

BYLAW 18-2021
Borrowing Bylaw – North of Yellowhead Offsite Utilities

This bylaw authorizes the Council of Strathcona County to incur indebtedness by the issuance of debenture(s) in the amount of \$24,455,000 for the purpose of North of Yellowhead Offsite Utilities.

AS:

The Strathcona County Council has decided to issue a bylaw pursuant to Section 258 of the *Municipal Government Act* to authorize the financing for North of Yellowhead Offsite Utilities.

Plans and specifications have been prepared and the total cost of the project is estimated to be \$27,500,000. Strathcona County estimates the following contributions and reserves will be applied to the project:

North of Yellowhead Water Transmission System	
Debenture(s)	<u>\$ 13,000,000</u>
Total Cost	\$ 13,000,000
North of Yellowhead Wastewater Collection System	
Utilities Reserves	\$ 3,045,000
Debenture(s)	<u>\$ 11,455,000</u>
Total Cost	\$ 14,500,000
Total	
Utilities Reserves	\$ 3,045,000
Debenture(s)	<u>\$ 24,455,000</u>
Total Borrowing	\$ 27,500,000

In order to complete this project, it will be necessary for Strathcona County to borrow the sum of \$24,455,000 for a period not to exceed 15 years, from the Government of Alberta Treasury Board and Finance or another authorized financial institution, by the issuance of debentures and on the terms and condition referred to in this bylaw.

The estimated lifetime of the project financed under this bylaw is equal to, or in excess of 15 years.

The principal amount of the outstanding debt of Strathcona County at December 31, 2020 is \$150,569,043 and no part of the principal or interest is in arrears.

All required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.

Council enacts:

PART I – PURPOSE, DEFINITIONS, AND INTERPRETATION

- Purpose 1 The purpose of this bylaw is to:
- (a) To authorize the Council of Strathcona County to incur indebtedness by the issuance of debenture(s) in the amount of TWENTY-FOUR MILLION FOUR HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$24,455,000) for the purpose of a North of Yellowhead Offsite Utilities.
- Definitions 2 In this bylaw:
- (a) "Chief Commissioner" means the chief administrative officer of the County, or delegate;
- (b) "County" means the municipal corporation of Strathcona County, a specialized municipality established under the authority of the *Municipal Government Act*, RSA 2000, c M-26 and Order in Council 761/95; and
- (c) "Municipal Government Act" means the *Municipal Government Act*, RSA 2000, c M-26.
- Interpretation 3 The following rules apply to interpretation of this bylaw:
- (a) headings, titles, margin notes, and preambles in this bylaw are for ease of reference only;
- (b) gender-specific words, phrases, and references are intended to be gender-neutral, and the singular includes the plural as the context requires;
- (c) every provision of this bylaw is independent of all other provisions and if any provision of this bylaw is declared invalid by a Court, all other provisions of this bylaw remain valid and enforceable; and
- (d) references to bylaws and enactments in this bylaw include amendments and replacement bylaws and enactments, and regulations and orders thereunder.

PART II – Provisions

- 4 That for the purpose of North of Yellowhead Offsite Utilities the sum of TWENTY-FOUR MILLION FOUR HUNDRED FIFTY-FIVE THOUSAND (\$24,455,000) is to be borrowed from the Government of Alberta Treasury Board and Finance Authority or another authorized financial institution

by way of debenture(s) on the credit and security of Strathcona County at large, of which amount the full sum of \$24,455,000 is to be paid by Strathcona County at large.

- 5 The Chief Commissioner and Chief Financial Officer of Strathcona County are hereby authorized to issue debenture(s) on behalf of Strathcona County for the amounts and purposes as authorized by this bylaw, namely for North of Yellowhead Offsite Utilities.
- 6 Strathcona County will repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payment of combined principal and interest instalments not to exceed FIFTEEN (15) years calculated and a rate not exceeding the interest rate fixed by the Government of Alberta Treasury Board and Finance or another authorized financial institution on the date of the borrowing, and not to exceed FIVE (5) percent.
- 7 Strathcona County will levy and raise in each year municipal taxes sufficient to pay the indebtedness.
- 8 The indebtedness will be contracted on the credit and security of Strathcona County.
- 9 The net amount borrowed under the bylaw may only be applied to the project specified by this bylaw.

FIRST READING: May 25, 2021

SECOND READING: July 06, 2021

THIRD READING: July 06 2021

SIGNED THIS 22 day of July, 2021.

Rod Frank
MAYOR

Sandy Bugeja
A/ DIRECTOR, LEGISLATIVE AND
LEGAL SERVICES