

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2008-194

**BEING A BY-LAW TO AUTHORIZE AIRPORT HILL
WATER SYSTEM UPGRADE PROJECT**

WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

AND WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 401 authorizes the Council to pass a by-law for the purposes herein stated;

AND WHEREAS the Council passed Resolution 2008-555 at its meeting held Tuesday, August 5, 2008, authorizing the expenditure of funds for the Airport Hill Water System Upgrade Project, being Project #W1, with a net debenture cost of \$3,500,000.00;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. That the expenditure of \$8,400,000.00 for the Airport Hill Water System Upgrade Project for the following be hereby authorized:

Kingdom Construction Contract – Booster Station & Standpipe	\$ 5,458,000.00
GAP Construction Contract – Airport Road Watermain	1,300,000.00
UMA Engineering – Design & Tendering	400,000.00
UMA Consulting – Construction Services for Booster Station & Standpipe	400,000.00
UMA Consultants – Construction Services for Airport Road Watermain	250,000.00
City – Project management, inspection, and contract administration (Booster Station & Standpipe Contract)	100,000.00
Contingencies	392,000.00
Temporary Financing & Administration Costs	<u>100,000.00</u>
Total Project Cost	\$ 8,400,000.00
Less:	
Existing funding from water revenues previously approved	2,697,000.00
Transfer from CFB Reservoir Reserve Fund	437,000.00
Federal approved COMRIF Funding	<u>1,766,000.00</u>
Net Amount to be Debentured	\$ 3,500,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note or notes temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$3,500,000.00 limited in this by-law.
3. Any promissory note or notes issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works be funded first from the water rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within fifteen (15) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as to repay the principal and interest on a principal amount not to exceed \$3,500,000.00.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF AUGUST, 2008.

READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF AUGUST, 2008.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF AUGUST, 2008.

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MAYOR VIC FEDELI

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CITY CLERK CATHERINE CONRAD