



Legislation Details (With Text)

File #: 72887 **Version:** 1 **Name:** Amending the 2022 Engineering-Major Streets and Engineering-Bicycle & Pedestrian Capital Budgets to transfer existing GO budget authority between various major projects and programs in order to comply with arbitrage requirements under federal tax law.

Type: Resolution **Status:** Passed

File created: 7/27/2022 **In control:** BOARD OF PUBLIC WORKS

On agenda: 9/6/2022 **Final action:** 9/6/2022

Enactment date: 9/7/2022 **Enactment #:** RES-22-00622

Title: Amending the 2022 Engineering-Major Streets and Engineering-Bicycle & Pedestrian Capital Budgets to transfer existing GO budget authority between various major projects and programs in order to comply with arbitrage requirements under federal tax law. (Citywide)

Sponsors: Keith Furman

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/6/2022	1	COMMON COUNCIL	Adopt - 15 Votes Required	Pass
8/29/2022	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER	Pass
8/17/2022	1	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval	Pass
8/2/2022	1	FINANCE COMMITTEE	Referred	
8/2/2022	1	COMMON COUNCIL	Refer	Pass
7/27/2022	1	Engineering Division	Referred for Introduction	

Fiscal Note

The proposed resolution amends the 2022 Engineering-Major Streets and Engineering-Bicycle & Pedestrian Capital Budgets by authorizing a net-neutral transfer of existing budget authority across various project and program budgets. The proposed resolution transfers budget authority: from W Towne Gammon Underpass (10168) to Sidewalks District 5 (13720); from Gammon Rd, South (11130) to Resurfacing 2022 (13703); and from Martin Luther King Jr Blvd (11164) and Gammon Rd, South (11130) to Cedar St: Fish Hatchery to South St (13062). These transfers allow excess borrowed GO in completed projects subject to arbitrage to be moved to current projects that have sufficient spending. This enables the City to reduce new borrowing requests.

- 1) Transfer unspent borrowed GO from W Towne Path Gammon Underpass to Sidewalks District 5
 - (1,107,070.32) 10168-403-172
 - (1,107,070.32) 10168-403-801
 - 1,107,070.32 13720-403-200
 - 1,107,070.32 13720-403-802

- 2) Transfer unspent borrowed GO from Gammon Rd, South to Resurfacing 2022

(430,000)	11130-402-170
(430,000)	11130-402-801
430,000	13703-402-170
430,000	13703-402-801

- 3) Transfer unspent borrowed GO from Martin Luther King Jr Blvd & Gammon Rd, South to Cedar: Fish Hatchery to South St

(37,145.91)	11164-402-170
(37,145.91)	11164-402-801
(232,030.62)	11130-402-170
(232,030.62)	11130-402-801
269,176.53	13062-402-170
269,176.53	13062-402-801

Title

Amending the 2022 Engineering-Major Streets and Engineering-Bicycle & Pedestrian Capital Budgets to transfer existing GO budget authority between various major projects and programs in order to comply with arbitrage requirements under federal tax law. (Citywide)

Body

WHEREAS, the West Towne Path Gammon Underpass, Gammon Road, South and Martin Luther King Jr Blvd projects are complete and no more expenditures are expected; and

WHEREAS, these projects were completed at a lower cost than was initially estimated and budgeted, and borrowing amounts were based on the higher initial estimates resulting in unspent excess GO authority; and

WHEREAS, Internal Revenue Code Section 148 requires certain tax exempt bond proceeds to be spent within 2 years (arbitrage rules) and these projects have unspent bond proceeds subject to arbitrage rules; and

WHEREAS, by transferring these unspent bond proceeds and the associated budget authority to current projects the City is able to comply with the arbitrage rules and reduce new borrowing requests.

NOW, THEREFORE, BE IT RESOLVED that the 2022 Engineering-Major Streets and Engineering-Bicycle & Pedestrian Capital Budgets are hereby amended to: 1) transfer existing budget from W Towne Gammon Underpass (10168) to Sidewalks District 5 (13720); 2) transfer existing budget from Gammon Rd, South (11130) to Resurfacing 2022 (13703); and 3) transfer existing budget from Martin Luther King Jr Blvd (11164) and Gammon Rd, South (11130) to Cedar St: Fish Hatchery to South St (13062).