

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE:

05/01/2013

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Extension of the Standby Reimbursement Agreement with U.S. Bank

FISCAL EFFECT:

- | | |
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| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input checked="" type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
|--|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	
	Revenue	0	
	Net Cost	0	
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. The Comptroller is requesting to extend the Standby Reimbursement Agreement with US Bank for a period of one year. The Standby Reimbursement Agreement is part of the Credit Assistance that Milwaukee County provided to Midwest Airlines in 2003. The Standby Reimbursement Agreement provides a guarantee that the County will pay for the costs of any call on a letter of credit that is used to guarantee two debt issues that were used to construct hangars at Mitchell Airport. Currently, Frontier Airlines acquired Midwest Airlines, and is holding Midwest Airlines in name only, and is paying for the debt issue costs and letter of credit costs. The Standby Reimbursement Agreement needs to be extended or the debt will be called upon the termination of the Standby Reimbursement Agreement. If the debt is called the County will be responsible for the payment on the debt. The County can attempt to recoup funds from Midwest Airlines or Frontier Airlines, but is mainly looking to its interest in two hangars at the Airport, and a trust fund.

B. There are no costs as long as the letter of credit and Standby Reimbursement agreement remain in force. Costs could be incurred if Midwest Airlines becomes unable to pay the debt. The County was provided with collateral to support the debt in case it is responsible for the debt repayment. This includes a mortgage on the two hangars, plus over \$6.1 million of cash in a trust held by Milwaukee County.

C. No additional costs to current year. The extension of this agreement does not increase or decrease the current fiscal guarantee that the County has in support of the two IRB's. Midwest Express is responsible for all costs of the letter of credit, plus all interest and principle payments on the IRB debt.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

D. Information was based on conversations with US Bank, and Frontier Airlines, plus the review of related documents from 2003, when the Standby Reimbursement Agreement was approved.

Department/Prepared By Office of the Comptroller

Authorized Signature

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Did DAS-Fiscal Staff Review? Yes No