

# Report to Council



**Date:** October 26, 2012  
**File:** 0600-30  
**To:** City Manager  
**From:** Stephen Fleming, City Clerk  
**Subject:** Sufficiency Report - AAP Extension and New Facility Loan Authorization Bylaw No. 10742  
Report Prepared by: Corinne Boback, Legislative Coordinator

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## Recommendation:

THAT Council receive the Certificate of Sufficiency dated October 26, 2012 regarding the Alternative Approval Process (AAP) for Library Parkade Extension and Creation of the Memorial Parkade;

AND THAT Bylaw No. 10742 being the Extension and New Facility Loan Authorization Bylaw be forwarded for adoption.

## Purpose:

To submit the Certificate of Sufficiency for the Library Parkade Extension and Creation of the Memorial Parkade and to advance Bylaw No. 10742 for adoption.

## Background:

Under the provisions of the *Community Charter*, notice was advertised in the Kelowna Capital News on September 20 and 25, 2012. On September 18, 2012, notice was posted on the notice board at City Hall and all relevant information relating the AAP was posted on the City of Kelowna Website.

As of the deadline date, the Office of the City Clerk had received **one-hundred and sixty-five (165)** valid signatures and **four (4)** invalid signatures. Three (3) signatures were deemed invalid as the elector's full names were not provided, while one (1) signature was invalid as the individual was not an elector of the City of Kelowna.

Approval of the electors will be obtained if the number of elector responses received by the end of the alternative approval process is less than 10% of the number of electors within the City of Kelowna (9, 484).

As insufficient number of valid signatures was received prior to the elector response form deadline, Bylaw No. 10742 being the Extension and New Facility Loan Authorization Bylaw maybe forwarded for adoption.

**LEGAL/STATUTORY AUTHORITY:**

Section 86 *Community Charter*, alternative approval process  
Section 174 *Community Charter*, establishing the limit on borrowing and other liabilities.  
Section 179 *Community Charter*, long term borrowing.

**LEGAL/STATUTORY PROCEDURAL REQUIREMENTS:** Under the *Community Charter*, advertisements must be placed in a local newspaper and on a public notice board. Elector response forms against the proposed agreement 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:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by:



S. Fleming, City Clerk

Approved for inclusion:



R. Entwistle, Acting Corporate Services Director

cc: D. Gilchrist, Director of Real Estate and Building Services

CITY OF KELOWNA  
CERTIFICATE OF SUFFICIENCY

I hereby certify that sufficient petitions **HAVE NOT** been received in relation to prevent the adoption of Bylaw No. 10742 being the Extension and New Facility Loan Authorization Bylaw.

Dated this 26<sup>th</sup> day of October, 2012.

  
S. Fleming, City Clerk

Description of Proposal	Number of Elector Responses required to Defeat Proposal (10% of Electors City-wide)	Number of Valid Responses Received
Adoption of Bylaw No. 10742 being the Extension and New Facility Loan Authorization Bylaw	9, 484	165