

Regular Meeting – P.M.

May 9, 2011

A Regular Meeting of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Monday, May 9th, 2011.

Council members in attendance: Mayor Sharon Shepherd, Councillors Robert Hobson*, Charlie Hodge, Graeme James, Angela Reid-Nagy, Michele Rule and Luke Stack.

Council members absent: Councillors Andre Blanleil and Kevin Craig.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; General Manager, Community Services, John Vos*; Supervisor, Urban Land Use, Danielle Noble*; Manager, Parks & Public Places, Terry Barton*; Director, Infrastructure Planning, Randy Cleveland*; Architecture Planner, Kristine Bouw*; Manager, Special Projects, Jackie Dueck*; Community Planning Manager, Theresa Eichler*; Acting Public Art Coordinator, Hannah Bellamy*; Manager, Systems & Reporting, Genelle Davidson*; Subdivision Approving Officer, Ryan Smith*; Director, Recreation & Cultural Services, Jim Gabriel*; Design Technician, Jason Ough*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:34 p.m.

Mayor Shepherd advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

2. Councillor Reid-Nagy was requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.01 Courtnay Tyabji-Highfield and Michael McDonald, re: BC Youth Parliament

Michael McDonald:

- Provided an overview of his participation in the 81st Annual BC Youth Parliament.
- Advised that this is the second time he has participated in the Youth Parliament.

Councillor Hobson joined the meeting at 1:36 p.m.

Courtнай Tyabji-Highfield:

- Provided an overview of her participation in the 81st Annual BC Youth Parliament.
- Advised that this is the first time she has participated in the Youth Parliament.

Moved by Councillor Rule/Seconded by Councillor Hodge

R469/11/05/09 THAT Council receives, for information, the verbal presentations from Michael McDonald and Courtнай Tyabji-Highfield dated May 9, 2011 with respect to the 81st Annual BC Youth Parliament.

Carried

Regular Meeting – P.M.

May 9, 2011

- 3.02 Katelyn Hartman, Student Researcher, Okanagan School of Business, Honours Bachelor of Business Administration Program (Okanagan College), re: 2010 BreakOut West Music Festival Economic Impact Assessment

Robert Fine, Executive Director, Central Okanagan Economic Development Commission:

- Introduced the Economic Impact Assessment presentation.

Katelyn Hartman, Student Researcher, Okanagan School of Business:

- Gave a presentation with respect to the 2010 BreakOut West Music Festival Economic Impact Assessment.

Moved by Councillor Reid-Nagy/Seconded by Councillor Hobson

R470/11/05/09 THAT Council receives, for information, the presentation from Katelyn Hartman dated May 9, 2011 with respect to the 2010 BreakOut West Music Festival Economic Impact Assessment.

Carried

4. COMMITTEE REPORTS

Mayor Shepherd presented the Government Finance Officers Association's Canadian Award for Financial Reporting to the Special Projects Manager on behalf of the City of Kelowna's Financial Services Department. Mayor Shepherd noted that it was the 8th consecutive year that the City of Kelowna had received the Award.

- 4.01 Audit Committee, dated May 3, 2011, re: Financial Statements for the Year Ending December 31, 2010

Staff:

- Presented the Financial Statements for the year ending December 31, 2010

Moved by Councillor Hobson/Seconded by Councillor Reid-Nagy

R471/11/05/09 THAT Council receives, for information, the Report from the Audit Committee dated May 3, 2011 with respect to the Consolidated Financial Statements and Auditor's Report for the City of Kelowna for the year ending December 31, 2010;

AND THAT Council approves the appropriation of \$1,950,000 of surplus generated from all general fund operations in 2010 to general reserves as detailed in the Report from the Audit Committee dated May 3, 2011;

AND FURTHER THAT the Consolidated Financial Statements and Auditor's Report be reprinted in and form part of the City of Kelowna's annual report.

Carried

- 4.02 Community Planning Manager, dated May 4, 2011, re: Housing Committee Appointment

Moved by Councillor James/Seconded by Councillor Hodge

R472/11/05/09 THAT Council accepts, with regret, the resignation of Robyn Williams Rochon from the Housing Committee;

Regular Meeting – P.M.May 9, 2011

AND THAT City Council appoints Kevin Edgecombe as a member of the Housing Committee to fill the existing vacancy.

Carried

4.03 Public Art Committee, dated May 4, 2011, re: Methodology for Review of the Public Art Program

Staff:

- Advised that members of the Public Art Committee are present in the gallery.
- Gave a presentation regarding the review of the Public Art Program.
- Advised that the Public Art Committee, in association with the Kelowna Museum, will be displaying the City's Public Art collection in order to obtain feedback from the community from July - September 2011.

Moved by Councillor Reid-Nagy/Seconded by Councillor Stack

R473/11/05/09 THAT Council receives, for information, the Report from the Public Art Committee dated May 4, 2011, setting out the methodology and proposed work plan for review of the Public Art Program;

AND THAT Council endorses the work plan for the review of the Public Art Program;

AND THAT Council approves a budget of \$25,000.00, funded from the current Public Art budget, to undertake the recommended Public Art Master Plan of the proposed work plan;

AND FURTHER THAT staff report back to Council upon completion with a final report.

CarriedCouncillors Hodge and James - Opposed.

5. DEVELOPMENT APPLICATION REPORTS

5.01 Land Use Management Department, dated April 27, 2011, re: Rezoning Application No. Z11-0018 - Gwynne Johnson - 1500 Friesen Road

(a) Land Use Management Department report dated April 27, 2011.

Moved by Councillor Hobson/Seconded by Councillor Stack

R474/11/05/09 THAT Rezoning Application No. Z11-0018 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 14, Section 35, Township 26, ODYD Plan 18660, located on Friesen Road, Kelowna, BC from the RR3 - Rural Residential 3 zone to the RU6 -Two Dwelling Housing zone, be considered by Council;

AND THAT Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of Zone Amending Bylaw be considered subsequent to the discharge of the restrictive covenant;

Regular Meeting - P.M.

May 9, 2011

AND THAT final adoption of Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

Carried

(b) BYLAW PRESENTED FOR FIRST READING

Bylaw No. 10536 (Z11-0018) - Gwynne Johnson - 1500 Friesen Road

Moved by Councillor James/Seconded by Councillor Hodge

R475/11/05/09 THAT Bylaw No. 10536 be read a first time.

Carried

6. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

6.01 Bylaw No. 10512 (Z11-0011) - George & Aneta Andres - 820 Quigley Road

Moved by Councillor Hodge/Seconded by Councillor James

R476/11/05/09 THAT Bylaw No. 10512 be adopted.

Carried

7. NON-DEVELOPMENT APPLICATION REPORTS

Mayor Shepherd advised that Agenda Item No. 7.06 will be moved forward on the Agenda once staff is available to present to Council.

7.01 General Manager, Community Services, dated April 26, 2011, re: 2011 Sewer Rates

Moved by Councillor Hodge/Seconded by Councillor James

R477/11/05/09 THAT Council receives, for information, the report from the General Manager, Community Services dated April 26, 2011 with respect to the 2011 Sewer Rate Increase;

AND THAT Bylaw No.10504 being "Amendment No. 31 to Sewerage System Bylaw No. 3480 be forwarded to Council for reading consideration.

Carried

Moved by Councillor Hobson/Seconded by Councillor Hodge

R478/11/05/09 THAT Agenda Item No. 7.06 be moved forward and dealt with immediately.

Carried

Regular Meeting – P.M.

May 9, 2011

- 7.06 Architecture Planner, dated May 3, 2011, re: Design Update – Parkinson Recreation Centre Multi-Age Activity Centre

Council:

- Would like staff to report back to Council on the final design of the Parkinson Recreation Centre Multi-Age Activity Centre at an open Council Meeting.

Moved by Councillor Hobson/Seconded by Councillor Stack

R479/11/05/09 THAT Council receives, for information, the Report from the Architecture Planner dated May 4, 2011 regarding an update of the design for the new Parkinson Recreation Centre Multi-Age Activity Centre;

AND THAT Council approves an additional \$600,000.00 budget, funded from General Reserves, to increase the size of the Parkinson Recreation Centre Multi-Age Activity Centre as per Scenario 3 as outlined in the Report of the Architecture Planner dated May 3, 2011;

AND FURTHER THAT the 2011 Financial Plan be amended accordingly.

Carried

- 7.02 Financial Systems & Reporting Manager, dated April 28, 2011, re: Investment of City of Kelowna Funds for 2010

Moved by Councillor Hobson/Seconded by Councillor Hodge

R480/11/05/09 THAT Council receives, for information, the Report from the Financial Systems & Reporting Manager dated April 28, 2011 with respect to the investment of City of Kelowna funds for 2010.

Carried

- 7.03 Subdivision Approving Officer, dated April 20, 2011, re: Proposed Renaming of a Section of Arab Road to Arab Court

Staff:

- Advised that there is only one (1) member of the public impacted by the proposed renaming and that staff have already been in contact with that individual.

Moved by Councillor Hodge/Seconded by Councillor Stack

R481/11/05/09 THAT Council receives, for information, the Report from the Subdivision Approving Officer dated April 20, 2011 recommending the renaming of a section of Arab Road to Arab Court as show on Map "A" as attached to and forming part of the Report from the Development Services Department dated April 20, 2011;

AND THAT Council gives reading consideration to Bylaw No. 10538 being "Renaming of a portion of Arab Road to Arab Court Road Name Change bylaw".

AND FURTHER THAT staff be directed to re-address properties impacted by the road name change.

Carried

Regular Meeting – P.M.

May 9, 2011

- 7.04 Subdivision Approving Officer, dated April 26, 2011, re: Proposed Renaming of Section of Clement Avenue to Water Street

Staff:

- Advised that there are no property addresses impacted by the proposed renaming.

Moved by Councillor Hodge/Seconded by Councillor Hobson

R482/11/05/09 THAT Council receives, for information, the Report from the Subdivision Approving Officer dated April 26, 2011 recommending the renaming of a section of Clement Avenue to Water Street as shown on Map "A" as attached to and forming part of the Report from the Development Services Department dated April 26, 2011;

AND THAT Council gives reading consideration to Bylaw No. 10539 being "Renaming of a portion of Clement Avenue to Water Street Road Name Change bylaw".

Carried

- 7.05 Director, Infrastructure Planning, dated May 3, 2011, re: City Wide Water Supply and Treatment Improvement - Memorandum of Understanding - Addendum #1

Moved by Councillor James/Seconded by Councillor Hodge

R483/11/05/09 THAT Council receives, for information, the Report from the Director, Infrastructure Planning dated April 26, 2011 with respect to the City Wide Water Supply and Treatment Improvement Memorandum of Understanding with the Kelowna Joint Water Committee ("KJWC") dated August 18, 2010;

AND THAT, Council approves the addition of Addendum #1 to the Memorandum of Understanding between the City of Kelowna and the Kelowna Joint Water Committee ("KJWC") and authorizes the Mayor and City Clerk to execute Addendum #1 for an extension of 6 months to the original terms of the agreement, with mutual consent of all signatories.

Carried

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 8.01 Bylaw No. 10504 - Amendment No. 31 to Sewerage System User Bylaw No. 3480
- 8.02 Bylaw No. 10537 - Road Closure Bylaw - Portion of Monte Vista Avenue
- 8.03 Bylaw No. 10538 - A Bylaw to Change the Name of Sections of Arab Road to Arab Court
- 8.04 Bylaw No. 10539 - A Bylaw to Change the Name of Sections of Clement Avenue to Water Street

Regular Meeting – P.M.

May 9, 2011

Moved by Councillor Rule/Seconded by Councillor Hodge

R484/11/05/09 THAT Bylaw Nos. 10504, 10537, 10538 and 10539 be read a first, second and third time.

Carried

(BYLAWS PRESENTED FOR ADOPTION)

8.05 Bylaw No. 10517 - Amendment No. 17 to City of Kelowna Electricity Regulation Bylaw No. 7639

Moved by Councillor Hodge/Seconded by Councillor Rule

R485/11/05/09 THAT Bylaw No. 10517 be adopted.

Carried

8.06 Bylaw No. 10528 - Five Year Financial Plan 2011-2015

Moved by Councillor Reid-Nagy/Seconded by Councillor Stack

R486/11/05/09 THAT Bylaw No. 10528 be adopted.

Carried

8.07 Bylaw No. 10529 - Tax Structure Bylaw, 2011

Moved by Councillor Reid-Nagy/Seconded by Councillor Stack

R487/11/05/09 THAT Bylaw No. 10529 be adopted.

Carried

8.08 Bylaw No. 10530 - Annual Tax Rate Bylaw, 2011

Moved by Councillor Hobson/Seconded by Councillor Stack

R488/11/05/09 THAT Bylaw No. 10530 be adopted.

Carried

8.09 Bylaw No. 10531 - Development Cost Charge Reserve Fund Expenditure Bylaw, 2011

Moved by Councillor Stack/Seconded by Councillor Hobson

R489/11/05/09 THAT Bylaw No. 10531 be adopted.

Carried

8.10 Bylaw No. 10532 - Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2011

Regular Meeting – P.M.May 9, 2011Moved by Councillor Stack/Seconded by Councillor HobsonR490/11/05/09 THAT Bylaw No. 10532 be adopted.Carried9. MAYOR & COUNCILLOR ITEMS9.01 Mayor Shepherd, re: "Spirit of Kelowna" Acknowledgment

Mayor Shepherd:

- Acknowledged "The Raging Grannies" as the latest recipient of the "Spirit of Kelowna" Acknowledgment for the good work that they do in raising awareness, attending significant community events and protesting injustices in our world.

9.02 Councillor Items

Mayor Shepherd:

- Reminded Council that the Veendam Delegation is arriving in Kelowna on Wednesday.
- Reviewed the timeline of events with respect to the BC Dragoons 100th Anniversary.
- Announced that the City Manager has implemented a "Customer Feedback Card" Program.
- Announced that the City of Kelowna's SILGA Resolutions were passed during the recent SILGA Convention in Merritt.

Councillor Hodge:

- Made comment regarding the Civic & Community Awards plaques that are currently being displayed in Stuart Park and advised that the Committee will be meeting next week to figure out how deal with the plaques that have two (2) names on them. After the plaques have been displayed for one (1) year, they are given to the winner.
- Congratulated Councillor Rule on her election to the SILGA Board.

Councillor Stack:

- Provided an update with respect to the recent fundraising event held at the Kelowna Community Theatre for Japan.
- Commended City staff on the quality of the multi-model pathways around the City.

10. TERMINATION

The meeting was declared terminated at 3:56 p.m.

Certified Correct:_____
Mayor_____
City Clerk

SLH/dld