



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Mayor and Members of Council

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: January 12, 2021

Report Number: CS-2021-01

Subject: OPP Building Licence Agreement

Recommendations

It is recommended:

That Report CS-2021-01, OPP Building Licence Agreement, **be received;**

And that Administration **be authorized** to finalize a Licence Agreement for the Ontario Provincial Police occupation of the Town's building located at 963 Lesperance Road, satisfactory in form and content to the Town's legal counsel, for the period January 1, 2021 to December 31, 2023, based on a continuation of the current arrangements;

And further that a by-law **be prepared** to authorize the Mayor and Clerk to sign the License Agreement between her Majesty the Queen in the Right of Ontario, represented by the Minister of Government and Consumer Services and the Town of Tecumseh, subject to approval of a proposed new OPP Contract.

Background

The Town of Tecumseh is policed by the Ontario Provincial Police (OPP). The terms of policing services have been set out by way of agreement under Section 10 of the Police Services Act, R.S.O. 1990, c. P.15, as amended (Police Services Act). An agreement was last entered into with Her Majesty the Queen in the Right of Ontario, represented by the Solicitor General (Solicitor General) and the Town of Tecumseh, for the term January 1, 2015, through to and including December 31, 2020, as authorized by By-law No. 2015-37 on the 26th day of May, 2015.

The Community Safety & Policing Act 2019 was passed by the Ontario Legislature, though it has not yet been proclaimed. Once proclaimed, this new Act will eliminate the need for policing contracts with the OPP.

Since the Community Safety & Policing Act 2019 has not been proclaimed, the Police Services Act continues to be in force. Report CAO-2021-01 entitled “OPP Police Contract” has been prepared for Council’s consideration at their January 12, 2021 meeting and recommends entering into further contract with the Solicitor General, for a 3-year term, subject to approval of the 2021 Operating Budget allocation for policing services.

Paragraph 12 of the contract provides that the parties will enter into negotiations concerning the provision and payment of appropriate buildings and rental agreements, including, but not limited to, location, leasehold improvements, and capital costs, where applicable. While such provision was provided in early contracts, the OPP’s use and occupation of the Town’s building located at 963 Lesperance Road, adjacent to Town Hall, was not formalized.

In December 2020, a draft licence agreement was received from the Ontario Infrastructure and Lands Corporation (OILC) to formalize the accommodation of the OPP service at 963 Lesperance.

Comments

The draft licence agreement with Her Majesty the Queen in the Right of Ontario, represented by the Minister of Government and Consumer Services, is attached to this report for Council’s consideration, as Attachment 1. The draft licence agreement is generally in keeping with the informal arrangements with the OPP for their occupation and use of the Town’s building. In brief summary, the draft agreement confirms the following:

- the OPP’s occupation of 963 Lesperance Road for the purposes of delivering policing services;
- a 3-year term which is consistent with the term of the proposed new OPP Police Contract as appended to report CAO-2021-01, commencing January 1, 2021;
- one (1) extension term of one (1) year, exercisable upon at least six (6) months’ prior written notice;
- right to terminate by either party, upon twelve (12) months’ notice;
- mutual liability and indemnifications; and
- interior and exterior maintenance of the property, including janitorial services and landscaping, by the Town.

Consultations

Ontario Infrastructure and Lands Corporation
Ed Hooker, Solicitor

Financial Implications

There are no financial implications. The draft licence agreement formalizes the current arrangements with the OPP for use of the Town's building. The maintenance and utilities costs for the building are included in the annual operating and capital budgets.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐

Social Media ☐

News Release ☐

Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Reviewed by:

Tom Kitsos, CPA, CMA, BComm
Deputy Treasurer & Tax Collector

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Draft Licence Agreement