



CITY OF WEST KELOWNA
REGULAR MEETING OF COUNCIL
JANUARY 14, 2025

City of West Kelowna Municipal Security Issuing Resolution

It was moved and seconded

Resolution No. C005/25

THAT Council approves borrowing from the Municipal Finance Authority of British Columbia (MFA), as part of their 2025 Spring Borrowing Session, \$11,000,000 as authorized through the City of West Kelowna Loan Authorization Bylaw No. 0272, 2020;

AND THAT Regional District Central Okanagan (RDCO) be requested to consent to the City borrowing \$11,000,000 over a 25-year term and include the borrowing in their next security issuing bylaw;

AND FURTHER THAT Council approves applying the \$11,000,000 proceeds obtained through the RDCO's Security Issuing Bylaw to offset MFA funds already received by the City through the City of West Kelowna Temporary Borrowing Bylaw No. 0290.

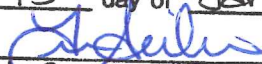
CARRIED UNANIMOUSLY

I hereby certify this document to be a true copy of

City of West Kelowna Council

Resolution No. C005/25

Dated this 15th day of January, 2025


Deputy Corporate Officer
City of West Kelowna

CITY OF WEST KELOWNA

BYLAW NO. 0290

A BYLAW TO AUTHORIZE THE TEMPORARY BORROWING OF THE ESTIMATED
COST OF CONSTRUCTING A CITY HALL

WHEREAS it is provided by S. 181 of the *Community Charter* that the Council may, where it has adopted a loan authorization bylaw, without further assents or approvals, borrow temporarily under the conditions therein set out;

AND WHEREAS the Council has adopted Bylaw No. 272, cited as City of West Kelowna City Hall Loan Authorization Bylaw No. 272, authorizing borrowing for the purpose constructing a City Hall including expenses incidental thereto, in the amount of eleven million dollars (\$11,000,000);

AND WHEREAS long-term borrowing has been deferred;

NOW THEREFORE, the Council of the City of West Kelowna in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "West Kelowna City Hall Temporary Borrowing Bylaw No. 0290, 2021."
2. The Council is hereby authorized and empowered to borrow an amount or amounts not exceeding the sum of eleven million dollars (\$11,000,000), as the same may be required.
3. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Mayor and the Corporate Officer.
4. The money so borrowed shall be used solely for the purposes set out in Loan Authorization Bylaw No. 272.
5. The proceeds from the sale of the debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.

READ A FIRST, SECOND AND THIRD TIME THIS 12TH DAY OF OCTOBER, 2021

ADOPTED THIS 26TH DAY OF OCTOBER, 2021


MAYOR


CORPORATE OFFICER

CITY OF WEST KELOWNA

BYLAW NO. 0272

A BYLAW TO AUTHORIZE THE BORROWING OF THE ESTIMATED
COST OF CONSTRUCTING A CITY HALL

WHEREAS it is deemed desirable and expedient to construct a City Hall; and,

WHEREAS the estimated cost of constructing the City Hall including expenses incidental thereto is the sum of \$18,000,000, of which the sum of \$11,000,000 is the amount of debt intended to be borrowed by this Bylaw;

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna in open meeting assembled hereby enacts as follows:

1. Title

This Bylaw may be cited as the "CITY OF WEST KELOWNA CITY HALL LOAN AUTHORIZATION BYLAW NO. 0272, 2020."

2. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the construction of a City Hall generally in accordance with general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:

a) To borrow upon the credit of the Municipality, a sum not exceeding \$11,000,000.

b) To acquire all such real property, easements, right-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the City Hall.

3. The maximum term for which debentures may be issued to secure the debt created by this Bylaw is 25 years.

READ A FIRST, SECOND AND THIRD TIME THIS 11TH DAY OF FEBRUARY, 2020.

RECEIVED the approval of the Inspector of Municipalities this 19TH DAY OF MARCH, 2020.

ADOPTED THIS 6TH DAY OF OCTOBER, 2020.

I hereby certify this document to be a true copy of

Bylaw No. 0272, 2020

Dated this 6th day of November 2020

P. Dehnich
Corporate Officer
City of West Kelowna

[Signature]
MAYOR

[Signature]
CITY CLERK)



C36A-21

December 17, 2020

Chief Administrative Officer
City of West Kelowna
2760 Cameron Road
West Kelowna, BC
V1Z 2T6

Enclosed is a Certificate of Approval for Bylaw No. 0272, cited as "City of West Kelowna City Hall Loan Authorization Bylaw No. 0272, 2020".

Sincerely,

Barrie Nicholls
Governance Analyst





Certificate of Approval

Under the authority of the *Local Government Act*, I certify that Bylaw No. 0272, cited as the "City of West Kelowna City Hall Loan Authorization Bylaw No. 0272, 2020" of the City of West Kelowna has been lawfully and validly made and enacted, and that its validity is not open to question on any ground in any court of British Columbia.

Dated this 9th *day*
Of December , 2020

Deputy Inspector of Municipalities of British Columbia



C36A-21

October 14, 2020

Chief Administrative Officer
City of West Kelowna
2760 Cameron Rd
West Kelowna BC V1Z 2T6

Re: "City of West Kelowna City Hall Loan Authorization Bylaw No. 0272, 2020"

Enclosed is one copy of the above bylaw approved under the provisions of section 179 of the *Community Charter* (Charter).

As Council is using section 7 of the *Municipal Liabilities Regulation* [approval-free liability zone] which exempts the requirement for approval of the electors, the bylaw may now be adopted.

Upon expiration of the statutory quashing period, which extends for one month commencing after the date of adoption, application may be made for a Certificate of Approval. At the time of submission, one adopted copy of the bylaw and a completed copy of the Corporate Officer's Certificate are required.

Thank you for your patience while we adjusted our processes so staff could work remotely, Ministry staff are currently working in the office on a part-time basis and are now able to send hardcopy files. This letter is in addition to the electronic approval that was sent previously.

Sincerely,

Barrie Nicholls
Governance Analyst





Statutory Approval

Under the provisions of section _____ 179 _____

of the _____ Community Charter _____

I hereby approve Bylaw No. _____ 0272 _____

of the _____ City of West Kelowna _____,

a copy of which is attached hereto.

Dated this 19 *day*

of March *, 2020*

Deputy Inspector of Municipalities

CORPORATE OFFICER'S CERTIFICATE (Form CO2)

The City of West Kelowna (the "Local Government")

The undersigned, Corporate Officer, as the person responsible for corporate administration of the Local Government under section 148 of the *Community Charter* (the *Charter*) or section 236 of the *Local Government Act*, hereby certifies as follows:

1. That Loan Authorization Bylaw No. 272 (the "Loan Authorization Bylaw") was duly and properly enacted in accordance with the provisions of the local government legislation at a duly constituted meeting of the Local Government in accordance with the requirements of the Local Government's applicable procedure bylaw and at which a quorum was present and acting throughout. **Attached is an adopted copy of the Loan Authorization Bylaw.**
2. That the Loan Authorization Bylaw has not been amended or repealed and is in full force and effect as at the date hereof.
3. Approval of the electors for the Loan Authorization Bylaw is not required under section 180 of the *Charter* or section 407 of the *Local Government Act* for one of the following reasons:
 - The liability is within the approval-free liability zone determined in accordance with section 7 of the *Municipal Liabilities Regulation* (BC Reg. 254/2004) or;
 - The money is being borrowed for a purpose referred to in section 179 (1) (d) to (g) of the *Charter* [loan authorization bylaws for court, arbitration and expropriation requirements] or in the case of regional districts, paying compensation in respect of property expropriated or injured in carrying out works referred to in section 291 of the *Local Government Act* [entry on land to mitigate damage] or;
 - The money is being borrowed for works required to be carried out under an order of the Inspector of Dikes; an order under section 84 [abatement of municipal pollution], or section 85 [environmental protection orders] or section 87 [environmental emergency measures] of the *Environmental Management Act*.
 - The money is being borrowed for water treatment works in compliance with an order of a drinking water protection officer and the Inspector of Municipalities has approved the proposed liability under section 8 of the *Municipal Liabilities Regulation* (BC Reg. 254/2004) or section 4 of the *Regional District Liabilities Regulation* (BC Reg. 261/2004).

- The liability is for the purpose of a regional park or regional trail and the requirements in section 3 of the *Regional District Liabilities Regulation* (BC Reg. 261/2004) have been met.
- The money is being borrowed for the purpose of preparing or implementing a waste management plan under section 24 of the *Environmental Management Act*.
- As per section 180 (3) of the *Community Charter*, approval of the electors has been waived by the Inspector of Municipalities.
- The money is being borrowed for the purpose of responding to a State of Emergency situation, pursuant to section 13 of the *Emergency Program Act*.

4. No application has been made or action or proceeding brought to quash or to set aside the Loan Authorization Bylaw under section 623 of the *Local Government Act* or otherwise and the validity of the Loan Authorization Bylaw has not been attacked, questioned or adjudicated in any court and to the best of the knowledge of the undersigned no such action is pending or has been threatened and the undersigned knows of no objections to the validity of the Loan Authorization Bylaw.

DATED this 6th day of November, 2020.

Shelley Schnitzler [signature]

Name: Shelley Schnitzler

Title: Corporate Officer

LIABILITY SERVICING LIMIT CERTIFICATE

The City of West Kelowna (the "Municipality")
 In relation to (insert the name and # of the loan authorization, or identify the other liability for which certification is being made)

The undersigned Financial Officer assigned responsibility for financial administration under section 149 of the Community Charter, SBC 2003, Chapter 26 (the "Charter") or Auditor appointed for the Municipality under section 169 of the Charter hereby certifies as follows:

Calculation revenue for the previous year <i>(section 4 & 5, BC Reg 254/2004)</i>	<u>\$52,658,511.00</u>	a
Liability Servicing Limit (a x 25%) <i>(section 2, BC Reg 254/2004)</i>	<u>\$15,664,627.75</u>	b
Annual Servicing cost for previous year	<u>\$2,602,104.28</u>	c

Plus: New liabilities incurred, other than current request

Liability Type and reference	Annual servicing cost	
_____	_____	d
_____	_____	e
_____	_____	f
_____	_____	g
_____	_____	h
_____	_____	i
_____	_____	j
_____	_____	k
_____	_____	l
Total of lines d through l	<u>\$0.00</u>	m

Less: Liabilities which have matured

Liability type and reference	Annual servicing cost	
MFA Issue 73	\$4,109.93	n
MFA Issue 73	\$85,635.64	o
_____	_____	p
_____	_____	q
_____	_____	r
Total of lines n through r	<u>\$89,745.57</u>	s
Amount of new liability <i>(section 3, BC Reg 254/2004)</i>	<u>\$11,000,000.00</u>	t
Annual servicing cost of new liability <i>(section 3, BC Reg 254/2004)</i>	<u>\$616,385.00</u>	u
Total liability servicing cost including current request (lines c+m-s+u)	<u>\$3,128,743.71</u>	v

which is less than the annual liability servicing limit stated on line b.

OR

which exceeds the annual liability servicing limit stated on line b, and the undersigned hereby requests approval of the Inspector of Municipalities under section 174 of the Charter to exceed the limit established under the section.

In accordance with section 179(5) or section 175(1)(b) of the Charter, as applicable, the debt to be contracted under the loan authorization bylaw, or other liability for which certification is being made, referred to above will not exceed the lesser of 30 years and the reasonable life expectancy of the capital asset, activity, work or service, or the remaining term of the applicable agreement, as the case may be, for which the debt is to be contracted.

The undersigned Financial Officer or Auditor also hereby authorizes Legal Counsel of the Municipal Finance Authority of British Columbia to rely on this Certificate in giving any opinion in connection with any borrowing by the Municipal Finance Authority of British Columbia ("MFA") and the issuance of bonds, debentures, and other securities by the MFA in respect of the loan authorization bylaw, or other liability for which certification is being made, referred to above.

DATED this 19 day of Feb, 2020.

Warren Everton
 Financial Officer

OR

 Auditor

Warren Everton
 (Please print full name)

 (Please print full name & company)