

REPORT TO COUNCIL



Date: October 25, 2011
File: 0600-30
To: City Manager
From: City Clerk
Subject: Sufficiency Report for the UV Disinfection Facility and Transmission Main
Report Prepared by: Corinne Boback, Legislative Coordinator

Recommendation:

THAT Council receive for information the report from the City Clerk dated October 25, 2011 pertaining to the Certificate of Sufficiency regarding the City of Kelowna borrowing from the Municipal Finance Authority for the sum of Three Million Dollars (\$3, 000, 000.00);

AND THAT Bylaw No. 10583 being the Loan Authorization Bylaw for the UV Disinfection Facility and Transmission Main be forwarded for adoption.

Purpose:

Under Section 86(8) of the Community Charter, the Corporate Officer is to determine and certify whether elector approval has been obtained. The decision of the Corporate Officer is final and conclusive.

Background:

An alternative approval process (AAP) opportunity was open to all electors within the City of Kelowna pertaining to the City of Kelowna borrowing from the Municipal Finance Authority for the sum of Three Million Dollars (\$3, 000, 000.00) by proceeding with the adoption of Bylaw No. 10583 being the Loan Authorization Bylaw for the UV Disinfection Facility and Transmission Main. The deadline for receipt of elector responses in the form approved by Council was 4:00 p.m. on Monday, October 24, 2011.

As of the deadline date, the Office of the City Clerk had received 2 valid signatures.

As insufficient signatures against this Alternative Approval Process were received by the Office of the City Clerk prior to the deadline, Council may proceed with borrowing from the Municipal Finance Authority for the sum of Three Million Dollars through the adoption of Bylaw No. 10583 being the Loan Authorization Bylaw for the UV Disinfection Facility and Transmission Main.

LEGAL/STATUTORY AUTHORITY: *Community Charter*, Sections 86, 94, 174 and 179.

LEGAL/STATUTORY PROCEDURAL REQUIREMENTS:

Under the *Community Charter*, advertisements must be placed in a local newspaper and on a public notice board. Notice of the Alternative Approval Process was advertised in the Kelowna Daily Courier and the Kelowna Capital News on Friday, September 16 and Friday, September 23, 2011 and was posted on the notice board at City Hall on Tuesday, September 3, 2011.

A handwritten signature in blue ink, located in the bottom right corner of the page.

Considerations not applicable to this report:

Internal Circulation:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Community & Media Relations Comments:

Alternate Recommendation:

Submitted by:



S. Fleming, City Clerk

Approved for inclusion:



R. Mayne, Director of Corporate Services

CC: Finance Special Projects Manager, Financial Services

CITY OF KELOWNA

OFFICE OF THE CITY CLERK

CORPORATE OFFICER CERTIFICATE OF SUFFICIENCY

I hereby certify that insufficient signatures were received in relation to the City of Kelowna borrowing from the Municipal Finance Authority for the sum of Three Million Dollars (\$3, 000, 000.00) by proceeding with the adoption of Bylaw No. 10583 being the Loan Authorization Bylaw for the UV Disinfection Facility and Transmission Main

Dated this 25th day of October 2011.


S. Fleming, City Clerk

Bylaw No. 10583 being the Loan Authorization Bylaw for the UV Disinfection Facility and Transmission Main City of Kelowna borrowing from the Municipal Finance Authority for the sum of Three Million Dollars (\$3, 000, 000.00)

Number of Elector Responses required to Defeat Proposal (10% of Electors City-wide)	Number of Responses Received
9, 060	2