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## **RE-OPENING OF ITEM GM30.20 -TUGGS INCORPORATED- REVISED PROPOSAL FOR THE REDEVELOPMENT OF THE EASTERN BEACHES FOOD SERVICE FACILITIES**

### **Issue / Background:**

As reported in GM30.20, City staff attempted without success to negotiate an agreement with Tuggs Incorporated ("Tuggs") consistent with the terms approved by Council in 2007.

GM30.20 sought authority to vary the terms approved by Council in 2007 in order to arrive at a resolution and to conclude negotiations on terms satisfactory to the Proponent and Parks, Forestry and Recreation staff.

At its meeting of May 11 and 12, 2010, Council accepted the revised terms and directed that an agreement be executed by Tuggs by June 30, 2010. Staff were further directed to issue an RFP in the event that Tuggs does not sign the agreement by June 30, 2010.

Notice of Motion MM50.1 recommends that Council re-open this item and reject the revised proposal from Tuggs Incorporated dated April 17, 2009, which proposal was approved by Council at its meeting of May 11 and 12, 2010.

The purpose of the attached confidential attachment is to provide advice from the City Solicitor. The City Solicitor's advice should remain confidential as it contains advice that is subject to solicitor-client privilege and potential litigation.