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## **CITY OF KELOWNA**

### **MEMORANDUM**

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**Date:** October 12<sup>th</sup>, 2004  
**File No.:** 2240-20  
**To:** City Manager  
**From:** Acting City Clerk  
**Subject:** ALTERNATIVE APPROVAL PROCESS – Terasen Gas Inc. Legacy Opportunity – 2003 Additions

**Report Prepared by:** Corinne Boback, Legislative Coordinator

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#### **RECOMMENDATION:**

THAT Council receive the Certificate of Sufficiency dated October 12<sup>th</sup>, 2004 pertaining to the City's option to lease the 2003 natural gas distribution system capital additions within the City boundaries under the same basic terms and conditions as the original lease with BC Gas.

#### **BACKGROUND:**

On November 1<sup>st</sup>, 2001, the City entered into various documents pursuant to an agreement to lease dated as of June 4, 2001 with Terasen that defined terms relative to a lease-in, lease-out transaction for natural gas distribution system assets within the City boundaries.

At its August 19th, 2004 regular meeting Council set a deadline for receipt of elector responses against the lease-in, lease-out of the Terasen Gas Inc. Gas Distribution System 2003 additions of 4:00 p.m. Friday, October 8, 2004.

Notice of the Alternate Approval Process in relation to the Agreement was advertised in the Kelowna Daily Courier on September 2<sup>nd</sup> and September 8<sup>th</sup>, 2004. As of the deadline the City Clerk received 0 elector responses.

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S.Fleming, Acting City Clerk

cc: Director of Financial Services

## **CITY OF KELOWNA**

### **CERTIFICATE OF SUFFICIENCY**

I HEREBY CERTIFY that sufficient elector responses **HAVE NOT** been received against the City's option to lease the 2003 natural gas distribution system capital additions within the City boundaries under the same basic terms and conditions as the original lease with BC Gas.

Dated this 12<sup>th</sup> day of October, 2004.

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S.Fleming, Acting City Clerk

<b>Description Of Proposal</b>	<b>Number of Electors Responses required Defeat Proposal (10% of Electors City-wide)</b>	<b>Number of Responses Received</b>
Option to lease the 2003 natural gas distribution system capital additions within the City boundaries under the same basic terms and conditions as the original lease with BC Gas.	7,624	0