

**CITY OF WEST ALLIS
ORDINANCE O-2021-0015.**

**ORDINANCE TO AUTHORIZE CITY ADMINISTRATOR AND COMPTROLLER TO
DECLARE OFFICIAL INTENT TO REIMBURSE AN ORIGINAL EXPENDITURE
WITH PROCEEDS OF AN OBLIGATION
AMENDING SECTIONS 2.095 AND 2.635**

WHEREAS, the Department of the Treasury has issued regulations that, for the purpose of determining whether interest on certain obligations of a state or local government is excluded from gross income for federal income tax purposes, permit the use of the proceeds of tax exempt obligations to reimburse capital expenditures made prior to the date such obligations are issued, only if the state or local government, within 60 days of the date of expenditure, declares its official intent to reimburse the expenditure with proceeds of a borrowing; and

WHEREAS, the regulations apply to tax exempt obligations issued after July 1, 1993, except that such Reimbursement Bond Regulations do not apply to preliminary expenditures, such as architectural, engineering, surveying, soil testing and other similar costs, but not including land acquisition, site preparation and similar costs incident to the commencement of construction, so long as such preliminary expenditures are less than 20% of the issue price of the obligations issued for such property, project or program; and

WHEREAS, the regulations require that if a current expenditure is to be permanently financed by a later issue of tax exempt obligations, a state or local government must declare its intention to reimburse itself for the expenditure from proceeds of a borrowing within 60 days from when the expenditure is made; and

WHEREAS, to satisfy the requirements for official intent under 26 C.F.R. § 1.150–2(e)(1), the City can authorize one or more representatives to declare official intent on behalf of the City; and

WHEREAS, the Common Council of the City of West Allis deems it to be necessary, desirable and in the best interest of the City to authorize officials to make a Declaration of Official Intent on its behalf when the City reasonably expects to reimburse itself from the proceeds of a borrowing for certain expenditures for a specific property, project or program, which it pays from other funds prior to the receipt of the proceeds of the borrowing with respect to such expenditures, the nature of these expenditures being one of the following: a capital expenditure, a cost of issuance for a bond, an expenditure relating to certain extraordinary working capital items, a grant, a qualified student loan, a qualified mortgage loan or a qualified veterans' mortgage loan; and

WHEREAS, the common council hereby finds and determines that authorizing officials to make a Declaration of Official Intent will facilitate compliance with Treasury regulations;

NOW THEREFORE, the common council of the City of West Allis do ordain as follows:

SECTION 1: AMENDMENT “2.095 City Administrator (CA)” of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

2.095 City Administrator (CA)

1. The Mayor shall recommend appointment of the City Administrator (CA) subject to approval by the Common Council in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment and Hiring Process for Executive/Managerial/Deputy Assistant Service Positions). The position of City Administrator shall be full-time and shall not be of a policy-making nature. The City Administrator shall serve at the pleasure of the Common Council, as provided in Section 17.12(1) of the Wisconsin Statutes.
2. The duties of the City Administrator shall be as specified in City of West Allis Policies and Procedures Manual Policy No. 403 (Shared Responsibilities of Mayor and City Administrative Officer), as specified in the position job description, employment contract and such other duties as the Common Council may from time to time prescribe.
3. The City Administrator may make the necessary rules for the conduct of his or her duties and all City Departments and their offices and employees shall cooperate with the City Administrator and comply with requests relative to said duties.
4. The City Administrator is authorized to declare official intent to reimburse an original expenditure with proceeds of an obligation on behalf of the City as allowed under 26 C.F.R. § 1.150-2(e)(1).

[Ord. O-2014-0028, 5/6/2014; Ord. O-2018-0022, 5-15-2018]

SECTION 2: AMENDMENT “2.635 Finance Director/Comptroller” of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

2.635 Finance Director/Comptroller

1. Appointment. The City Administrator shall recommend appointment of a Finance Director/Comptroller subject to approval by the Common Council in the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment and Hiring Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 [Discipline for Non-Elective Officials (Executive Service/Department Heads)], and as

provided by Section 17.12(1) of the Wisconsin Statutes.

2. Duties and Responsibilities. The Finance Director/Comptroller shall:
 - a. Establish rules for the administration of the Finance/Comptroller's Office and perform the duties assigned to it.
 - b. Perform the duties of City Comptroller, prescribed in Sec. 62.09(10) of the Wisconsin Statutes, the position job description, employment contract, and such other duties as the Common Council may prescribe from time to time.
 - c. Direct and supervise the functions of finance and purchasing.
3. Authorizations. The Finance Director/Comptroller may:
 - a. Declare official intent to reimburse an original expenditure with proceeds of an obligation on behalf of the City as allowed under 26 C.F.R. § 1.150-2(e)(1).

SECTION 3: **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

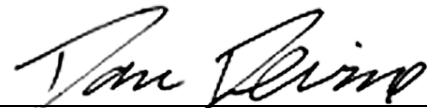
PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL FEBRUARY 02, 2021.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Angelito Tenorio	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Vince Vitale	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Tracy Stefanski	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Marty Weigel	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Suzzette Grisham	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Danna Kuehn	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Thomas Lajsic	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Dan Roadt	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Rosalie Reinke	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Kevin Haass	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer


 Rebecca Grill, City Clerk, City Of
 West Allis


 Dan Devine, Mayor City Of West Allis

