the Delegation of Authority to Enter into Leases and Licenses of Occupation Bylaw No. 11250, be forwarded for reading consideration.

Purpose:

To amend the Delegation of Authority Bylaw No. 11250 in order to allow staff to enter into agreements with public sector institutions and not-for-profit organizations that have an existing contract or agreement with the City of Kelowna.

Background:

In July 2016, Council approved Bylaw No. 11250, Delegation of Authority to Enter into Leases and Licenses of Occupation, in an effort to increase efficiency and enhance the lease development process. The delegation of authority allows staff to, within established parameters, approve transactions for leases and licences of occupation over lands and buildings owned or vested by the City of Kelowna (the “City”) in addition to buildings and land to be leased by the City as required for municipal undertakings.

In January of this year, Council approved an amendment to the bylaw increasing the delegated authority up to a maximum value of \$60,000 per year.

Discussion:

The Delegation of Authority Bylaw as currently approved does not allow staff to enter into non-market agreements, including ones that are administrative in nature. To increase the efficiency of the bylaw, staff are requesting a further amendment to allow agreements to be executed if they are with an entity which falls into either one of the classes below:

Class 1 – Contracts and agreements with public sector institutions that the City has a formal working relationship with, and which fulfill key City objectives.

Class 2 – Minor amendments and/or modifications to contracts and agreements with not-for-profit organizations that have an existing lease relationship with the City of Kelowna.

For clarity, any substantial new leases or license of occupation with not-for-profits that do not fall into this description will be presented to Council for approval.

Conclusion:

Delegation of authority for a number of 'base business' applications related to the City's administration of real estate assets represents significant efficiencies for both City Staff and Council. This aligns with Corporate priorities of "lower value activities are improved or stopped" and "services, processes & business activities are transformed". In order to maintain the efficiencies associated with the Delegation of Authority bylaw No. 11250, Staff are recommending to amend the bylaw to allow for non-market agreements that are administrative in nature and fall within the two classifications as outlined in this report.

Considerations not applicable to this report:

Internal Circulation:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

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