



Louisville Metro Government

Action Summary - Final Budget Committee

Chair Bill Hollander (D-9)
Vice Chair Kevin Kramer (R-11)
Committee Member Jecorey Arthur (D-4)
Committee Member Paula McCraney (D-7)
Committee Member Cassie Chambers Armstrong (D-8)
Committee Member Cindi Fowler (D-14)
Committee Member Markus Winkler (D-17)
Committee Member Anthony Piagentini (R-19)
Committee Member Nicole George (D-21)
Committee Member Robin Engel (R-22)
Committee Member Brent Ackerson (D-26)

Thursday, November 4, 2021

5:00 PM

Council Chambers/Virtual

THIS MEETING IS BEING HELD VIA VIDEO TELECONFERENCE

Call to Order

Chair Hollander called the meeting to order at 5:06 p.m.

Roll Call

Chair Hollander introduced the committee and non-committee members present. A quorum was established.

Note: All committee members and non-committee members present attended virtually, except for Committee Member Arthur, Committee Member Chambers Armstrong, Chair Hollander, Vice Chair Kramer, Committee Member Fowler, Committee Member Piagentini, Committee Member George, and Council Member Holton Stewart, who attended in Chambers.

Present: 10 - Committee Member Jecorey Arthur (D-4), Committee Member Paula McCraney (D-7), Committee Member Cassie Chambers Armstrong (D-8), Chair Bill Hollander (D-9), Vice Chair Kevin Kramer (R-11), Committee Member Cindi Fowler (D-14), Committee Member Markus Winkler (D-17), Committee Member Anthony Piagentini (R-19), Committee Member Nicole George (D-21), and Committee Member Robin Engel (R-22)

Excused: 1 - Committee Member Brent Ackerson (D-26)

Non-Committee Member(s)

Council Member Jessica Green (D-1), Council Member Barbara Shanklin (D-2), Council President David James (D-6), Council Member Madonna Flood (D-24), Council Member Amy Holton Stewart (D-25)

Support Staff

Hollie Hopkins, Jefferson County Attorney's Office
Latonya Bell, Metro Council Staff

Clerk(s)

Olivia Bennett, Assistant Clerk
Sonya Harward, Clerk

Pending Legislation**1. O-549-21**

AN ORDINANCE APPROVING A SECOND ROUND OF THE AMERICAN RESCUE PLAN (ARP) LOCAL FISCAL RECOVERY FUNDING TO VARIOUS LOUISVILLE METRO GOVERNMENT DEPARTMENTS TO ADDRESS THE CONTINUED IMPACT OF COVID-19 ON THE ECONOMY, PUBLIC HEALTH, STATE AND LOCAL GOVERNMENTS, INDIVIDUALS, AND BUSINESS (AMENDMENT BY SUBSTITUTION) (AS AMENDED).

Sponsors: Primary Bill Hollander (D-9), Primary David James (D-6) and Additional Jecorey Arthur (D-4)

Attachments: O-549-21 V.3 FAM 111121 ARP Fund Spending Round 2.pdf
O-549-21 ATTACH V.3 FAM 111121 Schedule A.pdf
O-549-21 V.2 CABS 110821 ARP Fund Spending Round 2.pdf
O-549-21 ATTACH V.2 CABS 110821 Schedule A.pdf
O-549-21 V.1 102821 ARP Fund Spending Round 2.pdf
O-549-21 ATTACH Schedule A (this has been updated).pdf
ARP FUNDS - Presentation Slids.pdf
OSH ARP Budget Presentation_MC 11_2021 (002).pdf
ARP Project Descriptions Round Two - LAT50-LAT61_Redacted.pdf
ARP Project Descriptions Round Two - LAT62-LAT63_Redacted.pdf
ARP Project Descriptions Round Two - LAT63-LAT68_Redacted.pdf

A motion was made by Committee Member Piagentini, seconded by Committee Member Arthur, that this Ordinance be recommended for approval.

Chair Hollander provided an overview regarding the following:

- Briefly reviewed the American Rescue Plan ("ARP") fund allocation process thus far
- A Special Budget Committee Meeting will be held Monday November 8, 2021 at 4:00 p.m. for further discussion of this Ordinance
- A new Ordinance [O-570-21] will be filed Monday November 8, 2021 for further discussion of the proposed funding

Margaret Handmaker, Louisville Accelerator Team, and Keith Talley, Strategic Operations, provided an overview regarding the following:

- Emergency relief funds appropriated have been working for the community and gave examples
- Administration solicited and received public comments and public meetings were held by Metro Council
- Members of the Mayor's Administration conducted numerous presentations about ARP and received full input from more than 50 organizations
- Metro Council adopted a Resolution, that identifies priority areas for ARP

funds and formed work groups to focus on the established priorities

- Approximately 25,000 hours of time has been spent working on the ARP fund allocation between all whom have participated

Monica Harmon, Office of Management and Budget (OMB), provided an overview regarding the following:

- ARP is also known as the State and Local Fiscal Recovery Funds (SLFRF)
- ARP Federal dollars or grant funds are subject to many spending and reporting requirements as well as Treasury Final Rule
- Total grand amount is \$388.3M
- Metro Government has received \$194.1M and the remaining balance to be distributed by the Treasury in 2022
- All appropriation recommendations will be subject to meeting eligibility requirements, and failure to comply will result in findings from the Office of Inspector General and be subject to re-payment from general funds
- Reviewed primary eligibility areas
- Summary review of the ARP fund reporting requirements was given
- Reviewed "ARP FUNDS - Presentation Slides.pdf" attached hereto

The following also spoke to the overview of the Ordinance:

- Committee Member Piagentini
- Council President James
- Committee Member Chambers Armstrong

The following was discussed:

- Administrative support is over five years and is not expected to be more than that
- Unable to be moderately more specific than 5 percent, opposed to using a benchmark
- Questions as to why the \$20M is allocated to the General Contingency Fund
- More specificity provided regarding the pie charts break down of fund allocation
- Asked for the dollar amount that will offset the cost that Metro already has with the Administration -- there has already been expenditures made on behalf of ARP in anticipation of reimbursement
- Salary ranges for the new staff, specifically for executive leadership and administrator, was provided as approximately \$80,000.00-\$90,000.00 without fringe benefits
- Consultant roles include review of the documentation, the extensive documentation submittal process, auditing, compliant spending of funds proposed and outlines within the budget, contract set-up, performance monitoring, data reporting, and follow-up
- Concerns were shared about the proposal of additional administrative support

[Video at: 39:38]

Marilyn Harris, Office of Housing, provided an overview about the items listed under Homelessness/Affordable Housing in Schedule A of the Ordinance.

The following also spoke about Homelessness/Affordable Housing:

- Chair Hollander
- Committee Member Piagentini
- Committee Member George
- Committee Member Chambers Armstrong

- Committee Member Fowler

The following was discussed:

- The capacity among the development community to move and implement these funds to build the units -- typically developers apply for low income housing tax credits through the state which is a highly competitive process, these funds would supplant the funds that a low income housing tax credit would bring
- Temporary outdoor safe space and conversion to the College St. property renovation as the more permanent solution -- once the renovation is complete, people staying in the outdoor safe space would be transitioned into the College St. property and the outdoor safe space will no longer be used
- \$40M allocated can be used to renovate existing vacant units and the money does not have to be used as a new build
- Whether the trust fund can provide more outreach to owners who may have vacant units -- gave examples of properties in District 21 that are vacant, other examples were given on how the Office of Housing has renovated existing vacant properties
- Approximately 30-40 units, depending on the types of units, can be provided once the renovation of the College St. property is complete -- examples provided of the processes to get the renovation completed
- Nine responses were received for permanent supportive housing and one was not eligible, the total ask is unknown
- Unknown whether another RFA will go out for permanent supportive housing until the ones that were submitted are reviewed to verify the requested requirements are met

[Video at: 55:38]

Ernestine Booth-Henry, Metro Human Resources, provided an overview about the items listed under Premium Pay in Schedule A of the Ordinance.

The following also spoke about Premium Pay:

- Committee Member McCraney
- Monica Harmon
- Chair Hollander
- Committee Member Piagentini
- Committee Member Chambers Armstrong
- Committee Member Arthur
- Committee Member George
- Committee Member Fowler
- Vice Chair Kramer
- Committee Member Winkler

The following was discussed:

- The U.S. Treasury is allowing premium pay for workers performing essential functions -- there are eligibility requirements and those requirements were reviewed
- Premium payments are not to be confused with bonuses as this money is from and in compliance with Treasury funding
- Metro government is recommending the payment be dispensed in three tiers -- a review of those tiers was given
- Reviewed the vaccination requirements associated with premium pay
- Complaints regarding the payment tiers and vaccination requirements -- this is an incentive to employees to take care of themselves and others around

- them by getting the COVID-19 vaccination
- If employees do not get vaccinated, additional funds will not be given to the individuals
- Questions were asked about where the funds would go if the individual does not get vaccinated -- premium pay payouts are to be dispersed in December 2021 and June 2022, if individuals do not meet the requirements, the funds allocated for that individual would remain in the ARP fund itself and are not on hold for that individual and will then be reallocated -- if the employee is eligible they could seek an exemption for religious or medical accommodations in the form of a qualified waiver to receive the premium pay funds
- Whether a report could be provided after June of the number of employees who did not get the vaccination and/or the current remaining balance of ARP funds -- a regular report of expenditures will be provided to Metro Council
- Examples of work group discussions were given
- Clarification was asked regarding the payment tiers and how the funds would be dispersed
- Asked for only \$500 to be held from those who chose to not get vaccinated rather than \$2,500 for tier one or \$750 for tier two
- Clarification was asked regarding the \$7M of premium pay going to outside organizations, and who the outside organizations are, which included several groups of related entities that are financially connected to Metro Government, such as the Sheriff's Office, suburban fire departments, Jefferson County Clerk's Office, Bell of Louisville, Waterfront Development Corporation ("WDC"), Kentuckiana Works, and Kentucky Science Center ("KSC") -- the ones not included had already issued premium pay to their employee's
- Questions were asked regarding the Metro employee complaints received regarding higher premium pay and the benefits of Metro Human Resources making this decision rather than elected officials -- because of the established 3 tiers, employees eligibility along with their job descriptions and responsibilities have to be reviewed, and Metro Human Resources would have that information, not Metro Council
- Significantly higher amount of sick hours expended over the last two years than previous years -- Metro Human Resources was previously asking employees to code their sick hours as sick but are now using specific coding around quarantine for individuals who have experienced COVID-19
- Retention concerns were expressed
- No ARP funding has been given to the Sheriff's Office, suburban fire departments, Jefferson County Clerk's Office, Bell of Louisville, WDC, Kentuckiana Works, and KSC, which why they are included in this recommendation for premium pay
- The Sheriff's Office, Suburban Fire Departments, Clerks Office, Bell of Louisville, WDC, Kentuckiana Works, and KSC all receive an annual appropriation from the general budget fund
- Unknown whether the Sheriff's Office, Suburban Fire Departments, Clerks Office, Bell of Louisville, WDC, Kentuckiana Works, and KSC worked the entirety of the COVID-19 pandemic
- Employees that did not come into work during the entirety of the pandemic would not be subject to receive the 1st or 2nd tier of payment
- There are approximately 669 suburban fire departments and Emergency Medical Services personnel whom often service Jefferson County that would not receive premium pay for their services without this appropriation
- Request to provide a break down of the cost for premium pay allocated to each entity for transparency to the community

[Video at: 1:28:38]

- Sarah Moyer, Louisville Metro Public Health and Wellness, provided an overview about the items listed under Public Health Contingency in Schedule A of the Ordinance.

The following also spoke about Public Health Contingency:

- Chair Hollander
- Committee Member Piagentini

The following was discussed:

- The items shown in Attachment A are to continue the programs from fiscal year 2022, and funds shown in the fiscal year 2023 contingency are reserved
- The purpose of the contingency funds was for funds to be set aside for future allocation
- Care packages were no longer being provided as of November 1, 2021

[Video at: 1:33:17]

Keith Talley and Monique Williams, Office for Safe and Healthy Neighborhoods ("OSHN"), provided an overview about the items listed under Public Safety - Violence Deterrence and Prevention in Schedule A of the Ordinance (presentation attached hereto).

The following also spoke about Public Safety - Violence Deterrence and Prevention:

- Committee Member Chambers Armstrong
- Chair Hollander
- Jennifer Hancock, Volunteers of America Mid-States
- Committee Member Fowler
- Committee Member Winkler
- Vice Chair Kramer
- Paul Callahan, Office for Safe and Healthy Neighborhoods
- Monica Harmon

- Per the Request of the Administration, the Office of Youth Development proposals are being deferred until better explanation can be provided
- Clarity regarding restorative justice and the break down of funds -- \$100,000 to Volunteers of America ("VOA") who would be the sub-grantee for this line item
- The level of funding received by VOA would allow them to serve all who are eligible to receive the services VOA offers
- All the necessary funding for OSHN's active gang and group members outreach team were covered with general fund dollars
- Providing a 4-year proposal instead of an annual allocation will keep the programs going consistently and being able to see the work overtime is where you get the outcomes the community is looking for
- Whether the funding for OSHN can provide an immediate impact to the gun violence in the community -- the programs offered by OSHN is neighborhood specific and place based, so the more work provided in the neighborhoods that are highly impacted, the quicker an impact will be made on the community, and by expanding from two sites to six sites the community is more likely to see quicker decreases in violence
- Majority of OSHN's projects are set up with an equal amount of funding allocated over four years and examples were given

- Jefferson County Public School's ("JCPS") receives more than twice the amount of Louisville Metro's yearly budget, and the amount of funds JCPS received through the ARP program is considerably more than Louisville Metro is receiving
- The VOA's work group is beginning to discuss whether JCPS can provide ARP funding rather than, or in addition to, Louisville Metro
- If Metro Louisville will be funding OSHN's active gang and group members outreach team each consecutive year -- OSHN is only asking for the funds specifically for the Violence Interruption program, working with outreach workers, specifically trained to intervene in the conflict within the community, and this is the funding needed from ARP at this time -- OSHN has the capacity to work with 150 individuals under the existing budget provided by general fund dollars

[Video at: 2:07:23]

Chief Matt Golden, Louisville Metro Public Services, provided an overview about the items listed under Public Safety - Public Safety Reforms in Schedule A of the Ordinance.

The following also spoke about Public Safety - Public Safety Reforms:

- Chair Hollander
- Chief Erika Shields, Louisville Metro Police Department (LMPD)
- Committee Member George
- Council President James

The following was discussed:

- Whether the Department of Justice ("DOJ") is going to make the Standing Up in Accountability and Improvement Bureau mandatory, and if Metro Louisville should wait until then -- the community knows this must be done, why wait for two years when it can be implemented now
- Louisville Metro has been working collaboratively with the DOJ, having weekly and sometimes daily discussions and the conversations have guided LMPD to get ahead of the issues rather than behind them
- The Standing Up in Accountability and Improvement Bureau being necessary to improve policing in Louisville regardless of whether its is required by DOJ
- How LMPD sees the \$2.9M per year allocated towards police deflection prioritized -- LMPD is working on a pilot project managed through EMS that builds into the reforms and takes away some of the negative impacts
- Questions were asked regarding how success would be measured and if this can be provided -- this will be provided by University of Louisville
- Questions were asked regarding the break down of the \$2.9M allocated -- Approximately \$1.9M will be allocated for staff of a sub-contractor that would provide the mobile service -- more specifics should be able to be provided by the end of the year
- A small project to match a grant opportunity from Every Town U.S.A for in-depth gun violence crime analysis administered by OSHN

Chair Hollander spoke about one year of funding for \$200,000 allocated to Seven Counties for Family Recovery Court, which has been previously privately funded with donations and has now run out -- this should be a state function, funded by the state, but did not happen with the general fund budget allocation process .

[Video at 2:20:34]

Chief Erika Shields and Chris Seidt, Office of Civic Innovation, provided an overview about Public Safety - LMPD Technology in Schedule A of the Ordinance.

The following also spoke about Public Safety - LMPD Technology:
- Chair Hollander

The following was discussed:
- Whether the additional technology for LMPD is essential for the community or if it can be deferred -- it is essential to allow police officers to be more informed and make better decisions, and it really helps to off-set the shortage of police officers by monitoring the city in real time

[Video at 2:25:37]

Chief Matt Golden and Endora Davis, Youth Transitional Services, provided an overview about Public Safety - Youth Transfer Processing Center in Schedule A of the Ordinance.

[Video at 2:28:29]

Monica Harmon spoke about the Contingency Reserve in Schedule A of the Ordinance.

The following also spoke about the Contingency Reserve:
- Committee Member McCraney

The following was discussed:
- How contingency funds would be allocated and the reporting to Metro Council regarding such.
- How changes in Administration will affect how the funds are allocated

No further action was taken.

2. [R-139-21](#)

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$11,417,313 OF AMERICAN RESCUE PLAN (ARP) ACT FUNDING THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE HOME PROGRAM TO CONTINUE EFFORTS IN SUPPORTING COMMUNITY NEEDS AND RESPONDING TO THE COVID-19 PANDEMIC.

Sponsors: Primary Bill Hollander (D-9) and Additional Jecorey Arthur (D-4)

Attachments: [R-139-21 V.1 102821 Approval to Accept ARP HOME Funds.pdf](#)

A motion was made by Committee Member Piagentini, seconded by Committee Member Arthur, that this Resolution be recommended for approval.

The following spoke to this item:

- Chair Hollander
- Marilyn Harris, Office of Housing
- Committee Member McCraney
- Council Member Shanklin
- Committee Member Piagentini
- Vice Chair Kramer

The following was discussed:

- This is not the local fiscal recovery funds from the American Rescue Plan ("ARP"), this is a separate program of home ARP funding through the American Rescue Plan, stating we are accepting the money
- As part of the ARP, Housing and Urban Development ("HUD") allocated \$11,417,313 to Louisville Metro to support community needs
- Brief review on what the funds could be used for
- Acceptance of these funds is being asked of Louisville Metro to engage the process of allocating these funds towards activity
- By law this must be done as a different type of allocation process
- Whether the money allocated could go to the Louisville Metro Housing Authority ("LMHA") -- affordable housing is an eligible activity, so yes the money could go to LMHA
- The guidelines came out for the Home funds in September 2021 and are fairly extensive in terms of community engagement
- It is inappropriate for Metro Council as well as the Administration to say where the funds should be used
- The community engagement process is mandatory
- There should be opportunities for the public to be involved in the fund allocation process
- HUD will have to approve the plan of action for these funds
- Questions regarding funding going to the necessary maintenance repairs -- there is an on-going program of about 120 households being worked through by contractors daily
- Concerns regarding the lack of contractors available to complete the repairs
- Questions regarding eviction court outcomes -- the Office of Housing has transferred to a new processing program where applications can be reviewed in about 20 minutes
- In July 2021 there were approximately 1,200 people in queue and now about 600 remain in queue -- the Office of Housing is currently processing application that came into the neighboring portal in July 2021 and though still behind are catching up
- Questions were asked regarding which departments would be receiving the funding -- funds are administered either in the Office of Housing or in partnership with the Office of Resilience and Community Services, depending on the activities
- Whether the current staffing available is necessary to accomplish the activities -- approximately \$3M are allocated a year in Home funds and \$11M in community development block grant funds -- a new project manager was just hired and another project manager will be coming on board soon

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

Adjournment

Without objection, Chair Hollander adjourned the meeting at 7:32 p.m.

Note: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council meeting on November 11, 2021.