

BYLAW NUMBER 50M2016

**A BYLAW AUTHORIZING MUNICIPAL LOANS TO
CALGARY MUNICIPAL LAND CORPORATION**

WHEREAS the Council of The City of Calgary ("Council") has approved Report PFC2016-0881 for Calgary Municipal Land Corporation – Internal Loan Request;

WHEREAS Sections 264 and 265 of the *Municipal Government Act* (R.S.A. 2000 c. M-26) provide that a municipality may lend money to one of its controlled corporations;

AND WHEREAS Council deems it advisable to pass a bylaw to provide for a Loan from The City of Calgary to one of its controlled corporations, Calgary Municipal Land Corporation;

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF CALGARY
DULY ASSEMBLED ENACTS THE FOLLOWING:**

Purpose

1. The purpose of this Bylaw is to provide for a Loan from The City to CMLC for financing the construction of a parking structure for Calgary Parking Authority ("CPA").

Interpretation

2. In this Bylaw,

- (a) "The City" means The City of Calgary, a municipal corporation of the Province of Alberta;
- (b) "Loan" means the lending of funds from The City to CMLC as directed by Council as authorized by this Bylaw;
- (c) "CMLC" means Calgary Municipal Land Corporation, a controlled corporation of The City and incorporated under the *Business Corporations Act* R.S.A. 2000 c. B-9 on February 22, 2007.

The Loan

3. (a) The City shall lend to CMLC monies from funds of The City as directed by Council to a maximum sum of \$57.5 million for financing the construction of a parking structure for CPA.

Such loan authorization is made on the condition that the Loan is in accordance with the terms and conditions outlined in the loan agreement to be entered into between The City and CMLC.

- (b) The Loan shall be advanced by The City to CMLC in several drawdowns after:

- (i) Council has given three readings to this bylaw; and
 - (ii) Upon receipt of written requests from CMLC to the City Treasurer in accordance with the loan agreement.
- (c) CMLC shall pay no interest on the Loan.
- (d) CMLC shall pay to The City a basic fee of 0.25% per annum on the average monthly Loan balance.

4. The Loan shall be repaid from the proceeds of sale of the completed parking structure from CMLC to CPA no later than 2020 December 31. In the event these sales proceeds are not sufficient to fully repay the Loan, CMLC will repay the remaining loan balance from its own resources.

General matters

5. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS DAY OF , 2016.

READ A SECOND TIME THIS DAY OF , 2017.

READ A THIRD TIME THIS DAY OF , 2017.

MAYOR

DATED THIS ____ DAY OF _____, 2017.

CITY CLERK

DATED THIS ____ DAY OF _____, 2017.