

Council Chambers
City Hall, Saskatoon, Sask.
Monday, March 29, 2010
at 1:00 p.m.

MINUTES OF SPECIAL MEETING OF CITY COUNCIL

PRESENT: His Worship the Mayor, in the Chair;
Councillors Dubois, Heidt, Hill, Lorje, Neault,
Paulsen, Pringle, and Wyant;
City Manager Totland;
City Solicitor Dust;
General Manager, Corporate Services Bilanski;
General Manager, Community Services Gauthier;
General Manager, Fire and Protective Services Bentley;
A/General Manager, Infrastructure Services Gutek;
General Manager, Utility Services Jorgenson;
City Clerk Mann

His Worship the Mayor acknowledged the recent success of the University of Saskatchewan Huskies Basketball team in winning its first ever national championship.

Moved by Councillor Pringle, Seconded by Councillor Paulsen,

THAT a letter of congratulations be sent to the University of Saskatchewan Huskies on behalf of City Council.

CARRIED.

Section G – CITY MANAGER

G1) Circle Drive South Land Exchange
202/226 Portage Avenue
(File No. CK. 4020-12, x CK. 6001-13 and CC 6050-8)

RECOMMENDATION:

- 1) that an exchange of lands, as shown on the 202/226 Portage Avenue land exchange (Attachment 1), between the City of Saskatoon and Solar Enterprises Ltd. be approved; and,
- 2) that the City Solicitor be requested to prepare the necessary agreements for execution by His Worship the Mayor and City Clerk under the corporate seal.

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BACKGROUND

At its meeting held May 28, 2007, City Council considered Clause 6, Report No. 9-2007 of the Executive Committee and adopted the following recommendation with respect to the Circle Drive South River Crossing project:

- “3) that the Administration be authorized to negotiate with all land owners identified for the acquisition of the necessary rights-of-way for the construction of this project.”

REPORT

The property at 226 Portage Avenue is currently owned by Solar Enterprises Ltd. The adjacent property, 202 Portage Avenue, was purchased by the City of Saskatoon approximately three years ago, specifically for the Circle Drive South project.

As part of the Circle Drive South project, the west portion of Portage Avenue is to be shifted south from its current location. As a result, the northwest corner of the property situated at 226 Portage Avenue is required to accommodate this realignment of the roadway. The triangular-shaped parcel that is required is approximately 125.3 square metres.

The City's property agent has negotiated a land exchange agreement with the property owner, subject to City Council approval, whereby a 4.572 metre strip of land (294.4 square metres) from 202 Portage Avenue will be provided to Solar Enterprises Ltd. in exchange for the lands required.

Attachment 1 illustrates the realignment of Portage Avenue and the land parcels to be exchanged.

Significant terms and conditions of the offer to purchase agreement are as follows:

1. Conditions Precedent
Approval of City Council by March 3, 2010.
2. Possession Date
Immediately upon approval by City Council.

The City shall also be entitled to temporary possession of the exchange lands to be provided to Solar Enterprises Ltd. until May 31, 2013 at no charge.

3. Closing Date
The earliest date acceptable to both buyer and seller, subsequent to the subdivision approval and registration of the subject lands.
4. Legal Costs and Disbursements
Each party shall be responsible for its own legal costs.

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5. Other Terms

The City shall be responsible for all survey and subdivision costs and land registry fees in respect of this land exchange.

The City agrees to construct a new roadway access into 226 Portage Avenue and shall be responsible for all costs associated with this construction.

FINANCIAL IMPACT

It is recommended that the cost of acquisition and related expenses be charged to the Property Realized Reserve as an interim source of funding.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of the City of Saskatoon Policy C01-021 (Public Notice Policy) is not required.

ATTACHMENT

1. 202/226 Portage Avenue land exchange map

Moved by Councillor Wyant, Seconded by Councillor Dubois,

THAT the recommendation be adopted.

CARRIED.

**G2) Property Acquisition – 2502 Dudley Street
Circle Drive South River Crossing Project
(File No. CK. 4020-12, x CK. 6001-13 and CC 6050-8, 4020-1)**

- RECOMMENDATION:**
- 1) that the City purchase the vacant property at 2502 Dudley Street from Maple Leaf Foods Inc., a portion of which is required to accommodate development of the Circle Drive South River Crossing Project at the purchase price of \$214,700; and
 - 2) that the cost of acquisition and related expenses be charged to the Property Realized Reserve, as an interim source of financing.

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BACKGROUND

At its meeting held May 28, 2007, City Council considered Clause 6, Report No. 9-2007 of the Executive Committee and adopted the following recommendation with respect to the Circle Drive South River Crossing project:

- “3) that the Administration be authorized to negotiate with all land owners identified for the acquisition of the necessary rights-of-way for the construction of this project.”

REPORT

The property at 2502 Dudley Street is a vacant parcel of land owned by Maple Leaf Foods Inc. The northwest corner of the site is required to accommodate development of the west side traffic corridor as part of the Circle Drive South River Crossing project. Although the required area of the site has not been finalized, it's anticipated it will comprise of approximately 5% of the site. The balance of the site will then be consolidated with the adjacent, City-owned parcel to the south that will be losing approximately 30% of its area for the roadway. The consolidated parcel will be sold at a later date.

Significant terms and conditions of the offer to purchase agreement are as follows:

1. Purchase Price
Purchase price is \$214,700 with an initial deposit of \$10,700 within 15 days of acceptance of the offer.
2. Conditions Precedent
 - a) Approval of City Council by March 24, 2010.
 - b) Seller to provide a copy of all environmental or geotechnical studies completed on the subject lands on their behalf, or those that are in their possession.
 - c) The City shall have access to the lands to conduct subsurface environmental investigations as part of a Phase II Environmental Site Assessment to be completed at the buyer's expense, before March 5, 2010. The results of the examination and testing must be to the satisfaction of the City.
3. Legal Costs and Disbursements
Each party shall be responsible for its own legal costs.
4. Closing & Possession Dates
March 31, 2010

FINANCIAL IMPACT

It is recommended that the cost of acquisition and related expenses be charged to the Property Realized Reserve as an interim source of funding.

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PUBLIC NOTICE

Public Notice, pursuant to Section 3 of the City of Saskatoon Policy C01-021 (Public Notice Policy) is not required.

ATTACHMENT

1. Schedule A - Property Requirements – 2502 Dudley Street

Moved by Councillor Wyant, Seconded by Councillor Pringle,

THAT the recommendation be adopted.

CARRIED.

**G3) Award of Request for Proposal
Capital Project 993 Circle Drive South
(File No. CK. 6001-13 and CC 6050-8)**

- RECOMMENDATION:**
- 1) that the Design Build Proposal submitted by Graham Flatiron Joint Venture (GFJV) to design and build the Circle Drive South project for \$223,668,326 (plus G.S.T.), be approved; and
 - 2) that the City Solicitor be requested to prepare the necessary agreement for execution by His Worship the Mayor and the City Clerk under the corporate seal.

REPORT

The City of Saskatoon has planned to construct Circle Drive since 1912, as indicated in the 1912 Yorath Plan. Together with our financial partners, the Government of Canada, and the Province of Saskatchewan, the Administration is recommending to City Council that we award the final segment needed to complete Circle Drive to Graham Flatiron Joint Venture.

In late 2008, the project commenced its planning phase, and City Council approved the use of the Design Build procurement model for designing and building the work. In 2009, we had five contractor teams submit their qualifications which we then shortlisted to three; those being PCL Construction Inc; Peter Kiewit Sons Co Ltd; and, Graham Flatiron Joint Venture. In early November, each of the three teams submitted their Technical Proposals to the City. By the end of December, each of the three teams' proposals met the requirements of the City of Saskatoon, and they were given until the end of January to submit their price for their Technical Proposal.

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The low bidder on the proposals is Graham Flatiron Joint Venture, and its submission was acceptable to City Administration.

The price submissions for the three proponents are as follows for their base bids:

1. Peter Kiewit Sons Co Ltd	\$260,542,000.00
2. PCL Construction Management Inc	\$274,900,000.00
3. Graham Flatiron Joint Venture	\$213,618,326.00

All three proponents were excellent to work with and met all of the financial and technical requirements for this project.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

The net cost to the City of Saskatoon for the Technical Proposal as submitted by Graham Flatiron Joint Venture is as follows:

Complete Project	\$ 213,618,326.00
G.S.T.	\$ 10,680,916.30
Subtotal	\$ 224,299,242.30
Additional costs for railroad, roads, and utilities	\$ 10,050,000.00
Less G.S.T. Rebate	\$ 10,680,916.30
TOTAL	\$ 223,668,326.00

There is sufficient funding within the Capital Project.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of the City of Saskatoon Policy C01-021 (Public Notice Policy) is not required.”

Moved by Councillor Heidt, Seconded by Councillor Lorje,

THAT the recommendation be adopted.

CARRIED.

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Moved by Councillor Heidt,

THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 1:20 p.m.

Mayor

City Clerk