What We Heard Summary

This section summarizes the Whiteboarding Results and served as the starting point for Law to analyze and clarify any misunderstanding, perceptions or challenges the Stakeholders have experienced. The Whiteboarding Results were reviewed, carefully considered and categorized according to the following broad themes:

Unclear Roles and Responsibilities

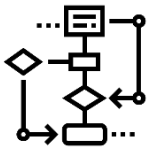
Process Transparency

Business Consideration

Unclear Roles and Responsibilities;

Concern Raised	Law Response	Business Unit(s) Involved
Perception that Law revises deals negotiated by external party and The City	Law is tied to the process outlined in the *Real Property Bylaw* ("Bylaw") and relies on client instructions to execute contracts.	RE&DS
In-house lawyer 'vetoes' a deal which is not in line with private practice	This is a misunderstanding of the role of Law. Formal processes and roles are set out within the Bylaw and City Policy and afford no 'veto' powers to Law.	RE&DS
Concern with City lawyers not permitting external counsel to speak with The City without a City	The Law Society of Alberta's Code of Conduct Section s. 7.2-11 ensures that represented clients are entitled to have	Law

lawyer present, and the difference between business advisory and litigious roles.	legal counsel present when legal counsel for the opposing side is present.



Process Transparency

Concern Raised	Law Response	Business Unit(s) Involved
Perception that REDS and Law do not support decisions of Council and will actively try to undermine the direction set by Council.	Further examples would be beneficial to truly respond to this concern, as Law is not aware of this occurring.	RE&DS and Law
Frustration with the lack of information over what is discussed in-camera on real estate transactions and whether accurate information is being provided to Council	In-camera discussions are privileged communications and are an opportunity provide Council with the best advice of Administration.	Clerks, Law, REDS, Council, all Administration
Terms pop up later that are not acceptable	All offer letters are non-binding and are subject to change. Law only becomes involved once the deal is negotiated.	RE&DS
View Administration as delaying, stalling and misrepresenting transactions if Administration does not like the deal	Further information would be beneficial. Administration negotiates the deal and then presents to Council for approval.	All Administration
Proposals put forth to Council by Administration missing details.	Council receives the Proposal Letter and Report, not the entire deal. Law then receives instructions and prepares the agreements.	RE&DS

Business Considerations

Concern Raised	Law Response	Business Unit(s) Involved

Lack of appreciation for business timelines and the impact on transactions caused by these lengthy timelines.	All internal timelines are based upon the Bylaw process, which could be revisited.	RE&DS, Law, Clerks
Imposing requirements that are not common amongst private industry, such as Affidavits and Corporate Seals. Would be nice to have policies updated to reflect modern business practices.	Some of these requirements are required by Bylaw, policies and Land Titles. Administration is currently reviewing and revising where possible.	RE&DS, Clerks
City Law being viewed as being too risk adverse.	The City's Rethink to Thrive Strategy has begun to focus the Corporation towards the major risks exposures and is encouraging more flexibility when making decisions. As a part of the ZBR Legal Services is working to educate staff to better understand risk and to support our customers in taking appropriate risks.	Law
Dating of documents and agreements creates legal issues.	Solved. City process changed.	Law, Clerks, REDS
Issues of requiring live signatures, whereas outside world allows counterparts and e-signatures	May 31 2021 Council passed amendments to the Execution of Contract Bylaw to enable electronic signatures by City.	Law, Clerks, REDS
Unreasonable requirement to impose easement	Would need more information. Some easements are required pursuant to formal regulatory approvals, such as development permits and subdivisions.	Planning
Rigidness to standard forms and City requirements too rigid.	Some forms require are standardized for efficient handling by Administrative staff. A review regular review of standardized forms may be required.	Law, REDS, Clerks
Law needs better retention of lawyers.	The City is fully aware of this issue. There is a corporate review of management exempt compensation, and Law is focused on additional retention initiatives.	HR, Law
REDS industrial lands stances do not match outside business transactions.	Need more details to formulate a response.	REDS