



Legislation Text

File #: 0813-2021, **Version:** 1

Background:

On November 19, 2009, the City of Columbus issued \$16,330,000 in Various Purpose Unlimited Tax Recovery Zone Economic Development Bonds, \$180,305,000 Various Purpose Unlimited Tax Build America Bonds and \$11,395,000 Various Purpose Limited Tax Build America Bonds.

On August 12, 2010, the City of Columbus issued \$167,900,000 in Various Purpose Unlimited Tax Build America Bonds, \$15,000,000 in Various Purpose Unlimited Tax Recovery Zone Economic Development Bonds and \$8,260,000 in Various Purpose Limited Tax Build America Bonds.

On December 7, 2010, the City of Columbus issued \$15,000,000 in Various Purpose Unlimited Tax Recovery Zone Economic Development Bonds and \$7,040,000 in Various Purpose Unlimited Build America Bonds.

On December 22, 2010, the City of Columbus issued \$22,650,000 in Various Purposed Unlimited Tax Recovery Zone Economic Development Bonds and \$35,100,000 in Various Purpose Limited Tax Recovery Bonds Zone Economic Development Bonds.

The bond proceeds were deposited into specific funds designated for Build America Bonds and Recovery Zone Bonds. These bonds have all been currently refunded with no par outstanding. The purpose of this ordinance is to authorize expenditure corrections to any remaining proceeds within the Build America Bond and Recovery Zone Bond Funds so that the City is meeting the spending requirements of the Internal Revenue Service and of the City's Post Issuance Compliance Policy. Additionally, the City will need to transfer funds, establish and transfer appropriation, amend the 2020 Capital Improvement Budget and re-establish encumbrances in the funds from where the expenditure has been moved. This ordinance is being submitted as emergency in an effort to close out old funds, adhere to the City's Post Issuance Compliance Policy and federal tax law, and improve financial reporting.

Fiscal Impact: This ordinance authorizes the transfer of cash, appropriation and expenditures to facilitate expenditure corrections to the Build America Bond and Recovery Zone Bond Funds. All expenditures had been previously authorized by Council under different funds. Emergency action is requested to close out old programs in an expeditious manner in the interest of timely and accurate accounting. (\$0)

To authorize the City Auditor to appropriate, transfer between projects and authorize expenditures within the Build American Bond and Recovery Zone Bond Funds; to authorize the City Auditor to move capital expenditures to various Build America Bond and Recovery Zone Bond Funds; to authorize the City Auditor to transfer all unencumbered balances and outstanding encumbrances from the Build America Bond and Recovery Zone Bond Funds to the appropriate capital fund; to amend the 2020 Capital Improvement Budget; and to declare an emergency.

WHEREAS, the City issued Build American Bonds and Recovery Zone Economic Development Bonds in 2009 and 2010 under the American Recovery and Reinvestment Act; and

WHEREAS, the City updated the Policy and Procedures concerning Post Issuance Compliance on December 30, 2019; and

WHEREAS, the City has eligible capital expenditures to allocate to bond proceeds for compliance with federal tax laws; and

WHEREAS, an emergency exists in the usual daily operation of the City Auditor's Office in that it is immediately necessary to appropriate, transfer between projects, and authorize expenditures in the interest of timely and accurate accounting, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1. That the City Auditor is hereby authorized and directed to transfer funds, appropriate and expend within Object Class 06 in an amount not to exceed \$2,244,746.76, or the current cash balance, in the following funds:

Water Build America Bonds Fund 6009- cash balance \$172,679.38
Water Recovery Zone Super BABS Fund 6010- cash balance \$4,951.42
Info Services Build America Bonds Fund 5110- cash balance \$1,393.10
Fleet Build America Bonds Fund 5220- cash balance \$8,802.12
Sanitary Build America Bonds Fund 6113- cash balance \$486,839.74
Sanitary Recovery Zone Super BABS fund 6114- cash balance \$431,853.84
Storm Build America Bonds Fund 6201- cash balance \$318,288.11
Storm Recovery Zone Super BABS Fund 6202- cash balance \$619,619.12
Gov Super Build America Bonds Fund 7707- cash balance \$3,037.34
Gov Build America Bonds Fund 7746 cash balance - \$197,282.59

SECTION 2. That the City Auditor is hereby authorized and directed to transfer capital expenditure to funds and in amounts not to exceed the following:

Water Build America Bonds Fund 6009-\$172,679.38
Water Recovery Zone Super BABS Fund 6010- \$4,951.42
Info Services Build America Bonds Fund 5110- \$1,393.10
Fleet Build America Bonds Fund 5220- \$8,802.12
Sanitary Build America Bonds Fund 6113- \$486,839.74
Sanitary Recovery Zone Super BABS fund 6114- \$431,853.84
Storm Build America Bonds Fund 6201- \$318,288.11
Storm Recovery Zone Super BABS Fund 6202- \$619,619.12
Gov Super Build America Bonds Fund 7707- \$3,037.34
Gov Build America Bonds Fund 7746- \$197,282.59

SECTION 3. That the City Auditor is hereby authorized to transfer all remaining unencumbered balances and outstanding encumbrances within the Build American Bond and Recovery Zone Bond Funds to the funds from which the expenditures were moved in amounts not to exceed \$2,244,746.76:

Sanitary G O Bonds Fund 6109- \$918,693.58
Info Services G O Debt Fund 5105- \$1,393.10
Construction Mgmt Capital Imp LMT Fund 7733- \$3,037.34
Fleet G O Debt Fund 5205-\$8,802.12
Water GO Bonds Fund 6006- \$177,630.80
Housing Preservation Fund 7782- \$32,536.47
Street and Highways G O Bonds Fund 7704- \$164,746.12
V95, V99, V04 Storm Sewer Bonds Fund 6204- \$937,907.23

SECTION 4. That the 2020 Capital Improvement Budget is hereby amended to provide the necessary budget authority to allow for transfers within Section 1 and Section 3 above.

SECTION 5. That the City Auditor is authorized to establish such accounting codes as necessary, to make any accounting changes to revise the funding source for all agreements, contracts, or modifications associated with this Ordinance.

SECTION 6. That the City Auditor is hereby authorized to re-establish project balances, appropriation and encumbrance balances in eligible funds.

SECTION 7. That the monies appropriated/transferred in the foregoing Section 3 shall be paid upon the order of the appropriate Department 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 8. 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 passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.