

TO	CHAIR AND MEMBERS PUBLIC SAFETY COMMITTEE MEETING OF JUNE 19, 2012
FROM	JOHN KOBARDA FIRE CHIEF
SUBJECT	LICENSE AGREEMENT FOR USE OF 80 DUNDAS STREET FOR COMMUNICATION EQUIPMENT

RECOMMENDATION

That, on the recommendation of the Fire Chief, the attached By-law (Appendix A) **BE INTRODUCED** at the Council meeting of June 26, 2012:

- (a) **TO APPROVE** a License Agreement with Her Majesty the Queen in Right of Ontario as Represented by the Minister of Infrastructure to license space to maintain a two-way FM communications system at 80 Dundas Street at the rate of \$260 per annum for the period Nov 1, 2011 to October 31, 2021; and
- (b) **TO AUTHORIZE** the Mayor and the Clerk to sign the agreement.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

None

BACKGROUND


Since 1974 the City has leased or licensed space at 80 Dundas Street (London Courthouse) and has used that space to maintain an antenna for use in the radio system. The latest agreement expired October 31, 2011 and had been in place for the period November 1, 2001 to October 31, 2006 with a further extension period of five (5) years ending on October 31, 2011. The London Fire Department (LFD) continues to have a need for this arrangement since equipment is housed at this location for the delivery of Communication services to the County. The LFD is requesting that the attached agreement to use this location be approved for an additional 10 years expiring October 31, 2021 at the rate of \$260 per year. In addition the licence agreement provides for the extension of the agreement for two (2) further terms of five (5) years beyond 2021 on the same terms and conditions of this agreement.

The attached agreement, has been reviewed by the City Solicitor's Office and Risk Management. The Insurance and Indemnity clauses favour the Province however given the nature of the agreement the level of risk is low.

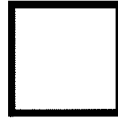
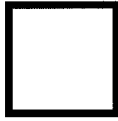
SUMMARY

The City has leased or licensed space at 80 Dundas St (London Courthouse) since 1974 to house radio equipment required for dispatching emergency events. The department continues to have a need for this location. The agreement cost of \$260 per annum can be accommodated within the Fire Department Operating Budget.

RECOMMENDED BY:



**JOHN KOBARDA
FIRE CHIEF**

**APPENDIX A**

Bill No.
2012

By-law No.

A By-law to authorize and approve the Agreement between The Corporation of the City of London and Her Majesty the Queen in Right of Ontario as Represented by the Minister of Infrastructure to license space to maintain a two-way FM communications system at 80 Dundas Street

WHEREAS section 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 10 of the *Municipal Act, 2001* provides that the City may provide any service or thing that the City considers necessary or desirable for the public, and may pass by-laws respecting same, and respecting economic, social and environmental well-being of the City and the health, safety and well-being of persons;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Agreement attached as Schedule "A" to this by-law between The Corporation of the City of London and Her Majesty the Queen in Right of Ontario as Represented by the Minister of Infrastructure to license space to maintain a two-way FM communications system at 80 Dundas Street is hereby authorized and approved.
2. The Mayor and City Clerk are authorized to execute the Agreement authorized and approved under section 1 of this by-law.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council

, 2012

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First reading -
Second reading -
Third reading -