

THE CITY OF CALGARY
TABULATION OF BYLAW
TO BE PRESENTED TO THE COUNCIL OF THE CITY OF CALGARY
ON MONDAY, 2015 JUNE 29

BORROWING BYLAW INFORMATION

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|-------------------------|---|
| Bylaw | - 5B2015 |
| Purpose | - To amend various Bylaws by reducing surplus borrowing authority |
| Borrowing Authority | - (\$73,949,181) |
| Term | - 8 to 40 years |
| Type of Debenture | - 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 5B2015 is required to amend various Bylaws by reducing surplus borrowing authority. The projects are completed and the remaining unutilized borrowing authority is no longer required.

On 2015 May 25 Council gave first reading to Bylaw 5B2015. Pursuant to Section 231 of the Municipal Government Act, Bylaw 5B2015 was advertised in the Calgary Herald on 2015 May 28 and June 4. The 15-day statutory deadline for a petition asking for a vote on the bylaws was 2015 June 19 and no valid petition for the bylaw has been received.

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 reported in the audited consolidated financial statements for the year ended December 31, 2014 are 52.37% and 62.58% 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 2015 to 2020.

RECOMMENDATION

That Council give Bylaw 5B2015 second and third reading.

ATTACHMENTS

Bylaw 5B2015