

Authority: Item 11, Audit and Administration
Committee Report: 07-007
(FCS07056)
CM: May 16, 2007

Bill No. 174

CITY OF HAMILTON

BY-LAW NO. 07-174

A By-law to authorize the issue of Debentures in the principal amount of \$35,000,000 for the purposes of the City of Hamilton herein referred to.

WHEREAS the Council of the City of Hamilton (the "City") has authorized the works described in Schedule "A" attached hereto;

AND WHEREAS it is now deemed necessary to raise the money required to pay part of the cost of the said works by the issue and sale of serial debentures in aggregate principal amount of \$35,000,000 (the "Debentures") bearing interest at the rates hereinafter set out and maturing in varying instalments of principal over a period of 15 years which is the amount of debt intended to be created by this By-law.

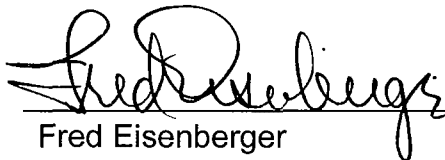
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The borrowing of \$35,000,000 for the purposes of the City set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated June 19, 2007, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it, shall be sealed and be signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on June 19 in each of the years 2008 to 2022, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on June 19 and December 19 in each year of the currency of the Debentures and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B".
4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global

debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.

5. For the payment of the principal of and interest on the Debentures as and when the same respectively become due and payable there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied in any year for such purpose than is required after taking into account moneys available for such purpose from any other source.
6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED AND ENACTED this 13th day of June, 2007.


Fred Eisenberger
Mayor


Rose Caterini
Acting City Clerk

CITY OF HAMILTON

SCHEDULE "B" TO BY-LAW NO. 07-174

Year	Interest Rate (%)	Principal (\$) June 19	Interest (\$) June 19	Interest (\$) December 19	Total Annual Payment (\$)
2007	4.75	0.00	0.00	860,407.75	860,407.75
2008	4.75	1,623,000	860,407.75	821,861.50	3,305,269.25
2009	4.80	1,703,000	821,861.50	780,989.50	3,305,851.00
2010	4.80	1,788,000	780,989.50	738,077.50	3,307,067.00
2011	4.80	1,878,000	738,077.50	693,005.50	3,309,083.00
2012	4.85	1,972,000	693,005.50	645,184.50	3,310,190.00
2013	4.85	2,070,000	645,184.50	594,987.00	3,310,171.50
2014	4.85	2,174,000	594,987.00	542,267.50	3,311,254.50
2015	4.85	2,282,000	542,267.50	486,929.00	3,311,196.50
2016	4.90	2,396,000	486,929.00	428,227.00	3,311,156.00
2017	4.90	2,516,000	428,227.00	366,585.00	3,310,812.00
2018	4.95	2,642,000	366,585.00	301,195.50	3,309,780.50
2019	5.00	2,774,000	301,195.50	231,845.50	3,307,041.00
2020	5.05	2,913,000	231,845.50	158,292.25	3,303,137.75
2021	5.05	3,058,000	158,292.25	81,077.75	3,297,370.00
2022	5.05	<u>3,211,000</u>	<u>81,077.75</u>	<u>0.00</u>	<u>3,292,077.75</u>
TOTAL		<u>\$35,000,000.00</u>	<u>\$7,730,932.75</u>	<u>\$7,730,932.75</u>	<u>\$50,461,865.50</u>