

CITY OF KELOWNA

BYLAW NO. 8661

A Bylaw to Authorize Agreements with BC Gas Utility Ltd. & BC Gas Inc.

WHEREAS pursuant to the powers granted to the City by the *Local Government Act* and other legislation and after due consideration for the substantial benefits which Council considers will accrue to the City;

AND WHEREAS the Council has provided a counter petition opportunity in relation to the proposed agreements;

AND WHEREAS the British Columbia Utilities Commission has approved of the transactions between the City and BC Gas Utility Ltd. and BC Gas Inc.;

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as “BC Gas Agreements Authorization Bylaw No. 8661”.
2. The Council is hereby authorized to enter into and carry out the following listed agreements related to the natural gas distribution system:
 - (a) Capital Lease (with BC Gas Utility Ltd.)
 - (b) Operating Lease (with BC Gas Utility Ltd. and BC Gas Inc.)
 - (c) Additions Option (with BC Gas Utility Ltd.)
 - (d) Cost Recovery Agreement (with BC Gas Utility Ltd.)

(together described as the “BC Gas Agreements”)

attached to and forming part of this Bylaw as Schedule “1”.
3. The Mayor and Clerk are authorized to execute, seal and deliver the BC Gas Agreements and all other transfers, statements, plans, documents and other instruments as contemplated by or necessarily related to the natural gas distribution system.

Read a first, second and third time by the Municipal Council this 11th day of June, 2001.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk