



Legislation Text

File #: CB 118718, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE amending Ordinance 124927, which adopted the 2016 Budget; creating new appropriations; changing appropriations to various departments and budget control levels, and from various funds in the Budget; making cash transfers between various City funds; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

WHEREAS, Council Bill 118713, which will be presented to the City Council for approval on or about the date of this ordinance, authorizes the sale of the Pacific Place Garage (“the Garage”) to the identified purchaser; and

WHEREAS, the City financed the purchase of the Garage with tax exempt bonds and the City previously covenanted not to take any action that would affect the tax exempt status of those bonds; and

WHEREAS, in order to preserve the tax exempt status of such tax exempt bonds, as required by the applicable provisions of the Internal Revenue Code, a new Garage Disposition Proceeds Fund (37000) is created under Council Bill 118717, which will be presented to the City Council for approval on or about the date of this ordinance, for the sole purpose of tracking the expenditure of the remaining Disposition Proceeds after carrying out the bond defeasance; and

WHEREAS, disposition proceeds are only eligible for qualified capital expenditures; and

WHEREAS, part of the net sale proceeds is intended to be used for qualified vehicle purchases; and

WHEREAS, Ordinance 125003, which authorized a \$10,000,000 interfund loan to the Parking Garage Operations Fund (46010), expiring December 31, 2016, states that repayment of the interfund loan is to be made from disposition proceeds; and

WHEREAS, repayment of the aforementioned interfund loan represents an operating expenditure and is therefore not eligible for disposition proceeds directly; and

WHEREAS, the City will use other General Fund resources to repay the interfund loan and both fulfill the obligations of the interfund loan authorized by Ordinance 125003 and meet the restrictions on the disposition proceeds; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The 2016 Adopted Budget is amended with the creation of the Capital Fleet Purchases Budget Control Level, which is added to Attachment A of Ordinance 124927 as follows:

Item	Fund	Department	BCL Code	BCL Name	BCL Purpose
1.1	Garage Disposition Proceeds Fund (37000)	Department of Finance & Administrative Services (FAS)	37000-A2002	Capital Purchases	The purpose of the Capital Purchases Budget Control Level is to ensure that the proceeds from the sale of the Pacific Place Garage are used in accordance with federal regulations regarding the disposition of assets originally financed with tax exempt bonds.

The Garage Disposition Proceeds Fund (37000) is created under Council Bill 118717, which will be presented to the City Council for approval on or about the date of this ordinance.

Section 2. In order to pay for necessary costs and expenses incurred or to be incurred, but for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time of making the 2016 Budget, appropriations for the following items in the 2016 Budget are increased from the funds shown, as follows:

Item	Fund	Department	Budget Control Level	Amount
2.1	General Subfund (00100)	Finance General (FG)	Reserves (00100-2QD00)	\$10,000,000
2.2	Garage Disposition Proceeds Fund (37000)	Department of Finance & Administrative Services (FAS)	Capital Purchases (37000-A2002)	\$10,000,000

Total	\$20,000,000
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Unspent funds so appropriated shall carry forward to subsequent fiscal years until they are exhausted or abandoned by ordinance.

Section 3. To refund resources contributed by the General Fund to the Finance and Administrative Services Fund for the purchase of vehicles for which those resources are no longer necessary, cash, up to the amount shown below, will be hereby transferred back to the General Fund as shown in the following table:

Item	Fund	Amount	Transferred (In / Out)
3.1	General Subfund (00100)	\$10,000,000	Transferred In
	Finance and Administrative Services Fund (50300)	(\$10,000,000)	Transferred Out
Total		\$0	

Section 4. In accordance with RCW 35.32A.060, by reason of the facts above stated, some of the foregoing appropriations are made to meet actual necessary expenditures of the City for which insufficient appropriations have been made, due to causes which could not reasonably have been foreseen at the time of the making of the 2016 Budget.

Section 5. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

Section 6. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by a 3/4 vote of all the members of the City Council the ____ day of _____, 2016, and signed by me in open session in authentication of its passage this ____ day of _____, 2016.

President _____ of the City Council

Approved by me this ____ day of _____, 2016.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2016.

Monica Martinez Simmons, City Clerk

(Seal)