

By-law No. 7328

BEING a By-law of The City of Brandon to provide for the expenditure and borrowing of funds for the purpose of upgrading and expanding the City's Water Treatment Facility herein after called the "Water Treatment Facility Upgrade and Expansion Project".

WHEREAS, *The Municipal Act*, S.M. 1996, c.58 provides, in part, as follows:

"172 In this Division,

"borrowing" means the borrowing of money, and includes

(e) Issuing debentures

"borrowing by-law" means a by-law referred to in clause 174 (1) (a)."

"174 (1) A municipality may make a borrowing only if

- (a) the borrowing is authorized by by-law; and
- (b) subject to subsection (2), the borrowing is set out as a debt obligation in the operating budget or capital budget or it is made to fund an expenditure authorized under subsection 169(5).

"174.1 (1) The council must give public notice before giving first reading to a borrowing by-law that authorizes the municipality to

- (a) issue debenture; and
- (b) use the money borrowed to fund a capital project that has been included in the financial plan adopted under section 162."

AND WHEREAS the Council of The City of Brandon is of the opinion that the following project, being; the Water Treatment Facility Upgrade and Expansion Project, should be undertaken within the Municipality in order to better serve the users of the water utility system;

AND WHEREAS the estimated total cost of the Water Treatment Facility Upgrade and Expansion Project is \$125,000,000.00 with secured funding from the Investing in Canada Infrastructure Program (Federal Portion) in the amount of \$46,000,000.00; the Investing in Canada Infrastructure Program (Provincial Portion) in the amount of \$38,329,500.00; and from the City of Brandon in the amount of \$40,670,500.00;

AND WHEREAS in order to complete such undertaking, it will be necessary for The City of Brandon to borrow the sum of forty million, six hundred and seventy thousand, and five hundred Dollars (\$40,670,500.00) as hereinafter provided, which is the amount of the debt intended to be created by this by-law;

AND WHEREAS the consecutive annual amounts, including principal and interest, required to be raised each year for twenty (20) years, as hereinafter provided, for paying the principal and interest under this by-law are the amounts set out in Schedule "A" hereto;

AND WHEREAS the assessed value of the whole land chargeable under this by-law, according to the last revised assessment roll, is \$2,929,349,730;

AND WHEREAS the amount of the existing debenture debt of The City of Brandon as of December 31, 2021 is \$51,353,400.28, of which no portion of the principal or of the interest thereon is in arrears;

NOW THEREFORE the Council of The City of Brandon duly assembled, enacts as follows:

1. That The City of Brandon is hereby authorized and empowered to raise upon the credit of the municipality, funds not repayable within the current fiscal year by the borrowing of money in an amount not exceeding forty million, six hundred and seventy thousand, and five hundred Dollars (\$40,670,500.00).
2. That the funds so raised shall be for the purpose of financing the Water Treatment Facility Upgrade and Expansion Project in the City of Brandon.

3. That the borrowing for the aforesaid project shall be issued by the City of Brandon in the Province of Manitoba, and shall be payable at the Bank of Montreal in Brandon or at the principal office of the Bank in one of the Cities of Winnipeg, Toronto, Montreal, or Vancouver, Canada at the holder's option, and shall be dated the 31st day of July 2022.

4. That the said borrowing shall bear interest at a rate estimated for the time being at 6.25% per annum, and subject in any event to the authorization of The Municipal Board at the time of sale, and shall mature in accordance with the maturities set out in Schedule "A" hereto on the 31st day of July in each of the years 2023 to 2042, both inclusive.

5. That the issuance of borrowings shall be signed by the Mayor, or by some other person authorized by by-law to sign same, and by the Director of Finance of The City of Brandon and there shall be affixed thereto the corporate seal of the said municipality.

6. That during the currency of the said borrowing; namely, in each of the years 2023 to 2042, both inclusive, there shall be raised annually by a special surcharge on per cubic meter water and wastewater utility rates on all City of Brandon water utility customers, an amount sufficient to meet the requirement for principal and interest as set out in Schedule "A" hereto. The water utility rates being subject to approval from the Public Utilities Board.

7. That pursuant to subsection 174(3)(d) of The Municipal Act, pending the issue of the borrowing, the council of The City of Brandon may agree with a bank or person or borrow from the general funds of the municipality for temporary advances from time to time to meet expenditures incurred for the purpose aforesaid, and the total of such advances shall not exceed forty million, six hundred and seventy thousand, and five hundred Dollars (\$40,670,500.00).

DONE AND PASSED by the Council of The City of Brandon in regular session assembled, this day of _____, A.D. 2022.

Mayor

City Clerk

Read a first time this _____ day of _____ A.D. 2022

Read a second time this _____ day of _____ A.D. 2022

Read a third time this _____ day of _____ A.D. 2022

CITY OF BRANDON

SCHEDULE - A TO BYLAW NO. 7328

Term (Years):	20	Amount:	\$ 40,670,500.00
Date:	July 31, 2022	Rate (%):	6.25
Payable:	July 31, 2023-2042	Annual Payment:	\$ 3,618,139.95
		First Year's Payment:	\$ 3,618,139.95
		Adjusted Last Year's Payment:	\$ 3,618,139.95

MATURITY SCHEDULE

Year	Interest	Principal	Balance
2023	\$2,541,906.25	1,076,233.70	39,594,266.30
2024	2,474,641.64	1,143,498.31	38,450,767.99
2025	2,403,173.00	1,214,966.95	37,235,801.04
2026	2,327,237.57	1,290,902.38	35,944,898.66
2027	2,246,556.17	1,371,583.78	34,573,314.87
2028	2,160,832.18	1,457,307.77	33,116,007.10
2029	2,069,750.44	1,548,389.51	31,567,617.60
2030	1,972,976.10	1,645,163.85	29,922,453.75
2031	1,870,153.36	1,747,986.59	28,174,467.16
2032	1,760,904.20	1,857,235.75	26,317,231.40
2033	1,644,826.96	1,973,312.99	24,343,918.42
2034	1,521,494.90	2,096,645.05	22,247,273.37
2035	1,390,454.59	2,227,685.36	20,019,588.00
2036	1,251,224.25	2,366,915.70	17,652,672.30
2037	1,103,292.02	2,514,847.93	15,137,824.37
2038	946,114.02	2,672,025.93	12,465,798.45
2039	779,112.40	2,839,027.55	9,626,770.90
2040	601,673.18	3,016,466.77	6,610,304.13
2041	413,144.01	3,204,995.94	3,405,308.19
2042	212,831.76	3,405,308.19	(0.00)
TOTALS	31,692,299.00	40,670,500.00	