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CITY OF KELOWNA

MEMORANDUM

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**Date:** January 16, 2008  
**To:** City Manager  
**File:** 0155-30  
**From:** City Clerk  
**Subject:** Okanagan Boys & Girls Clubs Management and Operating Agreement  
Report Prepared by: Polly Palmer, Legislative Coordinator

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**RECOMMENDATION:**

THAT Council receive the Certificate of Sufficiency dated January 16, 2008 pertaining to the Okanagan Boys & Girls Clubs Management & Operating Agreement;

AND THAT Council direct the Mayor and City Clerk to execute the Okanagan Boys & Girls Clubs Management & Operating Agreement.

**BACKGROUND:**

The Management & Operating Agreement is between the City of Kelowna and the Okanagan Boys and Girls Clubs for a period of 5 years with one 5-year renewal option. The Agreement leases the Jaycees Downtown Youth Centre, Rutland Youth Centre, Martin Avenue Community Centre; provides a license to use a portion of Cameron Park to the Okanagan Boys and Girls Clubs; and provides terms and conditions for the operation by the Okanagan Boys and Girls Clubs, including administration, management, and programming of the facilities to provide community programs and services through the management of the facilities.

Council set a deadline for receipt of elector responses (the "Alternative Approval Process") against the proceeding of the Okanagan Boys and Girls Clubs Management & Operating Agreement of 4:00 p.m. Tuesday, January 15, 2008.

Under the provisions of the *Community Charter*, notice of the Okanagan Boys & Girls Clubs Management & Operating Agreement was advertised in the Kelowna Daily Courier on December 7, 2007 and December 11, 2007 and in the Capital News on December 5, 2007 and December 12, 2007. Notice was posted on notice board at City Hall on December 4, 2007.

As of the deadline date the City Clerk's Office had received zero valid petitions and zero invalid petitions.

It is now in order for the Okanagan Boy's & Girl's Clubs Management & Operating Agreement to be executed.

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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 each of Bylaws No. 9878, 9879 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, and 175

**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 to the 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:



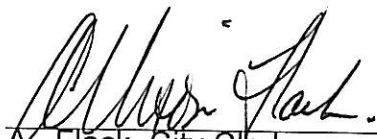
Cc: Director of Financial Services, P. Macklem;  
Airport Manager, R. Sellick  
Financial Planning Manager, K. Grayston

## CITY OF KELOWNA

### CLERK'S CERTIFICATE OF SUFFICIENCY

I hereby certify that sufficient petitions **HAVE NOT** been received in relation to the Okanagan Boys & Girls Clubs Management & Operating Agreement. The Management & Operating Agreement is between the City of Kelowna and the Okanagan Boys & Girls Clubs for a period of 5 years with one 5 year renewal option. The agreement leases the Jaycees Downtown Youth Centre, Rutland Youth Centre, Martin Avenue Community Centre; provides a license to use a portion of Cameron Park to the Okanagan Boys and Girls Clubs; and provides terms and conditions for the operation by the Okanagan Boys and Girls Clubs, and services through the management of the facilities.

Dated this 16th 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
<p>The City of Kelowna wishes to proceed with the Okanagan Boys &amp; Girls Clubs Management &amp; Operating Agreement. The Management &amp; Operating Agreement is for a period of 5 years with a one 5 year renewal option. The agreement leases the Jaycees Downtown Youth Centre, Rutland Youth Centre, Martin Avenue Community Centre; provides a license to use a portion of Cameron Park to the Okanagan Boys and Girls Clubs; and provides terms and conditions for the operation by the Okanagan Boys and Girls Clubs, and services through the management of the facilities.</p>	8,436	0