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## **CITY OF KELOWNA**

### **MEMORANDUM**

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**Date:** September 2, 2003  
**File No.:** 0155-30 (Bylaw 8660)  
**To:** City Manager  
**From:** City Clerk  
**Subject:** Terasen (BC Gas) Utility Services Inc. Legacy Fund Opportunity –  
2001/2002 Additions

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#### **RECOMMENDATION:**

THAT Council receive the Certificate of Sufficiency dated August 28<sup>th</sup>, 2003 pertaining to the lease of the 2001/2002 additions to the Terasen Utility Services Inc. distribution system.

#### **BACKGROUND:**

Under the provisions of the BC Gas Legacy Fund agreements between BC Gas Utility Ltd. (now Terasen Utility Services Inc.) and the City of Kelowna, the City has the option, once each calendar year, to lease any additions to the natural gas distribution assets within the City of Kelowna boundary made within the previous calendar year.

At its July 21<sup>st</sup>, 2003 regular meeting Council resolved to exercise its option to lease the 2002 additions, and set a deadline for receipt of Counter Petitions against the exercise of that option of 4:00 p.m. August 27<sup>th</sup>, 2003. Due to a procedural error in the Counter Petition Opportunity offered in 2002 in relation to the 2001 additions, the recent Counter Petition Opportunity was extended to those previous additions as well.

Notice of the Counter Petition Opportunity in relation to both the 2001 and the 2002 additions was advertised in the Kelowna Daily Courier on July 23<sup>rd</sup> and 24<sup>th</sup>, 2003. As of the deadline the City Clerk received no Counter Petitions.

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A.M. Flack, City Clerk

Cc: Director of Finance

## **CITY OF KELOWNA**

### **CERTIFICATE OF SUFFICIENCY**

I HEREBY CERTIFY that sufficient petitions **HAVE NOT** been received against the exercise of the City's option to lease the 2001/2002 additions to the Terasen Utility Services Inc. distribution system within the City of Kelowna boundaries.

Dated this 28<sup>th</sup> day of August, 2003.

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A.M. Flack, City Clerk

<b>Description Of Proposal</b>	<b>Number of Electors Required to Counter Petition to Defeat Proposal (5% of Electors City- wide)</b>	<b>No. of Counter Petitions Received</b>
Exercise of City's option, under the BC Gas Utility Ltd. Legacy Fund agreements, to lease the 2001/2002 additions to the (now) Terasen Utility Services Inc. distribution system within the City of Kelowna Boundaries.	3,812	0