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## CITY OF KELOWNA MEMORANDUM

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**Date:** December 12, 2006  
**File No.:** 0155-30  
**To:** City Manager  
**From:** Deputy City Clerk  
**Subject:** ALTERNATIVE APPROVAL PROCESS – Okanagan Gymnastic Centre (OGC) Expansion Loan Authorization Bylaw No. 9663 and Amendment to Lease Agreement.

**Report Prepared by:** Polly Palmer, Acting Legislative Coordinator

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**RECOMMENDATION:**

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

AND THAT **4:00 p.m. Monday, February 5<sup>th</sup>, 2007** be set as the deadline for receipt of elector responses in the form attached to the December 12<sup>th</sup>, 2006 report of the City Clerk, in relation to the City of Kelowna proceeding with Bylaw No. 9663 – Loan Authorization Bylaw for the Okanagan Gymnastic Centre Expansion and the related amendment to the lease agreement between the Okanagan Gymnastic Centre and the City of Kelowna.

**BACKGROUND:**

In 2001, a 12,000 square foot (1115m<sup>2</sup>) gymnastics training facility was constructed in the Rutland District Recreational Park. Membership and use of the facility has now outgrown the current size. As reported to Council earlier this fall, the society operating the Okanagan Gymnastics Centre is requesting to expand the facility by 2,740 square feet (230m<sup>2</sup>). The budget for the proposed expansion is a maximum of \$800,000.00 and the Okanagan Gymnastic Centre is committing to repay the total cost of expansion, plus interest, over a 20 year period, through an amendment to their original lease with the City. Bylaw No. 9663, which authorizes the borrowing of the funds to pay for the expansion, has been given three readings by Council and has been approved by the Inspector of Municipalities. It is now in order to commence the alternative approval process in relation to the bylaw and the lease amendment.

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 from 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 December 22<sup>nd</sup>, 2006 and December 27<sup>th</sup>, 2006; and in The Daily Courier on December 22<sup>nd</sup>, 2006 and December 27<sup>th</sup>, 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 number of electors (8,208).

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Stephen Fleming, Deputy City Clerk

cc: Property Manager, Recreation, Parks & Cultural Services  
Financial Planning Manager

**Okanagan Gymnastic Centre Expansion and Amended Lease Agreement**  
**ALTERNATIVE APPROVAL PROCESS ELECTOR RESPONSE FORM**

I am **OPPOSED** to the City of Kelowna proceeding with either or both of:

- (a) Okanagan Gymnastic Centre Expansion – Loan Authorization Bylaw No. 9663 which authorizes the borrowing of up to Eight Hundred Thousand Dollars (\$800,000.00); or
- (b) the corresponding amendment to the lease between the Okanagan Gymnastic Centre and the City of Kelowna.

The purpose of the bylaw and the amendment to the lease are to authorize borrowing the funds to pay for a proposed 2,740 square foot (230m<sup>2</sup>) expansion of the Okanagan Gymnastic Centre and to require the Okanagan Gymnastic Centre society to repay the total cost of expansion, plus interest, over a 20 year period.

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 Agreement.

**All alternative approval process elector response forms must be received by the City Clerk, 3<sup>rd</sup> Floor, City Hall, 1435 Water Street, Kelowna, B.C., V1Y 1J4 on or before 4:00 p.m. on February 5, 2007.**

<b>ELECTOR'S FULL NAME (Print – NO initials)</b>	<b>RESIDENTIAL ADDRESS (and address of real property in Kelowna owned by elector if <u>not</u> resident)</b>	<b>SIGNATURE OF ELECTOR</b>

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.**