

## REGIONAL DISTRICT OF CENTRAL OKANAGAN

### BYLAW NO. 1255

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A bylaw to authorize the borrowing of six million dollars CAD (\$6,000,000.00) for the purpose of providing for the design and construction of a water distribution system in the Upper Fintry, Shalal Road, and Valley of the Sun communities which are a portion of the Central Okanagan West Electoral Area as established by the "Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Establishment Bylaw No. 1254 2009"

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WHEREAS the Regional Board of the Regional District of Central Okanagan established by Bylaw No. 1254 a service within a portion of the Central Okanagan West Electoral Area for the purpose of providing for the design, construction, and continued operation of a water distribution system for the Upper Fintry, Shalal Road, and Valley of the Sun communities;

AND WHEREAS the Regional Board deems it desirable and expedient to authorize the design and construction of the proposed water distribution system;

AND WHEREAS the estimated cost of constructing the water distribution system in the Upper Fintry, Shalal Road, and Valley of the Sun communities including expenses incidental thereto is the sum of six million dollars (\$6,000,000.00) which is the amount of debt intended to be created by this bylaw;

AND WHEREAS the maximum term for which a debenture may be issued to secure the debt intended to be created by this bylaw is for a term not to exceed thirty (30) years;

AND WHEREAS the authority to borrow under this bylaw expires five (5) years from the date on which this bylaw is adopted;

AND WHEREAS in accordance with Section 797.4 of the Local Government Act, the Regional District of Central Okanagan has received a valid petition for the service;

AND WHEREAS the Director of the Central Okanagan West Electoral Area has consented to the establishment of the service area;

NOW THEREFORE THE REGIONAL BOARD OF THE REGIONAL DISTRICT OF CENTRAL OKANAGAN IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

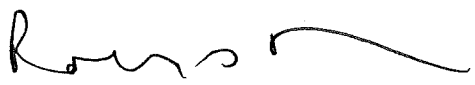
1. The Regional Board is hereby empowered and authorized in conjunction with the "Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Establishment Bylaw No. 1254, 2009", to undertake and carry out or cause to be carried out the construction of a water distribution system in the Upper Fintry, Shalal Road, and Valley of the Sun communities generally in accordance with plans on file at the Regional District 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 Regional District of Central Okanagan a sum not exceeding six million dollars (\$6,000,000.00);
  - b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the design and construction of a water distribution system to service the Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area.

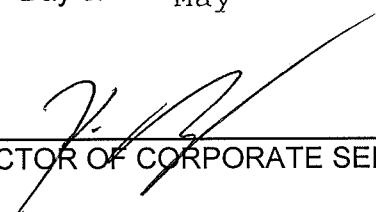
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is thirty (30) years.
3. This bylaw may be cited as the "Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Loan Authorization Bylaw No. 1255, 2009".

READ A FIRST TIME THIS            23<sup>rd</sup>            DAY OF        March            2009.  
 READ A SECOND TIME THIS        23<sup>rd</sup>            DAY OF        March            2009.  
 READ A THIRD TIME THIS         23<sup>rd</sup>            DAY OF        March            2009.

Approved by the Inspector of Municipalities this    16    Day of    April            2009.

RECONSIDERED AND ADOPTED THIS        14            Day of        May            2009.

  
 \_\_\_\_\_  
 CHAIR

  
 \_\_\_\_\_  
 DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1255 cited as the "Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Loan Authorization Bylaw No. 1255, 2009", as read a third time by the Regional Board on the 23<sup>rd</sup> day of March 2009.

Dated at Kelowna, BC this  
 27<sup>th</sup> day of March 2009

  
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 DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1255 cited as the "Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Loan Authorization Bylaw No. 1255, 2009", as adopted by the Regional Board on the 14 day of May 2009.

Dated at Kelowna, BC this  
 20 day of May 2009

  
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 DIRECTOR OF CORPORATE SERVICES

# FIGURE #3

## Upper Fintry / Shala Road / Valley of the Sun Proposed Water System Capital Cost Estimate

TOTAL CONSTRUCTION COSTS		TOTALS
Domestic Distribution System - Upper Fintry / Shala Rd		\$ 772,350
Domestic Distribution System - Valley of the Sun		\$ 675,275
Transmission Mains		\$ 752,400
Groundwater Well Development (2 well 26 L/s capacity ea)		\$ 850,000
System In-Line Booster Station		\$ 445,000
608m Elevation Reservoir		\$ 546,000
<b>Subtotal , Construction Cost Estimate</b>		<b>\$ 4,041,025</b>
Engineering 10%	10%	\$ 404,103
Contingency 20%	20%	\$ 808,205
<b>TOTAL CAPITAL COST</b>		<b>\$ 5,253,333</b>
Interim Project Financing	10%	\$ 525,333
RDCO Administrative Fee	3%	\$ 157,600
<b>TOTAL PROJECT COST</b>		<b>\$ 5,936,266</b>
<i>Number of Single Family Units</i>		<b>341</b>
Cost per Single Family Unit		<b>\$ 17,408</b>



# ***Statutory Approval***

***Under the provisions of section*** \_\_\_\_\_ **819** \_\_\_\_\_

***of the*** \_\_\_\_\_ ***Local Government Act*** \_\_\_\_\_ ***and***

***of section*** \_\_\_\_\_ **179** \_\_\_\_\_ ***of the*** \_\_\_\_\_ ***Community Charter*** \_\_\_\_\_

***I hereby approve Bylaw No.*** \_\_\_\_\_ **1255** \_\_\_\_\_

***of the*** \_\_\_\_\_ **Regional District of Central Okanagan** \_\_\_\_\_,

***a copy of which is attached hereto.***

***Dated this*** \_\_\_\_\_ ***day***

***of*** \_\_\_\_\_ ***, 2009***

\_\_\_\_\_  
**Deputy Inspector of Municipalities**



July 10, 2009

Harold Reay  
Corporate Administrator  
Regional District of Central Okanagan  
1450 K.L.O. Road  
Kelowna BC V1W 3Z4

Dear Harold Reay:

Enclosed is Certificate of Approval No. 16476 for Bylaw No. 1255, cited as "Regional District of Central Okanagan Upper Fintry, Shalal Road and Valley of the Sun Water Service Area Loan Authorization Bylaw No. 1255, 2009".

Yours truly,

Linda Gilmore  
Advisory Officer

Enclosure



No. 16476

## *Certificate of Approval*

Under the authority of the *Local Government Act*, I certify that Bylaw No. 1255, cited as the "Regional District of Central Okanagan Upper Fintry, Shalal Road and Valley of the Sun Water Service Area Loan Authorization Bylaw No. 1255, 2009" of the Regional District of Central Okanagan 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 \_\_\_\_\_ 9<sup>th</sup> \_\_\_\_\_ day  
of July \_\_\_\_\_, 2009

  
\_\_\_\_\_  
Deputy Inspector of Municipalities of British Columbia