

Regular Meeting – A.M.

September 17, 2007

A Regular Meeting of the Municipal Council of the City of Kelowna was held in Meeting Room No. 3, 1435 Water Street, Kelowna, B.C., on Monday, September 17, 2007.

Council members in attendance: Mayor Sharon Shepherd*, Councillors Andre Blanleil*, Barrie Clark, Colin Day*, Brian Given, Carol Gran, Robert Hobson*, Norm Letnick and Michele Rule.

Staff members in attendance were: City Manager, Ron Mattiussi*; Deputy City Clerk, Stephen Fleming*; Director of Corporate Services/Acting Director of Planning and Development Services, David Shipclark*; Director of Financial Services, Paul Macklem*; Manager Community Development & Real Estate, Doug Gilchrist*; City Clerk, Allison Flack*; Current Planning Supervisor, Shelley Gambacort*; Transportation Manager, Ron Westlake*; Bylaw Enforcement Supervisor, Al Dixon*; Corporate Communications Coordinator, Kirsten Jones*; Inspection Services Manager, Ron Dickinson*; Projects Manager, Real Estate & Planning, Rob Mayne*; and Council Recording Secretary, Sandi Horning*.

Guests: Vice President, Okanagan College, Steve Koehle*; Director, Okanagan College, Marlene Isaac*; Executive Board Member, Economic Development Commission, Scot Speiser*; and Treasurer, Miss Kelowna Lady of Lake Society, Marg Brooks*.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 8:19 a.m.

2. Councillor Gran was requested to check the minutes of the meeting.

3. REPORTS

3.1 Steve Koehle, Vice-President of International Education re: Okanagan College International Student Program

Councillor Day joined the meeting at 8:26 a.m.

Guest, Steve Koehle:

- Introduced everyone in attendance and provided background information regarding the Okanagan College International Student Program.
- Advised that international students pay considerably more in tuition than other students and are not subsidized by the government; however international students are now eligible to work part-time while attending school.
- Advised that Okanagan College is developing a Diversity Policy.
- Most of the international students come to Kelowna due to “word of mouth” as most have heard positive things about the City and surrounding area.
- Okanagan College would like to work with the City and local developers to help alleviate some of the housing concerns that students face.
- Advised that the student residence is full and that there are approximately 40 international students on a waiting list for residency. The College’s 15 year Master Capital Plan includes more student residences; however the Provincial government does not assist with funding for on-campus housing, so fundraising will be necessary.

Council:

- Suggested that the College develop a relationship with the two (2) local sister cities, Kasugai, Japan and Veendam, Netherlands.

Councillor Blanleil joined the meeting at 8:45 a.m.

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3.2 Councillor Rule re: Homelessness Action Week

Moved by Councillor Rule/Seconded by Councillor Hobson

R880/07/09/17 THAT City Council authorize the amount of no more than \$700.00 to be paid from Council Contingency towards the rental of the City tent and two (2) propane heaters for the Homelessness Action Week Pancake Breakfast on October 14, 2007 at the City Park Rose Garden.

Carried

3.3 Draft Resolution re: HSBC Securities Corporate Resolution

Moved by Councillor Day/Seconded by Councillor Given

R881/07/09/17 RESOLVED THAT:

1. Any one of the following Officer(s) of the Corporation (collectively, the "Authorized Persons"):
 - i. Genelle Davidson – Financial Systems & Investments Manager
 - ii. Paul Macklem – Director of Finance

is hereby authorized for and on behalf of the Corporation to establish and maintain one or more accounts (collectively, the "Account") with HSBC Securities (Canada) Inc. ("HSBC") for the purchase, on margin or otherwise, or sale (including short sale) of, or otherwise dealing in (collectively, the "Transactions"):

- securities (including, without limitation, shares, bonds, debentures, notes, warrants and rights); and/or
- options,

and to do all things and to make, execute and sign, as HSBC may require, all agreements, including account agreements, documents, and instruments in connection therewith;

2. All Transactions for the Account are to be effected and controlled with respect to settlement and all other matters pursuant to the terms and conditions of HSBC's agreement(s) governing the Account, which agreement(s) have been duly executed and are hereby ratified and confirmed;
3. Any and all Transactions for the Account and any documents in connection with the Account executed either before or after this resolution executed by an Authorized Person on the Corporation's behalf are hereby ratified and confirmed;
4. Any one of the Authorized Persons are hereby authorized to (i) give written or oral instructions with respect to any Transactions relating to the Account; (ii) bind and obligate the Corporation to and for the carrying out of any contract, arrangement or transaction which may be entered into by the Authorized Person with HSBC; (iii) pay from the funds of the Corporation such sums as may be necessary in connection with the Account; (iv) deliver securities to, and deposit funds with, HSBC; (v) order the transfer or delivery of securities to any other person, and to order the transfer of record of any securities; (vi) affix the corporate seal to any documents or agreements; (vii) endorse any securities in order to pass title thereto; (viii) direct the sale or exercise of any rights with respect to any securities; (ix) sign all releases, powers of attorney and/or other documents in connection with the Account;

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and (x) generally to do and take all actions as are deemed by any such Authorized Person to be necessary or proper in conjunction with the Transactions and the Account;

5. This Resolution shall remain in full force and effect and HSBC may rely upon it until a copy, certified by the Corporation's Secretary, of a resolution repealing or replacing this Resolution shall have been received by HSBC at its Head Office in Toronto, Ontario;
6. The Corporation undertakes to notify HSBC of any changes in the authorized signing officer(s) and until receipt of such notice HSBC shall be fully protected in relying on this Corporate Resolution; and
7. The parties hereto have requested that this document be drawn up in the English language only./Les parties aux presentes ont demandé que cette convention soit rédigée en anglaise uniquement.

Carried

3.4 Councillor Gran re: Secondary Suites

Staff:

- Explained how the City handles 'legal non-conforming' secondary suites based on Provincial legislation (Community Charter);
- Advised that business licenses are now required in order to have a secondary suite in a residence. As well, the home owner is required to reside in the residence.
- There are about 100 calls a year regarding illegal secondary suites. All illegal suites are dealt with the same way by the Bylaw Department.
- Advised that the B.C. Building Code differentiates between a secondary suite and a duplex.
- Staffing and time will be a factor in enforcing any rules on secondary suites.

Council:

- A discussion took place regarding how to deal with secondary suites within the City and the different options available.
- Requested that the Inspection Services Manager (in consultation with other staff) provide Council with additional information on secondary suites within the City, and in particularly:
 - o Should the issue of secondary suites be related to "land use" or "business licenses"?
 - o DCC's?
 - o If the City were to require business licenses for secondary suites, what procedures would need to be in place and how would it be enforced?
 - o If the City were to relate secondary suites to land use, could the public hearing be waived?
 - o Should there be a minimum lot size for residences with secondary suites?
 - o Parking (on & off-street requirements and enforcement)
 - o The number and types of secondary suite related complaints;
 - o Where are the current "S" zones and what other zones permit secondary suites? And
 - o How would bed & breakfasts and carriage homes be impacted?

Moved by Councillor Gran/Seconded by Councillor Given

R882/07/09/17 THAT staff report back with additional information regarding secondary suites.

Carried

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3.5 Mayor Shepherd re: Miss Kelowna Lady of the Lake Society

Mayor Shepherd:

- Advised that the Society is requesting an additional funding for their budget. As no City department is responsible for the Society, the request was made directly to the Mayor and Council.

Moved by Councillor Given/Seconded by Councillor Rule

R883/07/09/17 THAT Council hear from the Treasurer of the Miss Lady of the Lake Society, Marg Brooks.

Carried

Guest, Marg Brooks:

- Provided an explanation regarding why the Society needs an increase in their budget.

Moved by Councillor Hobson/Seconded by Councillor Given

R884/07/09/17 THAT the City Manager bring forward the Miss Kelowna Lady of the Lake Society's funding request via the 2008 budget process.

Carried

4. RESOLUTION CLOSING THE MEETING TO THE PUBLIC

Moved by Councillor Hobson/Seconded by Councillor Given

R885/07/09/17 THAT this meeting be closed to the public, pursuant to Section 90(1) (a), (c), (d), (e), and (g) of the Community Charter for Council to deal with matters relating to the following:

- Security of Property
- Property Acquisitions/Property Dispositions
- Employee Relations
- Position Appointments
- Litigation

Carried

5. ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 9:40 a.m.

The meeting was declared terminated at 12:14 p.m.

Certified Correct:

Mayor

Deputy City Clerk

/slh