

ORDINANCE NO. 24-18

**AN ORDINANCE TO TREAT CERTAIN
ADVANCES TO CAPITAL PROJECT FUNDS AS FUND TRANSFERS
AND DECLARING AN EMERGENCY**

WHEREAS, certain advances of funds from the General Fund and the Recreation Income Tax Fund to various capital project funds were made, dating back to 2012, specifically, advances to the Municipal Swimming Pool Fund No. 418 from the Recreation Income Tax Fund, \$279,180.00; to the Nagel Road Interchange Fund No. 456 from the General Fund, \$29,143.00; and to the Chester Road Re-location Fund No. 475 from the General Fund, \$550,600.00.

WHEREAS, it has been determined that these fund advances have not and will not be returned to the General Fund or the Recreation Income Tax Fund as the funds were used toward the construction of improvements made in these capital project funds; and

WHEREAS, it is required per ORC 5705.14, 5705.15 and 5705.16 to recognize these fund advances as fund transfers and to formally record these transactions in the City's financial statements and to reverse the original transactions that recorded the advances.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1. That the following fund advancements made to the Municipal Swimming Pool Fund No. 418 from the Recreation Income Tax Fund No. 240 in the amount of \$279,180.00 shall be declared fund transfers from said Recreation Income Tax Fund No. 240. The following fund advancements made to the Nagel Road Interchange Fund No. 456 from the General Fund No. 101 in the amount of \$29,143.00 and to the Chester Road Re-location Fund No. 475 from the General Fund No. 101 in the amount of \$550,600.00 shall be declared to be fund transfers from the General Fund No. 101.

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of Avon, the immediate emergency being the necessity to re-classify certain Fund Advances as fund transfers and to record these transactions in the City's financial statements and to reverse the original transactions that recorded the fund advances; therefore this Ordinance shall be in full force and effect immediately upon its passage by this Council and approval by the Mayor.

Ordinance No. 24-18 (Con't.)

PASSED: _____

DATE SIGNED: _____

By: _____
Craig Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Barbara J. Brooks
Clerk of Council

POSTED:
In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director