

BYLAW 25-24

A BYLAW OF THE TOWN OF OKOTOKS IN THE PROVINCE OF ALBERTA TO AUTHORIZE INCURRING INDEBTEDNESS

WHEREAS pursuant to the provisions of the *Municipal Government Act (MGA)*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, Council may pass a bylaw for the purpose of incurring indebtedness by the issuance of debentures to the Government of Alberta (formerly Alberta Capital Finance Authority), or another authorized financial institution to finance the Town of Okotoks' portion of the construction of the Foothills Okotoks Regional Water Project;

WHEREAS Council of the Town of Okotoks (Town) has decided to issue a bylaw pursuant to Section 258 of the *MGA* to authorize financing the Town of Okotoks' portion of the construction of the Foothills Okotoks Regional Water Project;

~~**WHEREAS** the Town's engineering firm has made plans, specifications, and estimates for the project and confirms the total cost of the Town's share of the project is \$55,000,000.00;~~

~~**WHEREAS** the Town estimates the following contributions will be applied to the project.~~

Debentures	\$ 30,000,000.00
Grants	\$ 25,000,000.00

WHEREAS in order to complete the program, it will be necessary for the Town to borrow the sum of ~~\$30,000,000~~ \$50,000,000 for a period not to exceed twenty-five years from the Government of Alberta or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this Bylaw;

WHEREAS the principal amount of the outstanding debt of the Town at December 31, ~~2023~~ 2024 is ~~\$21,627,886.18~~, \$20,597,000 and no party of the principal or interest is in arrears;

WHEREAS 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.

NOW THEREFORE Council of the Town enacts as follows:

1. SHORT TITLE

- 1.1 This Bylaw shall be known as the "Borrowing Bylaw - Foothills Okotoks Regional Water Project (FORWP)".

2. TERMS

- 2.1 That for the purpose of constructing the FORWP, the sum of ~~\$30,000,000.00~~ \$50,000,000 dollars be borrowed from the Government of Alberta, or another authorized financial institution, by way of debenture on the credit and security of the Town at large, of which amount the full sum of ~~\$30,000,000.00~~ \$50,000,000 is to be paid by the Town at large.
- 2.2 The proper officers of the Town are hereby authorized to issue debenture(s) on behalf of the Town for the amount and purpose as authorized by this Bylaw, namely the construction of the FORWP.
- 2.3 The borrowed amount will have a maximum interest rate of 8%, a maximum term of 25 years, and repayment terms including principal and interest, plus other fees or charges applicable to the borrowing.
- 2.4 The Town shall levy and raise in each year municipal taxes or off-site developer levies sufficient to pay the indebtedness.
- 2.5 The indebtedness shall be contracted on the credit and security of the Town.
- 2.6 The net amount borrowed under this Bylaw shall be applied only to the project specified by this Bylaw.

3. SEVERABILITY

- 3.1. It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

This Bylaw shall come into full force and effect upon third and final reading.

READ A FIRST TIME this 15th day of July 2024.

READ A SECOND TIME this 19th day of August 2024

READ A THIRD TIME AND PASSED this 19th day of August 2024.

Mayor

Chief Administrative Officer