
CITY OF KELOWNA
MEMORANDUM

Date: February 8, 2001
File No.: BL No. 8635 & 8638
To: City Manager
From: City Clerk
Subject: Athans Aquatic Centre Agreements Authorization Bylaw No 8635
Athans Aquatic Centre Loan Authorization Bylaw No. 8638

RECOMMENDATION

THAT 4:00 p.m., Friday, March 16, 2001 be set as the deadline for receipt of Counter Petitions by the City Clerk in relation to Bylaw No. 8635 and Bylaw No. 8638.

BACKGROUND

On February 5, 2001 Council gave the first three readings to Bylaw No. 8635 which authorizes agreements between the YMCA-YWCA of Central Okanagan and the City of Kelowna related to the capital development, management and lease of the Athans Aquatic Centre. Under the provisions of the *Local Government Act* the City is required to provide a counter petition opportunity as the agreement is for a 30-year term and bridge financing is being provided by the City to the YMCA-YWCA.

At the same meeting, Council also gave the first three readings to Bylaw 8638 which authorizes the City to borrow \$1.8 million in the event the YMCA-YWCA defaults on their loan for the Athans Aquatic Centre or the agreement between them and the City is terminated. This bylaw received the necessary statutory approval from the Ministry of Municipal Affairs on February 7, 2001. The *Local Government Act* requires that a counter petition opportunity be provided in relation to a loan authorization bylaw only after statutory approval has been received.

Staff recommend the counter petition opportunities on the two bylaws be dealt with together as the bylaws are related and March 16 is recommended as the deadline date for receipt of petitions. Advertisements for the counter petition will run in the Kelowna Daily Courier on February 12 and 13, 2001.

D.L. Shipclark