

BYLAW 40-2023
POINTE-AUX-PINS ACRES AGRICULTURE FACILITY
BUILDING CONSTRUCTION – BORROWING BYLAW

This bylaw authorizes the Council of Strathcona County to incur indebtedness by the issuance of debenture(s) in the amount of \$18,321,000 for the purpose of the construction of the Pointe-Aux-Pins Acres Agriculture Facility Building Construction.

Whereas:

The Strathcona County Council has decided to issue a bylaw pursuant to Section 258 of the *Municipal Government Act* to authorize the financing of the construction of the Project.

Plans and specification have been prepared and the total cost of the Project is estimated to be \$18,321,000. Strathcona County estimates the following contributions will be applied to the Project:

Pointe-Aux-Pins Acres Agriculture Facility Building Construction

Debenture(s)	\$18,321,000
Total cost	<u>\$18,321,000</u>

In order to complete the Project, it will be necessary for Strathcona County to borrow the sum of \$18,321,000 for a period not to exceed twenty-five (25) years, from the Province of Alberta 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 twenty-five (25) years.

The principal amount of the outstanding debt of Strathcona County at December 31, 2022 is \$133,070,148 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 – DEFINITIONS, AND INTERPRETATION

Definitions

1 In this bylaw:

- (a) "Chief Commissioner" means the chief administrative officer of Strathcona County, or delegate;

(b) "*Municipal Government Act*" means the *Municipal Government Act*, RSA 2000, c M-26;

(c) "Project" means the construction of the Pointe-Aux-Pins Acres Agriculture Facility Building Construction; and,

(d) "Strathcona 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.

Interpretation

2 The following rules apply to interpretation of this bylaw:

(a) headings, titles, and margin notes 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 – BORROWING

3 That for the purpose of constructing the Project the sum of EIGHTEEN MILLION THREE HUNDRED TWENTY-ONE THOUSAND DOLLARS (\$18,321,000) be borrowed from the Province of Alberta or another authorized institution by way of debenture(s) on the credit and security of Strathcona County at large, of which amount the full sum of EIGHTEEN MILLION THREE HUNDRED TWENTY-ONE THOUSAND DOLLARS (\$18,321,000) is to be paid by Strathcona County at large.

4 The Chief Commissioner and Chief Financial Officer of Strathcona County are hereby authorized to issue debenture(s) on behalf of Strathcona County for the amount(s) and purpose as authorized by this bylaw, namely the construction of the Project.

- 5 Strathcona County shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest instalments not to exceed TWENTY-FIVE (25) years calculated at a rate not exceeding the interest rate fixed by the Province of Alberta, or another authorized financial institution, on the date of this borrowing, and not to exceed SIX AND ONE HALF (6.5) percent.
- 6 Strathcona County shall levy and raise each year municipal taxes sufficient to pay the indebtedness.
- 7 The indebtedness shall be contracted on the credit and security of Strathcona County.
- 8 The net amount borrowed under this bylaw shall be applied only to the Project specified by this bylaw.

FIRST READING: _____

SECOND READING: _____

THIRD READING: _____

SIGNED THIS ____ day of _____, 20____.

MAYOR

DIRECTOR, LEGISLATIVE AND LEGAL
SERVICES