
CITY OF KELOWNA

MEMORANDUM

Date: August 21, 2006
File No.: 0155-30

To: City Manager

From: City Clerk

Subject: ALTERNATIVE APPROVAL PROCESS – Amendment No. 1 to Mission Recreation Park (Legacy) Aquatic Centre Construction Loan Authorization Bylaw No. 9359.

Report Prepared by: Polly Palmer, Acting Legislative Coordinator

RECOMMENDATION:

THAT an alternative approval process opportunity open to all electors within the City of Kelowna be initiated;

AND THAT **4:00 p.m. Tuesday, October 10, 2006** be set as the deadline for receipt of elector responses in the form attached to the August 21, 2006 report of the City Clerk in relation to the City of Kelowna proceeding with Bylaw No. 9654, being Amendment No. 1 to Mission Recreation Park (Legacy) Aquatic Centre Construction Loan Authorization Bylaw No. 9359.

BACKGROUND:

City Council adopted the Legacy Aquatic Centre Construction Loan Authorization Bylaw No. 9359 on July 11, 2005, which authorized the construction of a 50 metre swimming pool and leisure waterpark facility located in Mission Recreation Park on property owned by the City of Kelowna, and authorized the borrowing of a sum of Twenty Million Dollars (\$20,000,000.00). The estimated cost of construction of the swimming pool and leisure waterpark facility has increased substantially and is now estimated at Forty-Four Million, One Hundred Thousand Dollars (\$44,100,000.00). Bylaw No. 9654 authorizes the borrowing of an additional Nine Million, Five Hundred Thousand Dollars (\$9,500,000.00), beyond the Twenty Million Dollars (\$20,000,000.00) previously authorized by Bylaw No. 9359. If the amending bylaw is adopted the total borrowing of Twenty-Nine Million, Five Hundred thousand Dollars (\$29, 500,000.00) will limit the property tax increase required to support the annual operating cost and capital cost debt financing to 4.91% or less.

The alternative approval process is open to all qualified electors in the City, which is estimated to be 82,080, based upon the most recently available census data for Kelowna.

Advertisement for the alternative approval process will be posted on the public notice board at City Hall, will run in the Capital News on August 25, 2006 and August 30, 2006 and in the Kelowna Daily Courier on August 25, 2006 and August 29, 2006; and will be posted on the City's website. Approval of the electors will be obtained if the number of elector responses received by the end of the alternative approval process is less than 10% of the estimated number of electors (8,208).

Allison Flack, City Clerk

cc: Director of Recreation, Parks and Cultural Services
Director of Financial Services
Development Manager Recreation, Parks & Cultural Services

ALTERNATIVE APPROVAL PROCESS ELECTOR RESPONSE FORM

I am **OPPOSED** to the City of Kelowna proceeding with the adoption of Bylaw No. 9654, being Amendment No. 1 to Mission Recreation Park (Legacy) Aquatic Centre Construction Loan Authorization Bylaw No. 9359, which authorizes the borrowing of an additional Nine Million, Five Hundred Thousand Dollars (\$9,500,000.00), beyond the Twenty Million Dollars (\$20,000,000.00) previously authorized by Bylaw No. 9359. Bylaw No. 9359 authorized the construction of a 50 metre swimming pool and leisure water-park facility to be located in the Mission Recreation Park. If the amending bylaw is adopted the total borrowing of Twenty-Nine Million, Five Hundred Thousand Dollars (\$29,500,000.00) will limit the property tax increase required to support the annual operating cost and capital cost debt financing to 4.91% or less.

I, the undersigned, hereby certify that:

- I am eighteen years of age or older; and
- I am a Canadian citizen; and
- I have resided in British Columbia for at least six months; and
- I have resided in, OR have been the registered owner of real property (and have been designated as the elector in regard to that property) in, the City of Kelowna for at least thirty days; and
- I am not disqualified by the *Local Government Act* or any other enactment or otherwise disqualified by law from voting in local elections; and
- I am entitled to sign this alternative approval process elector response form and have not previously signed an alternative approval process elector response form for the proposed Bylaw.

All alternative approval process elector response forms must be received by the City Clerk's Office, 3rd Floor, City Hall, 1435 Water Street, Kelowna, B.C., and V1Y on or before 4:00 p.m., Tuesday, October 10, 2006.

ELECTOR'S FULL NAME (Print – NO initials)	RESIDENTIAL ADDRESS (or address of real property in Kelowna owned by elector if not resident)	SIGNATURE ELECTOR	OF

NOTE: A person must not sign any alternative approval process elector response form more than once and may not withdraw his or her name from the alternative approval process elector response form after the deadline for submission of the petitions has passed.

The number of electors of the City of Kelowna is estimated to be 82,080. If 10% (8,208) of the estimated number of electors of the City of Kelowna sign an alternative approval process elector response form opposing the noted transactions, City Council will not be able to proceed without then receiving the assent of the electors by referendum.

ELECTOR RESPONSE FORMS ARE AVAILABLE AT VARIOUS LOCATIONS HOWEVER, THE ELECTOR RESPONSE FORMS **MUST BE RECEIVED BY THE CITY CLERK'S OFFICE**, 3RD FLOOR, CITY HALL, 1435 WATER STREET, KELOWNA, B.C. ON OR BEFORE 4:00 P.M., TUESDAY, OCTOBER 10, 2006.