

Committee of the Whole (1) Report

DATE: Tuesday, January 18, 2022

WARD(S): ALL

TITLE: 2022 TEMPORARY BORROWING BY-LAW

FROM:

Michael Coroneos, Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer

ACTION: DECISION

Purpose

To obtain Council approval to allow the City of Vaughan to temporarily borrow funds, if required to do so.

Report Highlights

- The *Municipal Act, 2001* s. 407 (1) authorizes temporary borrowing, until taxes are collected, and other revenues are received, necessary to meet the expenses of the City for the year.
- A By-law is required for the purpose of authorizing the City to borrow money, if deemed necessary.
- In the event the City finds it necessary to borrow money for operational requirements, this By-law grants authority to the City Treasurer to temporarily borrow money, in accordance with the *Municipal Act, 2001*.
- The *Municipal Act, 2001* s. 407 (2) sets the limit of total amount borrowed at any one time.

Recommendations

1. That Attachment 1, Temporary Borrowing By-law be brought forward for Council approval to authorize the temporary borrowing, if required, of amounts not to exceed \$215,400,000 from January 1, 2022 to September 30, 2022 and

\$107,400,000 from October 1, 2022 to December 31, 2022 to meet the expenditures of the City until taxes are collected and other revenues are received;

2. That the Treasurer report to Council in advance of borrowing, if temporary borrowing is required; and
3. That staff be authorized and directed to take the necessary actions to give effect to this resolution.

Background

The *Municipal Act, 2001* s. 407(1) provides for the City to authorize temporary borrowing at any time throughout the year, until the taxes are collected, and other revenues are received, of the amounts that is considered necessary to meet expenses for the year and of the amounts, whether or not they are expenses for the year, which is required in the year for:

- a) Reserve, sinking, and retirement funds.
- b) Principal and interest due on any debt of the municipality.
- c) School purposes.
- d) Other purposes the municipality is required by law to provide for; and
- e) The amount of principal and interest payable by a person or municipality primarily liable for a debt if the municipality has guaranteed the debt and the debt is in default.

Section 407(2) of the *Act* governs the upper limits on the amount the City can borrow, as follows:

- a) From January 1 to September 30 in the year, 50 percent of the total estimated revenues of the municipality as set out in the budget adopted for the year; and
- b) From October 1 to December 31 in the year, 25 percent of the total estimated revenues of the municipality as set out in the budget adopted for the year.

Section 407(3) of the *Act* provides that until the budget is adopted, the limits upon borrowing shall be temporarily calculated using the estimated revenues set out in the approved budget for the previous year.

Estimated revenues (s 407(4) of the *Act*) for the purpose of calculating the borrowed amount, do not include revenues from,

- a) Arrears of taxes, fees, or charges; or
- b) A payment from a reserve fund of the municipality, whether or not the payment is for a capital purpose.

Previous Reports/Authority

[2021 Temporary Borrowing By-law](#), Item 2, Report No. 3, of the Committee of the Whole, January 25, 2021.

Analysis and Options

Staff does not anticipate having to temporarily borrow money in 2022 to meet operational requirements. If the City finds it necessary to borrow money for this purpose, the By-law provides the Treasurer the authority to temporarily borrow money, subject to the *Municipal Act, 2001*.

The *Municipal Act, 2001* s.407 (2) and (4) set out the limit of what can be borrowed, and the revenues that are excluded for the purpose of calculating the maximum borrowing requirements.

Table 1 below outlines the City of Vaughan's upper limits should borrowing be required in 2022, based on the City's 2022 budget approved by Council on December 9, 2021:

Table 1 – 2022 Maximum Borrowing Limits

Estimated Revenues	Jan. 1 to Sept. 30	Oct. 1 to Dec. 31
\$430.8 million	\$215.4 million	\$107.4 million

Financial Impact

There is no direct cost to have temporary borrowing available to the City.

Broader Regional Impacts/Considerations

Not applicable.

Conclusion

The City of Vaughan's ("City") sound cash management practices and policies, together with its strong financial position has not necessitated the need to temporarily borrow for operating purposes in the past. However, a temporary borrowing by-law is recommended for unforeseen circumstances.

If required, the maximum borrowing limits will not exceed \$215,400,000 from January 1, 2022 to September 30, 2022 and \$107,400,000 from October 1, 2022 to December 31, 2022. The City would be required to pay interest on any short-term borrowing.

For more information, please contact:

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Attachment

1. Temporary Borrowing By-law.

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