

ITEM 5
MANAGER'S REPORT NO. 73
COUNCIL MEETING Nov. 15/76

Re: RENEWAL OF LEASE FOR THE JUSTICE BUILDING
6355 GILPIN STREET, BURNABY
(ITEM 11, REPORT NO. 58, SEPTEMBER 20, 1976)

Following is a report from the Land Agent regarding the proposed renewal of a lease relative to the Justice Building.

RECOMMENDATIONS:

1. THAT the motion approved by Council on September 20, 1976, when debating Item 11, Report 58, be rescinded; and
2. THAT the existing lease between the Municipality and the Department of Public Works be surrendered and a new lease be granted subject to the following conditions:
 - (a) Date of expiration to be March 31, 1982; and
 - (b) Provision for an option to renew the lease for a further period of five years to March 31, 1987; and
 - (c) There is to be no change in the rental rate before March 31, 1979; and
 - (d) Provision for specific alterations and renovations to the building.

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TO: MUNICIPAL MANAGER November 9, 1976
FROM: LANDS DEPARTMENT
SUBJECT: LEASE OF THE JUSTICE BUILDING

In August of this year we were advised by the Department of Public Works that they wished to finish the unfinished court rooms at a cost of approximately \$100,000.00.

Before committing this capital expenditure, they requested that upon the expiration of the existing lease that they be granted an option to renew the said lease for a further term of five years.

We agreed to a three year renewal on the expiration of the existing lease with a five year option - lease rates to be negotiated every three years. This was the subject of a report to Council, Item 11 Manager's Report No. 58, Council meeting of September 20, 1976. Council's approval was received and a request was made to the Legal Department for processing.

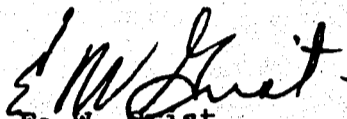
On September 27, 1976, Mr. W. L. Stirling, Municipal Solicitor, advised that he doubted very much if this Council has authority to bind the Council of 1979 in that manner and recommended that the proper course to follow would be to surrender the present lease and accept a new lease for the term ending March 31, 1982, with an option to renew for another five years until March 31, 1987, including authority to make specific alterations and renovations. Mr. Stirling's recommendation was submitted to the Dept. of Public Works and we advised them we were unable to proceed with their request.

On November 4, 1976, we received a reply accepting Mr. Stirling's recommendation providing there would be no change in the lease rate before March 31, 1979, the expiration date of the existing lease.

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Recommendations - That the existing lease be surrendered and a new lease be granted to expire on March 31, 1982. No change in the rental rate before March 31, 1979. Option to renew the said lease for a further period of five years.

Provision in the lease permitting specific alterations and renovations.


E. W. Grist
Land Agent

FAE/jce

cc: Solicitor
Treasurer