RESOLUTION OF THE BOARD OF SUPERVISORS OF

ORANGE COUNTY, CALIFORNIA AUTHORIZING TEMPORARY

TRANSFERS BETWEEN CERTAIN UNAPPORTIONED TAX FUNDS 665, 668, 672, 673, 674 AND THE COUNTY GENERAL FUND

June 22, 2021

WHEREAS, the County General Fund may experience cash shortfalls or deficits during County fiscal year 2021/2022 due to timing of receipt of revenues such as property taxes and State revenues; and

WHEREAS, the County General Fund may experience cash shortfall when tax and revenue anticipation notes (TRANS) are delayed or not issued during fiscal year 2021/2022; and

WHEREAS, certain County Unapportioned Property Tax Funds (665, 668, 672, and 673) may experience cash deficits during fiscal year 2021/2022 due to timing of property tax refund payments made in advance of current year property tax collections; and

WHEREAS, property tax refunds due to taxpayers cannot be paid from those Property Tax Unapportioned Funds (665, 668, 672, and 673) during fiscal year 2021/2022 without a temporary cash transfer from another County Property Tax Unapportioned Fund (674); and

WHEREAS, monies are available from Unbudgeted Secured Unapportioned Tax Fund 673 and Unbudgeted Unsecured Unapportioned Tax Fund 674; and

WHEREAS, the Board has authority over Funds 665, 668, 672, 673, and 674; and

WHEREAS, Section 53635.7 of the Government Code requires the legislative body of a local agency to discuss, consider, and deliberate each decision that involves borrowing in the amount of one hundred thousand dollars ($100,000) or more as a separate item of business on the agenda of its meeting; and

WHEREAS, Section 25252 of the Government Code authorizes the transfer of money between funds as the public interest requires; and

WHEREAS, by Resolution this Board may authorize the Auditor-Controller of the County to carry out such functions if the Board has authority over each fund.

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby:

1. Authorize the County Auditor-Controller to make temporary cash transfers from Secured Unapportioned Tax Fund 673 and Unsecured Unapportioned Tax Fund 674 to the County General Fund for the period July 1, 2021 through June 30, 2022 when such transfers are needed to cover cash deficits in the County General Fund.
2. Direct that such temporary transfers authorized under Paragraph 1 above shall not exceed the available balance in the Fund 673 and 674, as determined by the Auditor-Controller, less the $42.5 million maximum temporary cash transfer being authorized under Paragraphs 4, 6, 8 and 10 below. Such transfers shall be used to provide funds for meeting the obligations incurred by the County for maintenance purposes.
3. Direct that repayment of the temporary transfers authorized under Paragraph 1 above shall be made to ensure availability of sufficient funds in Fund 673 and 674 for scheduled apportionment.
4. Direct the Auditor-Controller to make temporary cash transfers up to a total of $30 million from the Unsecured Unapportioned Property Tax Fund 674 to the Secured Unapportioned Property Tax Fund 673 for the period July 1, 2021 through June 30, 2022 when such transfers are needed to cover cash deficits in the Secured Unapportioned Property Tax Fund.
5. Direct the Auditor-Controller to retransfer the actual cash advances back to Fund 674 from the Secured Unapportioned Property Tax Fund 673 upon receipt of tax collections.
6. Direct the Auditor-Controller to make temporary cash transfers up to a total of $10 million from the Unsecured Unapportioned Property Tax Fund 674 to the Supplemental Unapportioned Property Tax Fund 668 for the period July 1, 2021 through June 30, 2022 when such transfers are needed to cover cash deficits.
7. Direct the Auditor-Controller to retransfer the actual cash advances back to Fund 674 from the Supplemental Unapportioned Property Tax Fund 668 upon receipt of tax collections.
8. Direct the Auditor-Controller to make temporary cash transfers up to a total of $1 million from the Unsecured Unapportioned Property Tax Fund 674 to the Delinquent Supplemental Unapportioned Property Tax Fund 665 for the period July 1, 2021 through June 30, 2022 when such transfers are needed to cover cash deficits.
9. Direct the Auditor-Controller to retransfer the actual cash advances back to Fund 674 from the Delinquent Supplemental Unapportioned Property Tax Fund 665 upon receipt of tax collections.
10. Direct the Auditor-Controller to make temporary cash transfers up to a total of $1.5 million from the Unsecured Unapportioned Property Tax Fund 674 to the Public Utility Unapportioned Property Tax Fund 672 for the period July 1, 2021 through June 30, 2022 when such transfers are needed to cover cash deficits.
11. Direct the Auditor-Controller to retransfer the actual cash advances back to Fund 674 from the Public Utility Unapportioned Property Tax Fund 672 upon receipt of tax collections.
12. Direct that all transfers from County funds therein authorized be conditioned upon and subject to the written approval of the County Executive Officer or his designee.
13. Direct the CEO to identify the specific fund to make each cash transfer from the list of Available County Funds.
14. Direct that notification of each advance be given to each Board Office.
15. Direct that such temporary transfers shall be repaid no later than June 30, 2022.
16. This Resolution shall take effect on July 1, 2021.