

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Phone: (519)255-6211

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

Report Number: CAO 268/2023

Approved: Monday, October 16, 2023

I. THAT **APPROVAL BE GIVEN** pursuant to Delegation of Authority Bylaw 208-2008, Section 1.30 (b) "City as Grantor" Licenses, Easements (permanent and temporary) and Consents to Enter (Appendix A), to the granting of the following Consent to Enter:

- a) That the Consent to Enter is provided to Spectrum Fence Inc. (hereinafter "**Spectrum**"), to enter part of the lands municipally known as 4370 Mitchell Crescent, being part of Veterans Memorial Park, as shown on the aerial image attached as Appendix B (the "**Lands**");
- b) Spectrum will enter the Lands for the purpose of effecting repairs to the existing batting cage, as shown on Appendix B. The Lands are licensed to the Windsor South Canadian Little League ("**WSCLL**") by license agreement expiring June 30, 2024;
- c) The term of the agreement shall be for two (2) weeks commencing October 16, 2023 and expiring on November 3, 2023 (the "**Term**");
- d) Access to the Lands will be from Mitchell Crescent;
- e) Spectrum will ensure that its equipment and materials at the Lands are secured at all times and that the Lands are not accessible to the public.
- f) Spectrum agrees that, upon the termination of this agreement, any disturbance of the Lands or within Veterans Memorial Park, resulting from the repairs undertaken on the batting cage lands, will be restored by Spectrum at its own cost and to the satisfaction of the Executive Director of Parks & Facilities, or designate, acting reasonably;



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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g) Spectrum will be required to provide the City with indemnification and require proof of insurance with the following minimal coverage, satisfactory to the City:

- \$5,000,000 Commercial General Liability coverage with “The Corporation of the City of Windsor” listed as an additional insured and cross-liability coverage and 30 days’ notice of cancellation;

The City reserves the right to amend, restate and/or supplement the above requirements as determined by the City’s Risk and Insurance Department from time to time.

II. THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign a Consent to Enter Agreement with Spectrum, approved as to form by the City Solicitor, or designate and as to technical content by the Executive Director of Parks & Facilities.

Report Number: CAO 268/2023
Clerk’s File: APM/14495

Anna Ciacelli

Deputy City Clerk / Supervisor of Council Services
October 17, 2023

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