

ORDINANCE NO. _____, SERIES 2022

AN ORDINANCE AMENDING CHAPTER 39 OF THE LOUISVILLE METRO CODE OF ORDINANCES (“LMCO”) TO REQUIRE METRO GOVERNMENT DEPARTMENTS AND AGENCIES RECEIVING FUNDING FROM METRO COUNCIL FOR SPECIFIC PROJECTS TO PAY ANY OVERAGES FROM THE ESTIMATED AMOUNT SUBMITTED IN ITS PROPOSAL (AS AMENDED).

SPONSORED BY: COUNCIL MEMBER PEDEN

WHEREAS, Metro Council appropriates funding from Capital Infrastructure Funds (CIF) and Neighborhood Development Funds (NDF) and Council Designated Funds (CDF) to Metro Government departments and agencies to fund specific projects;

WHEREAS, Metro Council approves Metro Government’s budget every fiscal year which includes items funding specific projects;

WHEREAS, Metro Government departments and agencies often present estimates to Metro Council which allow Metro Council to determine the amount of funds to appropriate or approve for each specific project;

WHEREAS, if the project is not completed by the Metro Government department or agency in a timely fashion, estimates for a project no longer accurately reflect the cost of implementation of the project; and

WHEREAS, Metro Council would like to incentivize the timely commencement of projects which it appropriates or approves funding to a Metro Government department or agency to complete.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: A new section of LMCO is hereby created as follows:

§ 39.XXX FUNDING APPROPRIATED OR APPROVED BY METRO COUNCIL TO METRO DEPARTMENTS AND AGENCIES.

(A) If Metro Council appropriates funding to a Metro Government department or agency to complete a specific project based upon an estimate provided by that Metro Government department or agency, the Metro Government department or agency shall be responsible for paying any additional cost above the estimate after the completion of the project with the exception of projects partially funded with State or Federal Funds.

(B) If Metro Council approves funding in the budget for a Metro Government department or agency to complete a specific project based upon an estimate provided by that Metro Government department or agency, the Metro Government department or agency shall be responsible for paying any additional cost above the estimate after the completion of the project with the exception of projects partially funded with State or Federal Funds.

(C) At the time Metro Government provides project estimates to Metro Council, an estimated start and completion date is also given.

(D) Metro Government will provide quarterly status reports to Metro Council containing, at a minimum, scope changes, expenditures, remaining costs, and expected completion date.

SECTION II: 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: _____

O-167-22 – Appropriations to Metro agencies and departments