
CITY OF KELOWNA

MEMORANDUM

Date: January 10, 2008
File No.: BL9878, 9879, 9880
To: City Manager
From: City Clerk
Subject: Certificate of Sufficiency for Wastewater Treatment Facility Expansion, Cedar Creek Pump Station and DCC Road Projects Loan Authorization Bylaws.

Report Prepared by: *Polly Palmer, Legislative Coordinator*

RECOMMENDATION:

THAT Council receive the Certificates of Sufficiency dated January 10, 2008 pertaining to Wastewater Treatment Facility Expansion Loan Authorization Bylaw No. 9878, Cedar Creek Pump Station Loan Authorization Bylaw No. 9879, and DCC Road Projects Loan Authorization Bylaw No. 9880;

AND THAT Bylaws No. 9878, 9879, and 9880 be forwarded for final adoption consideration.

BACKGROUND:

On October 15, 2007 Council gave the first three readings to Bylaws No. 9878, 9879 and 9880 which authorize the following:

- Wastewater Treatment Facility Expansion Loan Authorization Bylaw No. 9878: authorizes the borrowing of Forty Million Dollars (\$40,000,000.00) to construct an expansion to the Wastewater Treatment Facility on the property owned by the City of Kelowna located at 951 Raymer Avenue;
- Cedar Creek Pump Station Loan Authorization Bylaw No. 9879: authorizes the borrowing of Seven Million Five Hundred Seventy Seven Thousand Dollars (\$7,577,000.00) to construct a pump station and ultra violet water treatment facility located at 5200 Lakeshore Road; and
- DCC Road Projects Loan Authorization Bylaw No. 9880: authorizes the borrowing of Ten Million Four Hundred Thousand Dollars (\$10,400,000.00) to construct certain road improvements located at Clifton Road, Pandosy Street, High Road, Richter Street and the Central Okanagan Bypass (Cerise to Spall) in the City of Kelowna.

The approval of the Inspector of Municipalities was received in relation to these three bylaws on November 13, 2007 and Council then set a deadline for receipt of elector responses against proceeding with Bylaw No. 9878, Bylaw No. 9879, or Bylaw No. 9880 of 4:00 pm on January 10, 2008.

Under the provisions of the *Community Charter*, notice of the alternative approval processes in relation to Loan Authorization Bylaws No. 9878, 9879 and 9880 was advertised in the Kelowna Daily

Courier on Friday, November 29, 2007 and Tuesday, December 4, 2007; in the Capital News on Wednesday, November 28, 2007 and Wednesday, December 5, 2007; and was posted on the City's notice board and website on November 27, 2007.

As of the deadline date the City Clerk's Office had received 3 valid petitions against Bylaw No. 9879 and 4 valid petition against each of Bylaw Nos. 9878 and 9880.

It is now in order for Bylaw No. 9878, Bylaw No. 9879 and Bylaw No. 9880 to be forwarded for final adoption consideration.

LEGAL/STATUTORY AUTHORITY: *Community Charter*, Sections 94, 179, and 180

LEGAL/STATUTORY PROCEDURAL REQUIREMENTS: Under the *Community Charter* advertisements must be placed in a local newspaper and be placed on the public notice board. Petitions against the proposed bylaw must be received by the Officer responsible for Corporate Administration (the City Clerk) by the deadline set by Council, and must be certified as sufficient or not, according the to requirements of the legislation.

Considerations not applicable to this report:

INTERNAL CIRCULATION TO:

EXISTING POLICY:

FINANCIAL/BUDGETARY CONSIDERATIONS:

PERSONNEL IMPLICATIONS:

TECHNICAL REQUIREMENTS:

EXTERNAL AGENCY/PUBLIC COMMENTS:

ALTERNATE RECOMMENDATION:

Submitted by:


A. Flack, City Clerk

Approved for Inclusion:


Cc: Director of Financial Services, P. Macklem;
Airport Manager, R. Sellick
Financial Planning Manager, K. Grayston

CITY OF KELOWNA

CLERK'S CERTIFICATE OF SUFFICIENCY

I hereby certify that sufficient petitions **HAVE NOT** been received in relation to Bylaw No. 9878, being the Wastewater Treatment Facility Expansion Loan Authorization Bylaw, which authorizes the borrowing of Forty Million Dollars to (\$40,000,000.00) to construct an expansion to the Wastewater Treatment Facility on the property owned by the City of Kelowna located at 951 Raymer Avenue, Lot 1, District Lot 135, Plan 12356.

Dated this 10th day of January, 2008.


 A. Plack, City Clerk

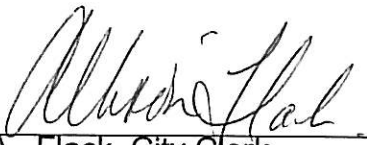
Description of Proposal	Number of Electors Responses required Defeat Proposal (10% of Electors City-wide)	Number of Responses Received
The City of Kelowna wishes to proceed with the adoption of Bylaw No. 9878, being the Wastewater Treatment Facility Expansion Loan Authorization Bylaw, which authorizes the borrowing of Forty Million Dollars to (\$40,000,000.00) to construct an expansion to the Wastewater Treatment Facility on the property owned by the City of Kelowna located at 951 Raymer Avenue, Lot 1, District Lot 135, Plan 12356.	8,436	4

CITY OF KELOWNA

CLERK'S CERTIFICATE OF SUFFICIENCY

I hereby certify that sufficient petitions **HAVE NOT** been received in relation to Bylaw No. 9879, being the Cedar Creek Pump Station Loan Authorization, which authorizes the borrowing of Seven Million Five Hundred Seventy Seven Thousand Dollars (\$7,577,000.00) to construct a pump station and ultra violet water treatment facility located at 5200 Lakeshore Road, Lot 1, Section 23, Twp. 28, Plan 2647.

Dated this 10th day of January, 2008.


A. Flack, City Clerk


Description of Proposal	Number of Electors Responses required Defeat Proposal (10% of Electors City-wide)	Number of Responses Received
The City of Kelowna wishes to proceed with the adoption of Bylaw No. 9879, being the Cedar Creek Pump Station Loan Authorization, which authorizes the borrowing of Seven Million Five Hundred Seventy Seven Thousand Dollars (\$7,577,000.00) to construct a pump station and ultra violet water treatment facility located at 5200 Lakeshore Road, Lot 1, Section 23, Twp. 28, Plan 2647.	8,436	3

CITY OF KELOWNA

CLERK'S CERTIFICATE OF SUFFICIENCY

I hereby certify that sufficient petitions **HAVE NOT** been received in relation to Bylaw No. 9880, being the DCC Road Projects Loan Authorization Bylaw, which authorizes the borrowing of Ten Million Four Hundred Thousand Dollars (\$10,400,000.00) to construct road improvements located at Clifton Road, Pandosy Street, High Road, Richter Street and the Central Okanagan Bypass (Cerise to Spall) in the City of Kelowna.

Dated this 10th day of January, 2008.


A. Flack, City Clerk

Description of Proposal	Number of Electors Responses required Defeat Proposal (10% of Electors City-wide)	Number of Responses Received
The City of Kelowna wishes to proceed with the adoption of Bylaw No. 9880, being the DCC Road Projects Loan Authorization Bylaw, which authorizes the borrowing of Ten Million Four Hundred Thousand Dollars (\$10,400,000.00) to construct road improvements located at Clifton Road, Pandosy Street, High Road, Richter Street and the Central Okanagan Bypass (Cerise to Spall) in the City of Kelowna.	8,436	4