

<b>TO:</b>	<b>CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON FEBRUARY 2, 2016</b>
<b>FROM:</b>	<b>MARTIN HAYWARD MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER</b>
<b>SUBJECT:</b>	<b>AUTHORIZATION FOR TEMPORARY BORROWING</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting of February 16, 2016, to authorize the borrowing of certain sums to meet current expenditures of The Corporation of the City of London for the year 2016.

<b>BACKGROUND</b>
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The purpose of the proposed by-law is to authorize the City Treasurer or Deputy City Treasurer to temporarily borrow funds, not exceeding \$100 million, to meet current expenditures, if required for 2016. This by-law is generally brought forward on an annual basis.

Section 407 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, allows a municipality to authorize temporary borrowing at any time during the fiscal year, the amounts considered necessary to meet expenses of the municipality for the year until taxes are collected and other revenues are received.

The City's best option for temporary borrowing is internally from the City's Reserve Funds, rather than obtaining external financing. A fair rate of interest is earned by the Reserve Funds and charged to the General Fund during the borrowing period. If cash from Reserve Funds is not available for temporary borrowing, the City will seek external options, such as drawing on an operating line of credit held at the City's bank. The City has not borrowed from Reserve Funds or drawn on its line of credit since January 2012.

The Civic Administration does not expect to temporarily borrow funds from outside resources in 2016; accordingly this proposed by-law is being brought forward as a precautionary measure in the event of any unanticipated near-term cash requirements or interruptions in operating cash flows.

**Financial Impact**

The financial impact of the temporary borrowing of funds, if required, can be accommodated in the 2016 operating budget.

PREPARED BY:	REVIEWED BY:
<b>Annette Ripepi</b> <b>Manager, Accounting &amp; Reporting</b>	<b>Jason Senese</b> <b>Manager, Financial Planning &amp; Policy</b>
CONCURRED BY:	RECOMMENDED BY:
<b>Larry Palarchio</b> <b>Director, Financial Planning &amp; Policy</b>	<b>Martin Hayward</b> <b>Managing Director, Corporate Services</b> <b>and City Treasurer, Chief Financial Officer</b>

Attachment: By-law  
Cc: Anna Lisa Barbon, Director, Financial Services

Bill No.  
2016

By-law No.

A by-law to authorize the City Treasurer or Deputy City Treasurer of The Corporation of the City of London to borrow certain sums to meet current expenditures of the Corporation for the year 2016.

WHEREAS the Council of The Corporation of the City of London deems it necessary to borrow monies to meet the current expenditures of the Corporation for the year 2016 pending the collection of current revenues;

AND WHEREAS under section 407 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, the Corporation is empowered to borrow for current purposes from January 1st to September 30th in the year, 50 per cent of the total estimated revenues of the municipality as set out in the budget adopted for the year; and from October 1st to December 31st in the year, 25 per cent of the total of the estimated revenues for the municipality as set out in the budget adopted for the year;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The City Treasurer or Deputy City Treasurer of The Corporation of the City of London (hereinafter referred to as the "Corporation") are hereby authorized to borrow from time to time from the Bank of Nova Scotia, or other person or persons, by way of promissory notes and/or the City's operating credit line and at such rate or rates of interest as they may approve, such sum or sums which together with the total of all other borrowings hereunder that have not been repaid shall not exceed \$100,000,000 at any one time, to meet, until the taxes are collected, the current expenditures of the Corporation for the year 2016; provided that notwithstanding the sums authorized to be borrowed hereunder, the amount that may be borrowed hereunder at any one time, together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th in the year, 50 per cent of the total estimated revenues of the municipality as set out in the budget adopted for the year; and from October 1st to December 31st in the year, 25 per cent of the total of the estimated revenues for the municipality as set out in the budget adopted for the year, all as provided for in section 407 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended.
2. All promissory notes of the Corporation shall be sealed with the seal of the Corporation and signed by the Mayor, the Deputy Mayor or the Acting Mayor, and by the City Treasurer or the Deputy City Treasurer; provided however, that the signature of the Mayor, the Deputy Mayor or the Acting Mayor, may be written or stamped, printed, lithographed, engraved or otherwise mechanically reproduced.
3. Promissory notes signed in accordance with this by-law and sealed with the seal of the Corporation, for the amounts from time to time borrowed under the authority hereof, and interest thereon, may be given to the Bank of Nova Scotia, its representative, or other person or persons from time to time as security for such loans.
4. The City Treasurer is authorized and directed to apply in payment of the money borrowed as aforesaid, together with the interest thereon, all the monies now or hereafter collected or received on account or realized in respect of taxes levied for 2016 and any preceding year, and all the monies collected or received from other sources excluding the sale of debentures, which may be lawfully applied for such purposes.

5. The Mayor, the Deputy Mayor or the Acting Mayor, and the City Treasurer or the Deputy City Treasurer of the Corporation are authorized to execute on behalf of the Corporation, under its Corporate Seal, and delivered to the Bank of Nova Scotia, or its representative or other persons, an agreement that all or any sums borrowed for any or all of the purposes mentioned in section 407 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, shall, with interest thereon, be a charge upon the whole or any part or parts of the revenues of the Corporation for 2016 and for any preceding year as and when such revenues are received; provided that such charge does not defeat or effect and is subject to any prior charge then subsisting in favor of any other lender.

6. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on February 16, 2016.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – February 16, 2016  
Second Reading – February 16, 2016  
Third Reading – February 16, 2016