

Authority: Item 12, Audit & Administration Committee
Report: 08-004 (FCS08027)
CM: March 26, 2008

Bill No. 120

CITY OF HAMILTON

BY-LAW NO. 08-120

A By-law to authorize the issue of Debentures in the principal amount of \$50,000,000 for the purposes of the City of Hamilton

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

AND WHEREAS it is now deemed necessary to raise the money required to pay part of the cost of the works by the issue and sale of amortizing debentures in the aggregate principal amount of \$50,000,000 (the "Debentures") bearing interest at the rate of 4.728% per annum and payable in semi-annual blended payments of principal and interest of \$2,345,774.39 each on June 3 and December 3 in each of the years 2008 to 2023, commencing December 3, 2008, which is the amount of debt intended to be created by this By-law.

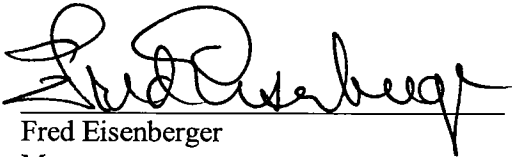
NOW THEREFORE the Council of the City of Hamilton enacts as follows:


1. The borrowing of \$50,000,000 for the purposes of the City set out in Schedule "A" and the issue of amortizing debentures therefor on the credit of the City is hereby authorized.
2. The Debentures 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 CDS Clearing and Depository Services Inc. ("CDS") and be held by it, shall be sealed and be signed as provided by the Municipal Act.
3. The Debentures shall be dated June 3, 2008, shall be payable as to principal and interest in lawful money of Canada, shall bear interest at the rate of 4.728% per annum and shall be payable in semi-annual blended payments of principal and interest in the amount of \$2,345,774.39 each on June 3 and December 3 in each of the years 2008 to 2023, commencing December 3, 2008 and ending June 3, 2023, 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 fifth 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 28th day of May, 2008


Fred Eisenberger
Mayor


Rose Caterini
Acting City Clerk

(seal)

CITY OF HAMILTON
SCHEDULE "B" TO BY-LAW NO. 08-120

<u>Date</u>	<u>Principal</u>	<u>Interest</u>	<u>Principal</u>	<u>Total</u>	<u>Remaining</u>
	\$	Payment	Payment	Payment	Principal
	\$	\$	\$	\$	\$
03-Dec-2008	50,000,000.00	1,182,000.00	1,163,774.39	2,345,774.39	48,836,225.61
03-Jun-2009	48,836,225.61	1,154,488.37	1,191,286.02	2,345,774.39	47,644,939.59
03-Dec-2009	47,644,939.59	1,126,326.37	1,219,448.02	2,345,774.39	46,425,491.57
03-Jun-2010	46,425,491.57	1,097,498.62	1,248,275.77	2,345,774.39	45,177,215.80
03-Dec-2010	45,177,215.80	1,067,989.38	1,277,785.01	2,345,774.39	43,899,430.79
03-Jun-2011	43,899,430.79	1,037,782.54	1,307,991.85	2,345,774.39	42,591,438.94
03-Dec-2011	42,591,438.94	1,006,861.62	1,338,912.78	2,345,774.39	41,252,526.16
03-Jun-2012	41,252,526.16	975,209.72	1,370,564.67	2,345,774.39	39,881,961.49
03-Dec-2012	39,881,961.49	942,809.57	1,402,964.82	2,345,774.39	38,478,996.66
03-Jun-2013	38,478,996.66	909,643.48	1,436,130.91	2,345,774.39	37,042,865.75
03-Dec-2013	37,042,865.75	875,693.35	1,470,081.05	2,345,774.39	35,572,784.71
03-Jun-2014	35,572,784.71	840,940.63	1,504,833.76	2,345,774.39	34,067,950.95
03-Dec-2014	34,067,950.95	805,366.36	1,540,408.03	2,345,774.39	32,527,542.91
03-Jun-2015	32,527,542.91	768,951.11	1,576,823.28	2,345,774.39	30,950,719.64
03-Dec-2015	30,950,719.64	731,675.01	1,614,099.38	2,345,774.39	29,336,620.26
03-Jun-2016	29,336,620.26	693,517.70	1,652,256.69	2,345,774.39	27,684,363.57
03-Dec-2016	27,684,363.57	654,458.35	1,691,316.04	2,345,774.39	25,993,047.53
03-Jun-2017	25,993,047.53	614,475.64	1,731,298.75	2,345,774.39	24,261,748.78
03-Dec-2017	24,261,748.78	573,547.74	1,772,226.65	2,345,774.39	22,489,522.13
03-Jun-2018	22,489,522.13	531,652.30	1,814,122.09	2,345,774.39	20,675,400.04
03-Dec-2018	20,675,400.04	488,766.46	1,857,007.94	2,345,774.39	18,818,392.10
03-Jun-2019	18,818,392.10	444,866.79	1,900,907.60	2,345,774.39	16,917,484.50
03-Dec-2019	16,917,484.50	399,929.33	1,945,845.06	2,345,774.39	14,971,639.44
03-Jun-2020	14,971,639.44	353,929.56	1,991,844.84	2,345,774.39	12,979,794.61
03-Dec-2020	12,979,794.61	306,842.34	2,038,932.05	2,345,774.39	10,940,862.56
03-Jun-2021	10,940,862.56	258,641.99	2,087,132.40	2,345,774.39	8,853,730.16
03-Dec-2021	8,853,730.16	209,302.18	2,136,472.21	2,345,774.39	6,717,257.94
03-Jun-2022	6,717,257.94	158,795.98	2,186,978.41	2,345,774.39	4,530,279.53
03-Dec-2022	4,530,279.53	107,095.81	2,238,678.58	2,345,774.39	2,291,600.95
03-Jun-2023	2,291,600.95	54,173.44	2,291,600.95	2,345,774.39	0.00
		\$20,373,231.74	\$50,000,000.00	\$70,373,231.70	