

Special Council Meeting
to be held at the City of Penticton, Council Chambers
171 Main Street, Penticton, B.C.

Tuesday, May 10, 2022
at 1:00 p.m.

1. **Call Special Council Meeting to Order**
2. **Adoption of Agenda**
3. **Staff Reports**

- Campbell 3.1 Signing Officers and Banker for 2022 and Subsequent Years 1-2
- Staff Recommendation: THAT Council approve signing authorities for the City's bank accounts at Valley First Credit Union as follows:*
- A Signers**
- Donny van Dyk, Chief Administrative Officer
 - Angela Campbell, Director of Finance and Administration
 - Elma Hamming, Manager of Finance
 - Courtney Jones, Financial Planning & Budget Specialist
- B Signers**
- John Vassilaki, Mayor
 - Julius Bloomfield, Councillor
 - James Miller, Councillor
 - Frank Regehr, Councillor
 - Katie Robinson, Councillor
 - Judith Sentes, Councillor
 - Campbell Watt, Councillor
- Signing officers for memberships 2491165 and 2357879 (City of Penticton) will be for the calendar year ending December 31, 2022 and subsequent years until changed.*
- AND THAT Council approve:*
- Susan Coombes, Senior Finance Manager, South Okanagan Events Centre
 - Dean Clarke, General Manager, South Okanagan Events Centre
 - Kevin Webb, Assistant General Manager, South Okanagan Events Centre
 - Mary Richards, PTCC Director of Sales, Penticton Trade and Convention Centre
 - Donny van Dyk, Chief Administrative Officer, City of Penticton
 - Angela Campbell, Director of Finance and Administration, City of Penticton
 - Elma Hamming, Manager of Finance, City of Penticton
- Signing officers for membership 2491223 (South Okanagan Events Centre) for the calendar year ended December 31, 2022 and subsequent years until changed.*

Collison	3.2	Downtown Business Improvement Area Bylaw No. 2022-09 <i>Staff Recommendation: THAT Council accept the Certificate of Sufficiency for the "Downtown Business Improvement Area Bylaw No. 2022-09"; AND THAT Council adopt "Downtown Business Improvement Area Bylaw No. 2022-09".</i>	3-10
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4. **Bylaws and Permits**

Collison	4.1	Tax Rates Bylaw No. 2022-17	11-14	Adopt
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5. **Public Question Period**

6. **Adjournment**

Council Report

penticton.ca

Date: May 10, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Angela Campbell, Director of Finance and Administration
Subject: **Signing Officers and Banker for 2022 and Subsequent Years**

File No:

Staff Recommendation

THAT Council approve signing authorities for the City's bank accounts at Valley First Credit Union as follows:

A Signers

- Donny van Dyk, Chief Administrative Officer
- Angela Campbell, Director of Finance and Administration
- Elma Hamming, Manager of Finance
- Courtney Jones, Financial Planning & Budget Specialist

B Signers

- John Vassilaki, Mayor
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- Campbell Watt, Councillor

Signing officers for memberships 2491165 and 2357879 (City of Penticton) will be for the calendar year ending December 31, 2022 and subsequent years until changed.

AND THAT Council approve:

- Susan Coombes, Senior Finance Manager, South Okanagan Events Centre
- Dean Clarke, General Manager, South Okanagan Events Centre
- Kevin Webb, Assistant General Manager, South Okanagan Events Centre
- Mary Richards, PTCC Director of Sales, Penticton Trade and Convention Centre
- Donny van Dyk, Chief Administrative Officer, City of Penticton
- Angela Campbell, Director of Finance and Administration, City of Penticton
- Elma Hamming, Manager of Finance, City of Penticton

Signing officers for membership 2491223 (South Okanagan Events Centre) for the calendar year ended December 31, 2022 and subsequent years until changed.

Background

Valley First Credit Union, the City's financial institution, requires a Council resolution outlining those with signing authority. When changes occur in Mayor, Council, or managers with signing authorities', an updated resolution is passed to satisfy the financial institutions' requirements. Charges against any of the City's accounts must be signed by two signers.

Signing authorities on the City of Penticton membership 2491165 and 2357879 consist of two groups – A signers and B signers. Charges against the City's accounts must be signed by two A signers or by one A signer and one B signer.

Per the City's Payment Signing Authority Policy, all cheques are signed by two A signers, or in rare circumstances, when two A signers are not available, a B signer will be requested to sign.

Signing authorities on the SOEC (membership 2491223) account require signing of two individuals on the list.

The signing authority for this purpose is to legally validate the charges against the City's bank accounts as required by the financial institution and is distinct from authorities to expend as set out in the City's Purchasing Policy.

Analysis

The proposed signing authority is being updated as a result of staffing changes including the addition of Elma Hamming, the new Manager of Finance, removal of Jim Bauer, the former General Manager of Finance and Administration, and removal of Agnieszka Artymowicz the former Director of Finance at the SOEC.

Respectfully submitted,



Angela Campbell
Director of Finance and Administration

Acting Chief
Administrative Officer

KD

Council Report

penticton.ca

Date: May 10, 2022 File No: 0550-20
To: Donny van Dyk, Chief Administrative Officer
From: Angie Collison, Corporate Officer

Subject: Downtown Business Improvement Area Bylaw No. 2022-09

Staff Recommendation

THAT Council accept the Certificate of Sufficiency for the "Downtown Business Improvement Area Bylaw No. 2022-09";

AND THAT Council adopt "Downtown Business Improvement Area Bylaw No. 2022-09".

Strategic priority objective

Mission: Penticton will serve its residents, businesses and visitors through good governance, partnership and the provision of effective and community focused services.

Background

Established under Section 215 of the *Community Charter*, a Business Improvement Area allows Council to grant money to an applicant for the purpose of planning and implementing a business promotion scheme that is outlined by bylaw. The Downtown Penticton Business Improvement Association (DPBIA) requested the commencement of the City led renewal process at the March 15, 2022 Regular Meeting of Council. At that meeting, Council passed the following resolution:

78/2022

It was MOVED and SECONDED

THAT Council request the Downtown Penticton Business Improvement Association (DPBIA) initiate a Petition for Service for a downtown business improvement area.

CARRIED UNANIMOUSLY

A Special Meeting of Council was held March 24, 2022, after hearing from the DPBIA, Council passed the following resolution:

97/2022

It was MOVED and SECONDED

THAT Council rescind resolution 78/2022 (THAT Council request the Downtown Penticton Business Improvement Association (DPBIA) initiate a Petition for Service for a downtown business improvement area.);
AND THAT Council give first, second and third reading to "Downtown Business Improvement Area Bylaw No. 2022-09";
AND THAT Council initiate the petition against process.

CARRIED

Notice of intention were published on March 30, 2022 and April 6, 2022 in the Penticton Western News. 313 individual notices were mailed out to property owners liable to be charged the business improvement levy. 61 petitions against the bylaw were received by the May 6, 2022 deadline.

Total No. of Parcels	Total Valid Petitions Rec'd Against the proposed Business Improvement Area Bylaw	Total Assessed Value of land & improvements subject to levy	Assessed Value of Property Owners Petitioning Against the Service (must be 50% or greater)
313	61	277,999,000	44,923,700

Analysis

Council did not receive sufficient petitions against (signed by the owners of at least 50% of the parcels that would be subject to the levy and representing at least 50% of the assessed value of the parcels which are liable to be charged the levy) as such, Council can proceed with the adoption of "Downtown Penticton Business Improvement Area Bylaw No. 2022-09".

Attachments

Attachment A – Certificate of Sufficiency

Attachment B – Downtown Business Improvement Area Bylaw No. 2022-09

Respectfully submitted,

Angie Collison
Corporate Officer

Concurrence

Director of Finance and Administration <i>AMC</i>	General Manager, Community Services <i>SBH</i>	Acting Chief Administrative Officer KD
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Certificate of Sufficiency

I hereby certify that the following petitions were received in opposition to Downtown Business Improvement Area Bylaw No. 2022-09; a bylaw to renew the Downtown Business improvement Area to fund the Downtown Penticton Business Improvement Association (DPBIA) to do certain works and services and to market and promote business within the Business Improvement Area.

Total No. of Parcels	Total Valid Petitions Rec'd Against the proposed Business Improvement Area Bylaw	Total Assessed Value of land & improvements subject to levy	Assessed Value of Property Owners Petitioning Against the Service (must be 50% or greater)
313	61	277,999,000	44,923,700

"Downtown Business Improvement Area Bylaw No. 2022-09" meets the requirements of Section 215 of the *Community Charter*, and the local government may proceed with the proposed matter for the establishment of the Business Improvement Area.

Dated at Penticton, BC

This 9 day of May, 2022.

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Corporate Officer

The Corporation of the City of Penticton

Bylaw No. 2022-09

A bylaw to renew the Business Improvement Area for the Downtown Penticton Business Improvement Association.

WHEREAS the Council may, by majority vote, grant money to a corporation or other organization for the purpose of planning and implementation of a Business Promotion Scheme;

AND WHEREAS the Council has received an application from the Downtown Penticton Business Improvement Association for a grant of money under a business improvement area scheme;

AND WHEREAS before a Council grants money for a Business Promotion Scheme, the Council shall pass a business improvement area bylaw;

AND WHEREAS a notice of the intention of Council to establish a local service area for the purpose of funding the "Downtown Penticton Business Improvement Association", (known hereafter as the Applicant) to do certain works and services and to market and promote business within the business improvement area, has been advertised, and served upon the owners of the parcels liable to be specially charged;

THEREFORE BE IT RESOLVED that the Municipal Council of the Corporation of the City of Penticton in open meeting assembled hereby enacts as follows:

1. Title:

This bylaw may be cited for all purposes as the "Downtown Business Improvement Area Bylaw No. 2022-09".

2. Designation of Area:

For the purposes of this bylaw, the Downtown Business Improvement Area to which this Bylaw is applicable, being the local service area for the business improvement services, shall be comprised of those tracts of land shown shaded in green on Schedule "A" attached hereto and forming part of this bylaw.

3. Grant/Tax:

Based on the assessed values of land and improvements, the annual costs of the business improvement area service, as noted in the table below, shall be recovered by applying an annual tax rate to the properties that are assessed in Class 5 and 6 within the business improvement area subject to a maximum levy of \$12,000.00 and a minimum levy per parcel of \$300.00. The annual rate will differ for each year, will be applied per thousand dollars of assessed value and be set annually as part of City of Penticton Tax Rates Bylaw.

Year	Levy Amount
2022	\$303,523
2023	\$315,664
2024	\$328,290
2025	\$341,422
2026	\$355,079

The City shall pay 50% of the revenue from this tax to the Applicant on or before the first day of February and the remainder in July in each year of the grant.

4. Term:

The term of the grant under this Bylaw shall be five (5) years commencing May 1, 2022.

5. Expenditure:

The money granted under this Bylaw shall be expended only (1) by the Applicant; (2) in accordance with the conditions and limitations set out in this bylaw; (3) for the Downtown Business Promotion Scheme set out in Schedule "B" attached hereto and forming part of this bylaw.

6. Recovery:

All of the money granted to the Applicant pursuant to this bylaw shall be recovered under this Bylaw within the Downtown Business Improvement Area shown on Schedule "A".

7. Conditions and Limitations:

- 7.1 The money granted pursuant to this Bylaw shall be expended by the Applicant for the purpose of carrying out the Downtown Promotion Scheme more particularly set out in Schedule "B".
- 7.2 The Applicant shall submit to the Chief Financial Officer, on or before April 1st of each year, 2022 through 2026 inclusive, a budget for the Association's fiscal year which contains information sufficient in detail to describe all anticipated expenses and revenues and which has been approved by a majority of the members present at the Annual General Meeting of the Association.
- 7.3 The Applicant shall submit to the Chief Financial Officer an annual financial statement which shall be prepared in accordance with generally accepted accounting principles and shall include a balance sheet and a Statement of Revenue and Expenditure. The financial statement shall be prepared on a calendar year basis. The financial statement relating to the year of the grant shall be submitted by the Applicant on or before the first day of April of the year following.

8. Insurance:

The Applicant shall contract for General and Comprehensive liability insurance coverage in the amount of FIVE MILLION DOLLARS (\$5,000,000) with the City of Penticton named as an additional insured and shall deliver proof of coverage annually to the City.

9. Expiration Date and Renewal:

This bylaw shall come into effect May 1, 2022 and cease to have effect on the 30th day of April 2027. The applicant shall apply for a renewal to Council no later than October 31, 2026.

10. Severability:

If any section, subsection or clause of the Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the decision will not affect the validity of the remaining portions of this Bylaw.

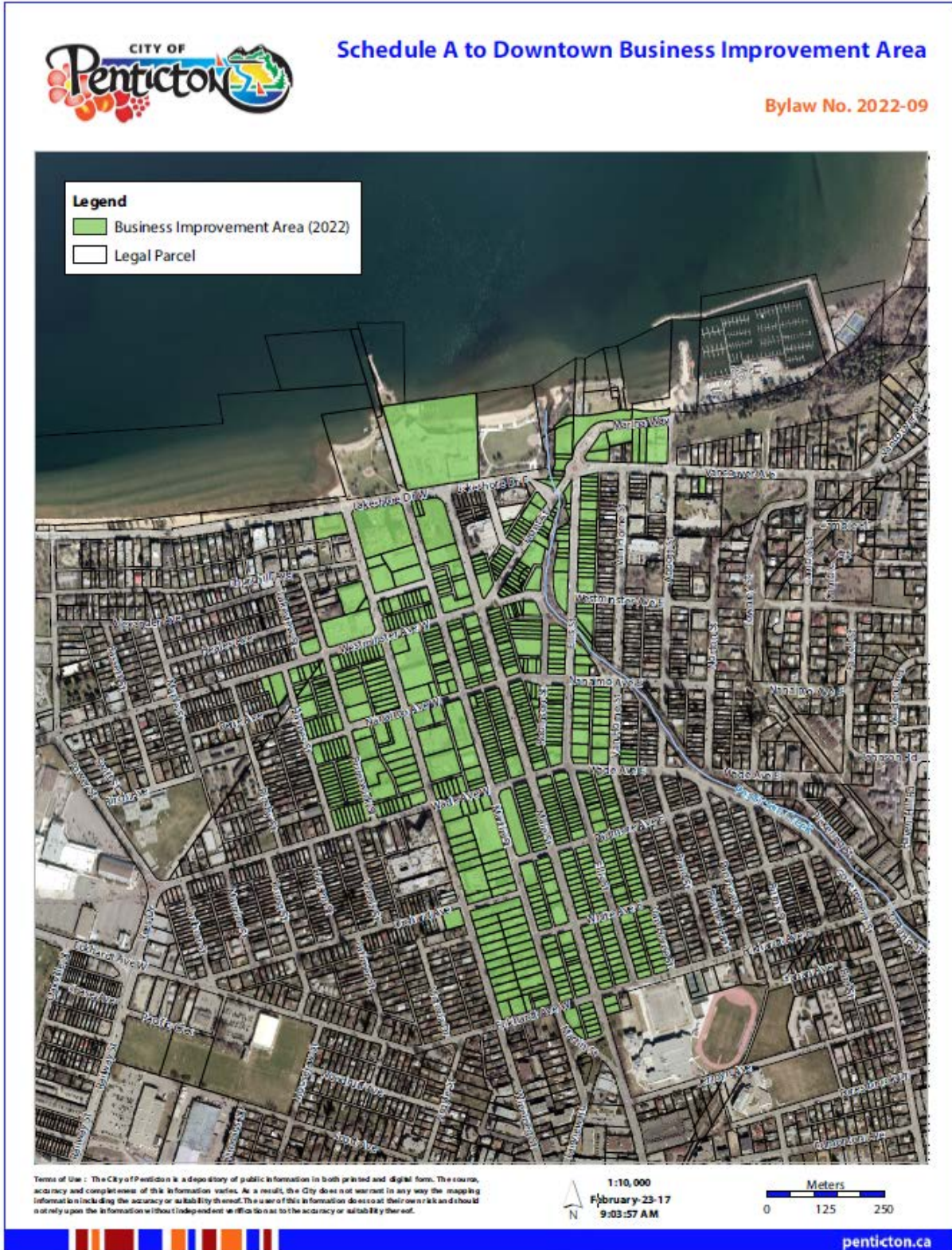
READ A FIRST time this	24 day of	March, 2022
READ A SECOND time this	24 day of	March, 2022
READ A THIRD time this	24 day of	March, 2022
ADOPTED this	day of	, 2022

Notice of intention to proceed with this bylaw was published on the 30 day of March, 2022 and the 6 day of April, 2022 in the Penticton newspapers, pursuant to Section 94 of the *Community Charter*.

John Vassilaki, Mayor

Angie Collison, Corporate Officer

SCHEDULE "A"



SCHEDULE "B"

BUSINESS PROMOTION SCHEME

The Business Promotion Scheme to be undertaken by the Downtown Penticton Business Improvement Association pursuant to the provisions of this bylaw shall encompass the following activities:

- a) General marketing and promotion of downtown Penticton including organization and/or support for large and small events;
- b) The improvement, beautification or maintenance of streets, sidewalks or municipally owned land, buildings or structures in the business improvement area including the use of security cameras to safe guard infrastructure;
- c) The removal of graffiti from buildings and other structures in the business improvement area;
- d) The encouragement of business in the business improvement area including efforts towards potential new businesses and filling vacant spaces or properties.

The Corporation of the City of Penticton

Bylaw No. 2022-17

A Bylaw for the levying of property tax rates for the year 2022

WHEREAS pursuant to the *Community Charter*, Council is empowered to impose property value taxes by establishing tax rates within the City of Penticton;

AND WHEREAS it is deemed expedient to establish tax rates for the municipal revenue proposed to be raised from property value taxes and the amounts to be collected by means of rates established to meet the City's taxing obligation in relation to another local government or other public body;

NOW THEREFORE the Council of The Corporation of the City of Penticton in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "Tax Rates Bylaw No. 2022-17".
2. **Interpretation**
 - 2.1 In this Bylaw,
 - a. **"Alternative Municipal Tax Collection Scheme"** means the tax collection scheme established under section 3.1 of this Bylaw;
 - b. **"Collector"** has the same meaning as in the *Community Charter*; and
 - c. **"General Tax Collection Scheme"** means the tax collection scheme established under section 234 of the *Community Charter*.
3. **Alternative Tax Collection Scheme**
 - 3.1 Subject to any owner election under section 3.3, the rates and taxes payable under this Bylaw are due and shall be payable in accordance with this Bylaw on or before July 29, 2022.
 - 3.2 An owner may elect to pay the rates and taxes owed under this Bylaw under the Alternative Municipal Tax Collection Scheme by providing written notice of that election to the Collector no later than the first Monday in June, 2022.
 - 3.3 An owner may elect to pay the rates and taxes owed under this Bylaw under the General Tax Collection Scheme on or before July 1, 2022 by giving written notice of that election to the Collector no later than the first Monday in June, 2022.
 - 3.4 An owner may change an election under sections 3.2 or 3.3 by giving written notice to the Collector no later than the first Monday in June 2022, provided that an owner may only change their election once in the same year.
 - 3.5 If an owner makes no election under section 3.2 or 3.3, the Alternative Municipal Tax Collection Scheme automatically applies to the owner.

- 3.6 An owner must give any notice under this section to the Collector at his or her office at 171 Main Street, Penticton, B.C. V2A5A9.

4. PENALTIES

- 4.1 If the Alternative Municipal Tax Collection Scheme applies to a parcel of land and its improvements, the Collector must add to the unpaid balance of the current year's taxes, in respect of each parcel of land and the improvements as shown on the tax roll, a penalty of ten (10) percent to be applied in relation to payments made after the tax due date of July 29, 2022.
- 4.2 If the General Tax Collection Scheme applies to a parcel of land and its improvements, the Collector must apply the penalties and interest set out in any regulation under section 234 of the *Community Charter*.

5. The following rates are hereby imposed and levied for the year 2022.

- 5.1 For lawful general purposes of the municipality on the value of land and improvements taxable for general Municipal purposes, rates appearing on Column "A" of the Schedule 'A' attached hereto and forming part hereof;
- 5.2 For hospital purposes on the value of land and improvements taxable for Regional Hospital District purposes, rates appearing in Column "B" of the Schedule 'A' attached hereto and forming a part hereof;
- 5.3 For purposes of the Regional District of Okanagan-Similkameen on the value of land and improvements taxable for Regional Hospital District purposes, rates appearing in Column "C" of the Schedule 'A' attached hereto and forming a part hereof;
- 5.4 For purposes of the Regional District of Okanagan-Similkameen 9-1-1 Emergency Telephone Service and Mosquito Control, on the assessed value of improvements taxable for Regional Hospital District purposes, rates appearing in Column "D" of the Schedule 'A' attached and forming a part thereof;
- 5.5 For purposes of Regional District of Okanagan-Similkameen Sterile Insect Release Program, on the assessed value of land taxable for Regional Hospital District purposes, rates appearing in Column "E" of the Schedule 'A' attached and forming a part hereof.
- 5.6 For purposes of Downtown Penticton Business Improvement Area Class 5 & 6 properties, on the assessed value of Class 5 and 6 land and improvements taxable for general Municipal purposes, rates appearing in Column "F" of the Schedule 'A' attached and forming a part hereof.

READ A FIRST time this	3	day of	May, 2022
READ A SECOND time this	3	day of	May, 2022
READ A THIRD time this	3	day of	May, 2022
ADOPTED this		day of	, 2022

John Vassilaki, Mayor

Angie Collison, Corporate Officer

The Corporation of The City of Penticton

Schedule 'A'

Tax Rates (dollars of tax per \$1,000 taxable assessment)

2022	A	B	C	D	E	F
Property Class	General Municipal	Regional Hospital District	RDOS	RDOS 911 Emergency Telephone Service & Mosquito Control	RDOS Sterile Insect Release Program	Downtown Penticton Business Improvement Area for Class 5 & 6
1 Residential	3.1154	0.1952	0.1358	0.0539	0.0338	0.0000
2 Utilities	31.4256	0.6832	0.4753	0.1885	0.1184	0.0000
3 Supportive Housing	3.1154	0.1952	0.1358	0.0539	0.0338	0.0000
4 Major Industry	5.8534	0.6637	0.4617	0.1832	0.1150	0.0000
5 Light Industry	5.8534	0.6637	0.4617	0.1832	0.1150	1.1209
6 Business & Other	6.6579	0.4783	0.3327	0.1320	0.0829	1.1209
7 Managed Forest Land	6.6579	0.5856	0.4074	0.1616	0.1015	0.0000
8 Recreation/Non-Profit	4.0826	0.1952	0.1358	0.0539	0.0338	0.0000
9 Farm	14.3086	0.1952	0.1358	0.0539	0.0338	0.0000