



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 6/18/2013 **In control:** Finance Committee

On agenda: 7/15/2013 **Final action:** 7/18/2013

Title: To authorize and direct the City Auditor to appropriate and transfer \$200,000.00 from the Special Income Tax Fund to the Construction Management Capital Improvement Fund; to authorize the City Auditor to appropriate \$200,000.00 within the Construction Management Capital Improvement Fund; to authorize the Finance and Management Director to expend monies for labor, materials, equipment, and services in conjunction with various facilities improvements; to authorize the expenditure of \$200,000.00 from the Construction Management Capital Improvement Fund; and to declare an emergency. (\$200,000.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/18/2013	1	CITY CLERK	Attest	
7/16/2013	1	MAYOR	Signed	
7/15/2013	1	COUNCIL PRESIDENT	Signed	
7/15/2013	1	Columbus City Council	Approved	Pass

BACKGROUND: This legislation authorizes the Finance and Management Department to expend monies for labor, materials, equipment, and services in conjunction with various facilities improvements that are unplanned but necessary to keep city facilities operational, functional and safe. Work may include any type of renovation of City-owned facilities, such as electrical, small scale renovation HVAC, and plumbing. All work will be done in accordance with the competitive bidding provisions of the Columbus City Codes. Funding for these expenditures is from the Construction Management Capital Improvement Fund.

Emergency action is requested so that the Finance and Management Department can address emergency renovations to capital assets.

Fiscal Impact: This project is funded in the 2013 Capital Improvement Budget. Bonds have not yet to be sold for his project; therefore it is necessary to certify funds needed in the amount of \$200,000.00 against the Special Income Tax Fund. Upon sale of the bonds, this will be reimbursed.

To authorize and direct the City Auditor to appropriate and transfer \$200,000.00 from the Special Income Tax Fund to the Construction Management Capital Improvement Fund; to authorize the City Auditor to appropriate \$200,000.00 within the Construction Management Capital Improvement Fund; to authorize the Finance and Management Director to expend monies for labor, materials, equipment, and services in conjunction with various facilities improvements; to authorize the expenditure of \$200,000.00 from the Construction Management Capital Improvement Fund; and to declare an emergency. (\$200,000.00)

WHEREAS, various unexpected facility renovations will likely become necessary within the Finance and Management Department; and

WHEREAS, it is necessary to transfer funds from the Special Income Tax Fund to fund this project; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

WHEREAS, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregated principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$200,000.00; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project"); and

WHEREAS, an Auditor's Certificate is necessary to provide funding so that contracts can be established for these renovations; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management, in that it is immediately necessary to establish this Auditors Certificate for labor, materials, equipment, and services in conjunction with various facilities improvements that are, at times, unplanned but necessary to keep city facilities operational, functional, and safe, thereby preserving the public health, peace, property, safety, welfare; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. The sum of \$200,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2013 to the City Auditor, Department 22-01, Object Level One 10, OCA code 902023, Object Level Three 5502.

SECTION 2. That the City Auditor is hereby authorized to transfer and appropriate said funds in SECTION 1 to the Construction Management Capital Improvement Fund as follows:

Fund / Project Number / Project Name / O.L. 01-03 Codes / OCA / Amount
733 / 570030-100144 / Facilities Management Division - Capital Blanket / 06-6601 / 730144/ \$200,000.00

SECTION 3. That the purchase of labor, materials, and equipment will likely become necessary for various facility renovations within the purview of the Finance and Management Department.

SECTION 4. That the expenditure of \$200,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Construction Management Capital Improvement Fund No. 733 to pay the cost thereof. All work will be done in accordance with the competitive bidding provisions of the Columbus City Codes. City Council recognizes this ordinance does not identify the contractor(s) to whom the contract(s) will be awarded and understand its passage will give the Finance and Management Director the final decision in determination of the lowest best responsive and responsible bidder for such contract(s). This Council is satisfied it is in the best interests of the City to delegate this contracting decision.

<u>Fund Type</u>	<u>Dept. No.</u>	<u>Fund</u>	<u>Project No.</u>	<u>Title</u>	<u>Level 3</u>	<u>Code</u>	<u>Amount</u>
Cap. Proj.	45-50	733	570030-100144	FMD - Capital Blanket	6601	730144	\$200,000.00

SECTION 5. That the monies appropriated in the foregoing Section 2 shall be paid upon order of the Director of Finance and Management and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 6. That upon obtaining other funds for this project for the Department of Finance and Management, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 2.

SECTION 7. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract(s) or contract modification(s) associated with the expenditure of the funds transferred under Section 2 above.

SECTION 8. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$200,000.00 (the "Obligations"). The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

SECTION 9. That for the purpose of paying the cost of this contract and inspection, the sum of \$200,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Construction Management Capital Improvement Budget, Fund 733 as follows:

<u>Fund Type</u>	<u>Dept. No.</u>	<u>Fund</u>	<u>Project No.</u>	<u>Title</u>	<u>Level 3</u>	<u>Code</u>	<u>Amount</u>
Cap. Proj.	45-50	733	570030- 100144	FMD - Capital Blanket	6601	730144	\$200,000.00

SECTION 10. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 11. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

SECTION 12. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.