

ORDINANCE NO. _____, SERIES 2022

AN ORDINANCE AMENDING ORDINANCE NO. 083, SERIES 2022, RELATING TO THE FISCAL YEAR 2022-2023 OPERATING BUDGET FOR LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT TO PROVIDE THE OFFICE OF MANAGEMENT AND BUDGET WITH ADMINISTRATIVE AUTHORITY TO ADDRESS VARIANCES IN BUDGETS FOR ALL COUNCIL-APPROVED AMERICAN RESCUE PLAN (“ARP”) PROJECTS, THROUGH LIMITED REALLOCATIONS AND REAPPROPRIATIONS OF ARP FUNDING, AND TO ADDRESS REPORTING REQUIRED FOR ALL ARP FUNDED PROJECTS. (AS AMENDED)

SPONSORED BY: COUNCIL MEMBER BILL HOLLANDER

WHEREAS, Louisville Metro Government is in receipt of \$388,295,722 in federal funding through State and Local Fiscal Recovery Funds commonly referred to as American Rescue Plan (“ARP”);

WHEREAS, use of ARP funds requires approval from the Louisville Metro Council, pursuant to Resolution 052, Series 2021; and

WHEREAS, Metro Council has authorized ARP funding for specific projects through various legislative actions, which are managed by various Louisville Metro Government departments to address continued impact of COVID-19 on the economy, public health, state and local governments, individuals, and businesses, and anticipates authorizing additional ARP funded projects going forward.

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“THE COUNCIL”) AS FOLLOWS:

SECTION I: Part II., B. Specific Provisions – Federal Grants, State Grants, Surpluses, and Other Agency Receipts, of Ordinance No. 083, Series 2022, is hereby amended as follows:

3. The Council approves reserving \$295,772.00 of the \$388,295,772.00 in ARP funding received by Louisville Metro Government for an ARP Grant Project titled ARP Reconciliation Account to be administered by the Office of Management and Budget. The ARP Reconciliation Account shall be used to address cost overruns, both for previously approved ARP Grant Projects and those that may be authorized after the enactment of this amendment, without additional Council approval, in amounts not to exceed either 5% of the Grant Project budget or a maximum of \$100,000.00 for any individual project, whichever is less. The Council shall be provided monthly reports of cost overruns which the ARP Reconciliation Account has been used to cover. Any unspent funds from completed Grant Project budgets shall be added to the ARP Reconciliation Account.

Funds remaining in the ARP Reconciliation Account on December 31, 2024 will be obligated to Revenue Replacement up to the amount allowed by Treasury based on Metro's calculated total revenue loss and will be used for general governmental services unless otherwise appropriated by ordinance.

The Office of Management and Budget will comply with Metro's internal monitoring requirements as well as all guidance promulgated by the Treasury to ensure all ARP Grant Project expenditures are appropriate and eligible. Revenue Replacement funds will be allocated to ineligible ARP Grant Project expenditures to the extent Revenue Replacement funds are available. If no Revenue Replacement funds remain, ineligible expenditures will be transferred to the managing agency's general fund budget, if identified in the current period, or reimbursed from Metro's general fund balance if determined to be ineligible after the period is closed.

SECTION II: Part III., General Provisions, of Ordinance 083, Series 2022, is

hereby amended as follows:

9. The Directors of all departments are requested to continue sending all monthly or quarterly reports currently provided to the Metro Council. The Office of Management and Budget shall provide the Council with quarterly reports of all ARP spending, projects completed, and adjustments to and from the ARP Reconciliation Account.

SECTION III: This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

Sonya Harward
Metro Council Clerk

David James
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____