

BYLAW NUMBER 8B2025

**BEING A BYLAW TO AUTHORIZE THE CITY OF CALGARY
TO BORROW UP TO THE MAXIMUM PRINCIPAL AMOUNT OF
\$52,500,000
FOR FINANCING THE ACQUISITION OF VEHICLES AND EQUIPMENT
FOR FLEET MANAGEMENT**

WHEREAS The City’s Council has considered the Mid-Cycle Adjustments, which included the acquisition of vehicles and equipment for Fleet and Inventory (the “**Acquisitions**”);

AND WHEREAS the Acquisitions have an estimated cost of \$52,500,000;

AND WHEREAS it is estimated that the entire cost of the Acquisitions will be funded through the Financing Options;

AND WHEREAS The City is subject to the MGA, which provides in Section 251(1) that The City may only make a borrowing if such borrowing is authorized by a borrowing bylaw;

AND WHEREAS The City has established a Debt Policy, which provides, among other things, that the issuance of any new debt by The City be approved by Council in accordance with the MGA;

AND WHEREAS Council wishes to pass this Bylaw pursuant to Sections 251, 257 and 258 of the MGA and the Debt Policy to authorize borrowing(s) all at once or from time to time from the Financing Options up to the Principal Amount for the purpose of financing the Acquisitions;

AND WHEREAS the term of any borrowing authorized under this Bylaw will not exceed the probable (useful) lifetime of the vehicles and equipment acquired with the proceeds of the related borrowing;

AND WHEREAS The City is, as of the date hereof, within its Debt Limit, and the borrowing(s) contemplated in this Bylaw will not cause The City to exceed its Debt Limit.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. DEFINITIONS

In this Bylaw, including in the preamble, the following capitalized terms have the following meanings, respectively:

- (a) “*2023-2026 Service Plans and Budgets*” means the document that details The City’s service plans and budget for 2023-2026, as amended, and as adopted by Council on 2022 November 25 as an attachment to Report C2022-1051;
- (b) “*Acquisitions*” has the meaning ascribed to that term in the preamble of this Bylaw;
- (c) “*Bylaw*” means this borrowing bylaw number 8B2025;

- (d) “*Charter*” means the *City of Calgary Charter, 2018 Regulation*, Alta Reg 40/2018;
- (e) “*Council*” means the municipal Council of The City of Calgary;
- (f) “*Debt Capital Markets Program*” means The City’s debt capital markets and private placement program established pursuant to Bylaw 10B2023;
- (g) “*Debt Limit*” means the debt limit of The City, as determined from time to time in accordance with the MGA and the Debt Policy;
- (h) “*Debt Policy*” means The City’s Debt Policy CP2020-05, as adopted by Council on 2020 November 2, and made effective on 2021 January 1;
- (i) “*Financing Options*” means the potential sources of financing for any borrowing made pursuant to this Bylaw, including: (i) the Province of Alberta; (ii) other lenders; and/or (iii) the issuance of debt in the capital markets or private placements under The City’s Debt Capital Markets Program;
- (j) “*Fleet and Inventory*” means the business unit of The City responsible from time to time for the coordinated management of vehicles, equipment and related assets owned, maintained and operated by The City;
- (k) “*Mid-Cycle Adjustments*” means the mid-cycle adjustments to the 2023-2026 Service Plans and Budgets as amended and adopted from time to time;
- (l) “*MGA*” means the *Municipal Government Act*, R.S.A. 2000 c. M-26, as amended by the Charter;
- (m) “*Principal Amount*” means the maximum principal amount of \$52,500,000 to be borrowed pursuant to this Bylaw; and
- (n) “*The City*” means the municipal corporation of The City of Calgary.

2. INTERPRETATION

In this Bylaw, any reference to a statute, rule, regulation, bylaw, policy or program means and includes that statute, rule, regulation, bylaw, policy or program, as may be amended, amended and restated, supplemented or replaced from time to time, and in the case of a statute, it includes any rules and regulations passed thereunder.

3. BORROWING

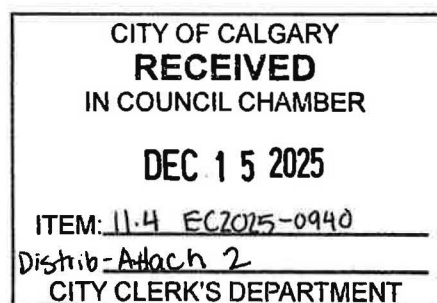
- (a) The City is hereby authorized to borrow all at once or from time to time up to the Principal Amount to finance the Acquisitions using any one or more of the Financing Options.
- (b) The Chief Financial Officer of The City, or any delegate of the Chief Financial Officer, is hereby authorized to negotiate, approve, execute and deliver any such agreements, instruments (including negotiable instruments), certificates, notes 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 any

PROPOSED

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Attachment 2

borrowing contemplated in this Bylaw and performing The City's obligations under any associated agreements, instruments, certificates, notes or other documents.

- (c) Any borrowing contemplated in this Bylaw shall be repayable over a term that will not exceed the probable (useful) lifetime of the related Acquisitions, which term shall not exceed a maximum of fifteen (15) years from the date of advance of the applicable borrowing.
- (d) Any borrowing contemplated in this Bylaw shall be repayable in accordance with one or more of the following repayment structures:
 - (i) installments of principal and interest, as and when due, throughout the term of the borrowing;
 - (ii) interest only installment payments, as and when due, followed by payment of the Principal Amount at maturity;
 - (iii) as and when required by the applicable lender or lenders under the Financing Options; or
 - (iv) as established in accordance with the Debt Capital Markets Program,with interest on outstanding amounts due from time to time, not exceeding 8 per cent per annum.
- (e) The source or sources of repayment of principal and interest and any other amounts incurred in connection with any borrowing made under this Bylaw shall be City revenues and taxes, user fees, levies, the proceeds from the sale of any assets and funds from other sources. In the event of any revenue deficiency, The City shall levy and raise municipal taxes sufficient to repay any such amounts.
- (f) The net amount borrowed under this Bylaw shall be applied to the purposes specified in this Bylaw, which may also include: (i) repaying, redeeming or refinancing any amounts previously borrowed under this Bylaw; or (ii) replenishing cash assets or financial resources of The City that have previously been used, expended or advanced for any of the Acquisitions, including any fees or other costs of funds associated with the use of such cash assets or financial resources.
- (g) If any borrowing associated with this Bylaw is carried out under the Debt Capital Markets Program, all additional authorities and powers granted under such program will also apply in respect of the borrowing made under this Bylaw.



4. COMING INTO FORCE

This Bylaw comes into force on the day it is passed.

READ A FIRST TIME THIS ___ DAY OF _____, 2025.

READ A SECOND TIME THIS ___ DAY OF _____, 2025.

READ A THIRD TIME THIS ___ DAY OF _____, 2025.

MAYOR
SIGNED ON _____

CITY CLERK
SIGNED ON _____