

---

CITY OF KELOWNA

MEMORANDUM

---

**Date:** June 30, 2008  
**File No.:** BL9963  
**To:** City Manager  
**From:** City Clerk  
**Subject:** Automated Collection Curbside Carts Loan Authorization Sufficiency Certificate

Report Prepared by: *Victoria Leung, Acting Legislative Coordinator*

---

**RECOMMENDATION:**

THAT Council receive the Certificate of Sufficiency dated June 30, 2008 pertaining to the Automated Collection Curbside Carts Loan Authorization Bylaw No. 9963;

AND THAT Bylaw No. 9963 be forwarded for final adoption consideration.

**BACKGROUND:**

An alternative approval process opportunity was open to all electors within the City of Kelowna for the borrowing of Seven Million Five Hundred Thousand Dollars (\$7,500,000.00) outlined in the loan authorization bylaw initiated by the report from the Financial Planning Manager presented to City Council at its regular meeting on March 17, 2008.

The deadline for receipt of elector responses in the form attached to the May 5, 2008 report of the City Clerk in relation to the City of Kelowna proceeding with the Automated Collection Curbside Carts Loan Authorization Bylaw No. 9963, authorizing the borrowing of Seven Million Five Hundred Thousand Dollars (\$7,500,000.00) to purchase the required carts for the automated collection of all curbside services (garbage, recycling and yard waste) was 4:00 p.m. on June 24, 2008.

Under the provisions of the *Community Charter*, notice of the Automated Collection Curbside Carts Loan Authorization Bylaw No. 9963 was advertised in the Kelowna Daily Courier on May 15 and 22, 2008 and the Kelowna Capital News on May 16 and 23, 2008 and was posted on the notice board at City Hall on May 13, 2008.

As of the deadline date the City Clerk's Office had received 38 valid petitions and 2 invalid petitions. As insufficient petitions against Bylaw No. 9963 were received by the City Clerk's Office prior to the petition deadline, Council may now consider adoption of the bylaw.



**LEGAL/STATUTORY AUTHORITY:** *Community Charter*, Sections 86, 94 and 179

**LEGAL/STATUTORY PROCEDURAL REQUIREMENTS:** Under the *Community Charter*, advertisements must be placed in a local newspaper and on a 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 that were 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:



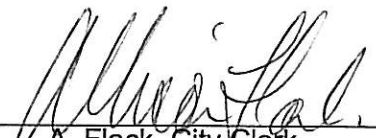
Cc: · Director of Financial Services, P. Macklem;  
Financial Planning Manager, K. Grayston

## CITY OF KELOWNA

### CLERK'S CERTIFICATE OF SUFFICIENCY

I hereby certify that sufficient petitions **HAVE NOT** been received in relation to Bylaw No. 9963, being Automated Collection Curbside Carts Loan Authorization, authorizing the borrowing of Seven Million Five Hundred Thousand Dollars (\$7,500,000.00) to purchase the required carts for the automated collection of all curbside services (garbage, recycling and yard waste).

Dated this 30<sup>th</sup> day of June, 2008.

  
A. Flack, City Clerk

Description of Proposal	Number of Elector Responses required to Defeat Proposal (10% of Electors City-wide)	Number of Responses Received
Bylaw No. 9963, being Automated Collection Curbside Carts Loan Authorization, authorizing the borrowing of Seven Million Five Hundred Thousand Dollars (\$7,500,000.00) to purchase the required carts for the automated collection of all curbside services (garbage, recycling and yard waste).	8,550	38