

PROPOSED

PFC2021-0176
ATTACHMENT 2

BYLAW NUMBER 7B2021

**BEING A BYLAW TO AUTHORIZE
THE CITY OF CALGARY TO INCUR
INDEBTEDNESS BY THE ISSUANCE OF ONE
OR MORE DEBENTURES IN THE TOTAL
AMOUNT OF \$85 MILLION FOR FINANCING
CERTAIN CAPITAL PROJECTS OF CALGARY
MUNICIPAL LAND CORPORATION

WHEREAS Council of The City of Calgary ("**Council**") as shareholder, adopted and approved the 2021 Business Plan and 2020-2024 Strategic Plan Update (the "**Update**") from Calgary Municipal Land Corporation ("**CMLC**"), a controlled corporation of The City of Calgary ("**The City**");

AND WHEREAS the Update outlined the new capital infrastructure projects for the Rivers District proposed by CMLC, namely Festival Street, environmental remediation, strategic land acquisition, and strategic projects (collectively the "**Projects**") are estimated to cost CMLC \$85 million;

AND WHEREAS Council has decided to pass a bylaw pursuant to Sections 251 and 258 of the *Municipal Government Act* (R.S.A. 2000 c. M-26) (the "**MGA**") to borrow the sum of \$85 million from the Province of Alberta (the "**Province**") or other financial institutions or capital markets by the issuance of debentures to finance the Projects;

AND WHEREAS the estimated probable lifetime of the Projects financed under this Bylaw are equal to, or in excess of, twenty-five (25) years;

AND WHEREAS Bylaw 27M2007 (The Rivers District Community Revitalization Levy Bylaw) was amended pursuant to Bylaw 2M2019, which extended the term of The Rivers District Community Revitalization Levy until December 31, 2047;

AND WHEREAS the amount of the long term debt of The City as at 2019 December 31 is \$2,883 million with \$441 million being tax supported debt, \$210 million being self-sufficient tax supported debt and \$2,232 million being non tax supported debt and no part of the principal or interest is in arrears;

AND WHEREAS all required approvals for the Projects will be obtained to ensure they are in compliance with all laws in force in the Province of Alberta.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The proper officers of The City are hereby authorized to issue one or more debentures on behalf of The City to a maximum sum of \$85 million to finance the Projects.
2. The City shall repay the indebtedness over a period not exceeding twenty-five (25) years, provided that in no event shall the repayment period for any of this indebtedness extend

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past December 31, 2047, with interest being calculated at an interest rate fixed by the Province on the date of the borrowing, up to a maximum rate of 8% per annum.

3. The City shall obtain funds from CMLC to repay the said indebtedness under the terms of the Third Amended and Restated Credit Agreement between The City and CMLC dated as of July 4, 2019, as amended and restated from time to time. In the event of any revenue deficiency, The City shall levy and raise municipal taxes sufficient to pay the indebtedness.
4. The indebtedness shall be contracted on the credit and security of The City.
5. The net amount borrowed under this Bylaw shall be applied only to the purposes specified by this Bylaw.
6. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____