

THE CITY OF CALGARY
TABULATION OF BYLAW
TO BE PRESENTED TO THE COUNCIL OF THE CITY OF CALGARY
ON MONDAY, 2016 JUNE 13

BORROWING BYLAW INFORMATION

Bylaws	- 1B2016 To amend various Bylaws by reducing surplus borrowing authority; - 2B2016 To amend the bylaw term for Bylaw 7B2013 and 8B2013
Borrowing Authority	- (\$354,673,133)
Term	- 5 to 25 years
Type of Debenture	- Tax supported & Self supported
Statutory References	- Municipal Government Act – Sections No.
Borrowing Authorization	- 251 & 258
Amendment & Repeal	- 191
Passing a bylaw	- 187

Enabling a borrowing

Section 251(1) A municipality may only make a borrowing if the borrowing is authorized by a borrowing bylaw.

(2) A borrowing bylaw must set out

- (a) the amount of money to be borrowed and, in general terms, the purpose for which the money is borrowed;
- (b) the maximum rate of interest, the term and the terms of repayment of the borrowing;
- (c) the source or sources of money to be used to pay the principal and interest owing under the borrowing.

Section 258(1) applies to a borrowing made for the purpose of financing a capital property when the term of the borrowing exceeds 5 years. Borrowing bylaws authorized under this section require advertising.

Passing a bylaw:

Section 187 stipulates every proposed bylaw must have 3 distinct and separate readings. The readings of a bylaw must follow the legislated procedures set out in the MGA.

Amendment and repeal:

Section 191(1) The power to pass a bylaw under this or any other enactment includes a power to amend or repeal the bylaw.

CAPITAL PROGRAM INFORMATION

Council's Authorizing Documents

- FB99-53 Repeal of surplus Borrowing Authority, 1999 September 27

Business Unit/s and Capital Program/s

- Various Business Units and Programs

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AFFIRMATIVE VOTES REQUIRED

- Majority of members present

ADMINISTRATIVE COMMENTS

Bylaw 1B2016 is required to amend various Bylaws by reducing surplus borrowing authority. The projects are completed and the surplus borrowing authority is not required.

Bylaw 2B2016 is required to amend the borrowing term for Bylaws 7B2013 and 8B2013 from 15 years and 10 years respectively to 25 years. Waste & recycling services has determined the life of the capital asset for the Organics & Biosolids facility should all be 25 years.

On 2016 May 16 Council gave first reading to Bylaws 1B2016 and 2B2016. Pursuant to Section 231 of the Municipal Government Act, Bylaw 1B2016 and 2B2016 were advertised in the Calgary Herald on 2016 May 19 and 26. The deadline for a petition asking for a vote on the bylaws was 2016 June 10. The City Clerk is requested to report to Council at this meeting the status of the petition. If a valid petition for the bylaw has been received, Finance & supply request that the bylaws be withdrawn from today's agenda and be submitted to a vote of the electors.

FINANCIAL CAPACITY

Pursuant to MGA section 252 and the associated regulations, The City cannot make a borrowing if the borrowing will cause the municipality to exceed its debt limit. The proposed Bylaw reduces borrowing authority and consequently has no impact on MGA debt limits.

The MGA debt limit and debt service limit capacity remaining reported in the audited consolidated financial statements for the year ended December 31, 2015 are 54.67% and 58.30% respectively. Most recent forecasts reflecting approved capital budgets and associated debt financing indicate that The City debt limit and debt service will remain below 80% of the Municipal Government allowable limits for the years 2016 to 2021.

RECOMMENDATION

That Council give:

1. Bylaw 1B2016 second and third reading and
2. Bylaw 2B2016 second and third reading

ATTACHMENTS

Bylaws 1B2016 & 2B2016