

ITEM 3
MANAGER'S REPORT NO. 1
COUNCIL MEETING 88/01/04

RE: RENEWAL OF LICENCE AGREEMENT - BURNABY ART GALLERY ASSOCIATION
AND THE CORPORATION OF THE DISTRICT OF BURNABY

ACTING MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation as contained in the report from the Director
Recreation & Cultural Services be adopted.

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1987 DECEMBER 18

TO : MUNICIPAL MANAGER
FROM: DIRECTOR RECREATION & CULTURAL SERVICES
RE : RENEWAL OF LICENCE AGREEMENT - BURNABY ART GALLERY ASSOCIATION AND
THE CORPORATION OF THE DISTRICT OF BURNABY

RECOMMENDATION:

1. THAT Council approve the execution of a Licence Agreement with the
Burnaby Art Gallery Association as more specifically explained in this
report, for the period 1988 January 01 to 1992 December 31.

REPORT

At its meeting of 1987 October 21 the Parks & Recreation Commission approved a
new 5 Year Licence Agreement between the Burnaby Art Gallery Association and
the Corporation of the District of Burnaby for the period 1988 January 01 to
1992 December 31.

The new agreement replaces an existing agreement which expires on 1987
December 30.

For background purposes a copy of the old agreement is included in the Agenda
for Council members only. A copy is available for public viewing in the Parks
& Recreation Department office.

The old agreement has been effective and only minor amendments are recommended
in the new agreement. These amendments are:

1. A new clause will be added to Section 2 requiring the Association to carry
insurance on contents. (This is already the practice of the Association.)
2. Clause 3(b) will be reworded as follows:

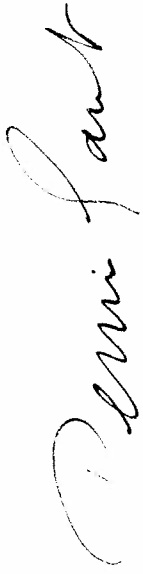
"To insure and keep insured the premises (but not including contents)
while this Agreement is in force against loss by fire, and to provide
Comprehensive General Liability Insurance coverage in respect of the
premises."

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3. Clause 4(b) will be deleted as the Corporation is already responsible for insuring the premises.
4. The Municipal Solicitor also suggests that the Licence should be for a 5 year period. This is the maximum term allowed for a lease of park property under the Municipal Act, without the assent of the electors. Even though the subject agreement is a licence rather than a lease the intent of the Municipal Act should be respected.
5. In keeping with the 5 year term, the amount of written notice required from the Corporation under Clauses 4(i) and 4(l) will be reduced from two years to one year.

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These changes have been reviewed and approved by the Burnaby Art Gallery Board of Trustees and the Parks & Recreation Commission requests Council's authority to have the new agreement prepared and executed.



DENNIS GAUNT
DIRECTOR RECREATION &
CULTURAL SERVICES

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cc: Municipal Solicitor
Director Finance