

PROPOSED

C2025-0073
ATTACHMENT 1

BYLAW NUMBER 10B2024

BEING A BYLAW TO AUTHORIZE THE CITY OF CALGARY TO BORROW UP TO THE MAXIMUM AMOUNT OF \$612,556,000 FOR FINANCING CAPITAL INVESTMENTS FOR WATER TREATMENT & SUPPLY, WASTEWATER COLLECTION & TREATMENT AND STORMWATER MANAGEMENT

WHEREAS the municipal Council ("**Council**") of The City of Calgary ("**The City**") considered report C2024-0859 on 2024 September 16 and report C2024-1097 on 2024 November 5, recommending Mid-Cycle Adjustments to the 2023-2026 Service Plans and Budgets which included capital investments for Water Treatment & Supply, Wastewater Collection & Treatment and Stormwater Management, including *inter alia*, as set out in Schedule "A" attached hereto (the "**Program**");

AND WHEREAS the Program has an estimated cost of \$612,556,000;

AND WHEREAS it is estimated that the entire cost of the Program will be funded through self-supported debt and the source of funds to repay the debt will be off-site levies in accordance with the restated s. 648(3) of the *Municipal Government Act*, R.S.A. 2000 c. M-26, as may be amended from time to time (the "**MGA**") that is set out in s. 35.1 of the *City of Calgary Charter, 2018 Regulation*, Alta Reg 40/2018, as may be amended from time to time (the "**Charter**");

AND WHEREAS The City is subject to the MGA and the Charter, which require, among other matters, that The City may only make a borrowing if the borrowing is authorized by a borrowing bylaw;

AND WHEREAS The City has in place Debt Policy CP2020-05, which was adopted on November 2, 2020, and became effective on January 1, 2021, as may be amended from time to time (the "**Debt Policy**"), which requires, among other matters, that the issuance of any new debt by The City be approved by Council and authorized by adopting a borrowing bylaw;

AND WHEREAS Council wishes to pass Bylaw Number 10B2024 (this "**Bylaw**") pursuant to Sections 251 and 257 of the MGA and Sections 1.4 and 6.2 of the Debt Policy to authorize borrowing up to the maximum amount of \$612,556,000 for the purpose of financing the Program through borrowing from the Province of Alberta or other lenders (collectively, the "**Financing Options**");

AND WHEREAS the probable (useful) lifetime of the assets in the Program financed under this Bylaw is equal to, or in excess of either 10 or 25 years;

AND WHEREAS the amount of the long-term debt of The City as at 2023 December 31 is \$2,700 million with (i) \$299 million thereof being tax supported debt; (ii) \$278 million thereof being self-sufficient tax supported debt; and (iii) \$2,123 million thereof being self-supported debt, and no part of the principal or interest of any of the foregoing debt is in arrears. With the addition of the borrowing authorized herein, The City is within its debt limit per its Debt Policy;

AND WHEREAS all required approvals for the borrowing will be obtained to ensure The City is in compliance with all laws in force in the Province of Alberta.

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

1. The City is hereby authorized to incur indebtedness up to the maximum sum of \$612,556,000 to finance the Program under any one or more of the Financing Options.
2. The Chief Financial Officer of The City, or delegate, 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 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 maximum term of twenty-five (25) years and shall bear interest at a maximum interest rate of 8% per annum.
4. The City shall impose off-site levies sufficient to pay the interest, principal, fees, and deposits when due and as required on the indebtedness. In any event of any revenue deficiency, The City shall levy and raise municipal taxes sufficient to repay such 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 NOVEMBER 22, 2024

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

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SCHEDULE "A"
THE CITY OF CALGARY
Borrowing Bylaw 10B2024

Amount of Bylaw : \$612,556,000
Term of Borrowing: Not exceeding 25 years
Municipal Government Act Sections: 251 & 258
Council Approval Document: C2024-0859 and C2024-1097

<u>Service Line</u>	<u>Purpose of Borrowing</u>
Water treatment & supply	Water treatment plants Water distribution network
Wastewater collection & treatment	Wastewater treatment plants Wastewater collection network
Stormwater management	Drainage facilities & network