

PROPOSED

C2024-0303
ATTACHMENT 1

BYLAW NUMBER 1B2024

**BEING A BYLAW TO AUTHORIZE THE CITY OF
CALGARY TO BORROW UP TO THE MAXIMUM
AMOUNT OF \$34.637 MILLION FOR FINANCING
THE ACQUISITION OF TECHNOLOGY AND
SUPPORT SERVICES FOR THE REGULATED
OPERATIONS OF ENMAX CORPORATION**

WHEREAS Council of The City of Calgary ("**Council**") has reviewed the 2024 Consolidated Operating and Capital Budget for ENMAX Corporation ("**ENMAX**"), a controlled corporation of The City of Calgary ("**The City**");

AND WHEREAS the acquisition of technology and support services for the regulated operations of ENMAX (the "**Acquisitions**") are estimated to cost \$49.976 million;

AND WHEREAS it is estimated that \$15.339 million of the cost of the Acquisitions will be funded through sources other than the Financing Options (as defined herein);

AND WHEREAS it is estimated that up to a maximum amount of \$34.637 million of the cost of the Acquisitions will be funded through borrowing from the Province of Alberta or other lenders and/or by way of issuances of debt in the capital markets or private placements under The City's debt capital markets and private placement program (collectively, the "**Financing Options**");

AND WHEREAS Council has decided to pass a bylaw pursuant to Sections 251 and 257 of the *Municipal Government Act*, R.S.A. 2000 c. M-26, to authorize borrowing up to the maximum amount of \$34.637 million for the purpose of financing a portion of the Acquisitions;

AND WHEREAS the primary estimated lifetime of the Acquisitions financed under this Bylaw are equal to, or in excess of five (5) years;

AND WHEREAS the amount of the long-term debt of The City as at 2022 December 31 is \$2,695 million with \$332 million being tax supported debt, \$247 million being self-sufficient tax supported debt and \$2,116 million being self-supported debt and no part of the principal or interest is in arrears;

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

NOW, THEREFORE, COUNCIL, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. The City is hereby authorized to borrow the maximum sum of \$34.637 million to finance a portion of the Acquisitions.
2. The Chief Financial Officer of The City is hereby authorized to execute and deliver such agreements, instruments, certificates, and other documents, and do such further acts and things as may be reasonably necessary or as may be reasonably requested for the

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purpose of carrying out the borrowing and performing The City's obligations under any associated agreements, instruments, certificates or other documents.

3. The indebtedness shall be payable over a period not exceeding five (5) years and shall bear interest at a rate not exceeding 8% per annum.
4. The City shall obtain funds from ENMAX to repay the said indebtedness under the terms of the agreement between The City and ENMAX, as described in Bylaw Number 7M2024. In the event of any revenue deficiency, The City shall levy and raise municipal taxes sufficient to pay the indebtedness.
5. The net amount borrowed under this Bylaw shall be applied only to the purposes specified in this Bylaw.
6. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON JANUARY 30, 2024

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____