

CITY OF KELOWNA
REGULAR COUNCIL AGENDA
COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, MAY 5, 2003

1:30 P.M.

1. CALL TO ORDER

2. Councillor Hobson to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1. Presentation of Interim Report dated April 30, 2003 - Mayor's Entertainment District Task Force
Recommendations for dealing with problems related to liquor primary establishments in the downtown.

4. UNFINISHED BUSINESS

4.1 Deferred from the Regular Meeting of April 1, 2003: Planning & Development Services Department, dated February 24, 2003 re: Liquor Licensing Application No. LL03-0001 – 475872 BC Ltd. (Gotcha Nightclub) – 238 Leon Avenue
Consideration of a request to increase the licensed person capacity of the cabaret from 313 to 405.

4.2 Deferred from the Regular Meeting of April 29, 2003: Planning & Development Services Department, dated March 10, 2003 re: LL03-0003 - Flashbacks Entertainment Ltd. – 1250 & 1298 Ellis Street
To consider an application to increase the licensed person capacity from 491 to 686 persons and to extend the permitted hours of liquor sales from 8 p.m. to 2 a.m. daily to 9 a.m. to 4 a.m. daily

5. PLANNING

5.1 Planning & Development Services Department, dated April 29, 2003 re: Rezoning Application No. Z00-1013 – Vince & Giovannia Magaldi – 2131 Scenic Road (BL 8714)
Authorization to extend the deadline for adoption of the zone amending bylaw to August 28, 2003.

5.2 Planning & Development Services Department, dated April 29, 2003 re: Outdoor Food & Beverage Programs (6530-12)
To endorse revisions to the Terms of Reference for the program for seasonal extension of sidewalk cafes and proceed with related amendments to the Traffic Bylaw.

6. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

6.1 Bylaw No. 8990 (Z03-0001) – Darrell Helfrich – 240 Sadler Road
To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to allow for the development of a suite in the basement of the existing dwelling.

7. REPORTS

- 7.1 Mayor Gray, Chairman, Audit Committee, dated April 25, 2003 re: Financial Statements for the Year Ending December 31, 2002 (1830-20; 0540-20)
To receive the statements and approve the appropriation of \$2,717,000 of surplus generated from all general fund operations in 2002 to general reserves.
- 7.2 City Manager, dated April 29, 2003 re: 2003 Financial Plan – Final Budget (BL9027, BL9028, BL9029; 1700-20)
To approve the 2003-2007 Financial Plan and the formulation of 2003 Property Tax Rates that will raise \$62,236,000 from general taxation, resulting in an average net property owner impact of 1.90%.
- 7.3 Director of Financial Services, dated April 23, 2003 re: Bylaw to Charge the 2003 Sterile Insect Release (SIR) Parcel Tax to Specific Rolls (BL 9009; 1970-02)
To advance the bylaw authorizing the 2003 SIR parcel tax for reading consideration by Council.
- 7.4 Environmental Manager, dated April 30, 2003 re: West Nile Virus Prevention & Control (5280-01)
Authorization for staff to work with the Health Region and Regional District of Central Okanagan in implementation of the Interior Health Region Surveillance and Response Plan.
- 7.5 Transportation Manager, dated April 28, 2003 re: Purchase of Landfill Compactor (1280-01)
Approval to purchase a landfill compactor from RayMax Equipment Sales at a cost of \$526,025.60 (GST included).
- 7.6 Drainage/Solid Waste Manager, dated April 29, 2003 re: Award of Construction Contract Tender TE03-11 – Recreation Avenue Drainage Upgrade (5225-40)
To award the tender for the project to Hayter Construction Ltd. at a cost of \$449,358.81 GST included.
- 7.7 Wastewater Manager, dated April 30, 2003 re: Award of Construction Contract TE03-01 – North Rutland Sanitary Sewer Specified Area No. 20 – Zone A (5340-09-20)
To award the contract for construction of the North Rutland sanitary sewer project to Acres Enterprises Ltd. at a cost of \$3,400,042.06 GST included.
- 7.8 Director of Parks & Leisure Services, dated May 1, 2003 re: Kelowna Regatta Request for Assistance (0360-20)
Consideration of a request for a loan of \$30,028.38 which would be repaid over 4 years and for an increase of their annual grant from the City from \$15,000 to \$20,000.
- 7.9 Airport General Manager, dated April 24, 2003 re: Major Air Terminal Expansion – Relocate Gate 6 (0550-05; 6640-20)
To award a contract in the amount of \$540,786 to Peters Bros. Construction for construction of a heavy aircraft parking gate and related work at the Kelowna Airport.

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**

*Note: Agenda Items No. 8.1 to 8.11 inclusive **may** be dealt with in one resolution. Mayor shall confirm with Council whether they wish to do so, or to remove one or more of the bylaws to be read individually.*

- 8.1 Bylaw No. 9009 – 2003 Sterile Insect Release Program Parcel Tax
Sets the 2003 SIR parcel tax at \$95.53 per acre.
- 8.2 Bylaw No. 9012 – Amendment No 1 to Traffic Bylaw No. 8120
For amendments related to the Seasonal Café Extension Program.
- 8.3 Bylaw No. 9026 – Road Exchange Bylaw – Union Road
Authorization to dispose of a portion of Union Road in exchange for a portion of Lot A, Plan KAP69724.
- 8.4 Bylaw No. 9027 – Five Year Financial Plan, 2003-2007
To approve the financial plan for the City of Kelowna to year 2007.
- 8.5 Bylaw No. 9028 – Tax Structure Bylaw, 2003
Sets the tax structure for the 2003 taxation year.
- 8.6 Bylaw No. 9029 – Annual Rates Bylaw, 2003
Sets mill rates for the 2003 taxation year.
- 8.7 Bylaw No. 9030 – Parking Reserve Fund Expenditure Bylaw, 2003 **requires 2/3 majority vote of Council (6)**
Authorizes the expenditure of monies in the fund for 2003.
- 8.8 Bylaw No. 9031 – Development Cost Charge Reserve Fund Expenditure Bylaw, 2003 **requires 2/3 majority vote of Council (6)**
Authorizes the expenditure of monies in the fund for 2003.
- 8.9 Bylaw No. 9032 – Capital Works, Machinery and Equipment Reserve Fund Expenditure bylaw, 2003 **requires 2/3 majority vote of Council (6)**
Authorizes the expenditure of monies in the fund for 2003.
- 8.10 Bylaw No. 9033 – Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2003 **requires 2/3 majority vote of Council (6)**
Authorizes the expenditure of monies in the fund for 2003.
- 8.11 Bylaw No. 9036 – Amendment No. 16 to Solid Waste Management Bylaw No. 7173
Sets the garbage collection rates for 2003 and 2004.

(BYLAWS PRESENTED FOR ADOPTION)

- 8.12 Bylaw No. 8917 – Sewer Specified Area No. 30 – Acland Road
Establishes a specified area for 4 properties fronting Acland Road and authorizes the borrowing of \$568,507.
- 8.13 Bylaw No. 9011 – Amendment No. 10 to Building Bylaw No, 7245
Eliminate the option of using the Certified Professional Program when building in Kelowna.
- 8.14 Bylaw No. 9015 – Amendment No. 4 to Five Year Financial Plan Bylaw No. 8788
Amendments to reflect changes in 2002 operating and capital budgets.

9. COUNCILLOR ITEMS
10. TERMINATION