

AN ORDINANCE RELATING TO THE 2019-2020 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT INCLUDING APPROPRIATIONS AND AUTHORIZATIONS OF FUNDS FOR GENERAL CONSTRUCTION, MAINTENANCE, REPAIR AND IMPROVEMENT OF THE FACILITIES AND ASSETS OF THE GOVERNMENT OF LOUISVILLE/JEFFERSON COUNTY AND OTHER LOUISVILLE METRO-SUPPORTED ACTIVITIES FOR 2019-2020.

Sponsored By: Council Member David James and Council Member Bill Hollander

BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

**PART I.  
APPROPRIATIONS/AUTHORIZATIONS**

There is hereby appropriated and/or authorized, as appropriate, from the unappropriated balance of the following Capital Cumulative Reserve Funds: Capital Cumulative Reserve Fund, Community Development Block Grant, County Road Aid Funds, and Municipal Aid Funds; from anticipated General Obligation Notes and Bonds; from Agency Receipts and Private Donations; from State Forfeited Funds and Federal Forfeited Funds; from Federal Funds; from State Funds; and from other funding sources; the following sums for general construction, maintenance, repair and improvement of Louisville/Jefferson County facilities and assets, and other Metro Government-supported activities, as set forth in detail in the Capital Budget of the Louisville/Jefferson County Metro Government for the fiscal year ending June 30, 2020 and identified below:

**A. REVENUES AND FUNDING SOURCES**

1.	CAPITAL FUND			
	Capital Cumulative Reserve Fund Interest		287,500	
	Transfer to the General Fund		0	(650,100)
	Lapsed Projects		<u>109,000</u>	<u>347,200</u>
	Non-recurring funding source		<u>339,700</u>	
	<b>CAPITAL FUND TOTAL</b>		<u><b>736,200</b></u>	<u><b>324,300</b></u>
2.	AGENCY AND OTHER RECEIPTS		71,993,300	<u>78,592,400</u>
3.	MUNICIPAL AID		6,330,400	
4.	COUNTY ROAD AID		760,000	
5.	COMMUNITY DEVELOPMENT		6,467,000	<u>6,243,000</u>
	Total Available for Appropriation		<u><b>86,286,900</b></u>	<u><b>92,250,100</b></u>

**B. LOUISVILLE METRO COUNCIL**

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>	
1	Capital Infrastructure Fund	PAB	2,600,000	<u>0</u>
	<u>a. Any council member with a CIF balance in excess of \$300,000 as of December 31, 2019 shall submit a plan for the use of those funds to the Budget Committee Chairs and the President no later than January 31, 2020.</u>			
	<u>District 1</u>	PAB-CIF		<u>100,000</u>
	<u>District 2</u>	PAB-CIF		<u>100,000</u>
	<u>District 3</u>	PAB-CIF		<u>100,000</u>
	<u>District 5</u>	PAB-CIF		<u>100,000</u>
	<u>District 6</u>	PAB-CIF		<u>74,700</u>
	<u>District 7</u>	PAB-CIF		<u>100,000</u>
	<u>District 8</u>	PAB-CIF		<u>100,000</u>
	<u>District 9</u>	PAB-CIF		<u>100,000</u>
	<u>District 10</u>	PAB-CIF		<u>100,000</u>
	<u>District 12</u>	PAB-CIF		<u>100,000</u>

<u>District 13</u>	<u>PAB-CIF</u>	<u>100,000</u>
<u>District 15</u>	<u>PAB-CIF</u>	<u>100,000</u>
<u>District 17</u>	<u>PAB-CIF</u>	<u>100,000</u>
<u>District 21</u>	<u>PAB-CIF</u>	<u>100,000</u>
<u>District 23</u>	<u>PAB-CIF</u>	<u>100,000</u>
<u>District 24</u>	<u>PAB-CIF</u>	<u>100,000</u>
<u>District 25</u>	<u>PAB-CIF</u>	<u>100,000</u>
<u>District 26</u>	<u>PAB-CIF</u>	<u>100,000</u>

2 Council Designated Projects

a.	PAB	241,000	0
b.	BOND-CIF	259,000	0

c. Unless specifically identified in this budget ordinance, Council members must provide the Budget Committee Chair and Vice Chair a list of projects using their Council Designated Funds no later than August 1, 2019. An amendment will be prepared to reallocate those funds.

<u>District 1</u>	<u>BOND-CIF</u>	<u>19,000</u>
<u>District 2</u>	<u>BOND-CIF</u>	<u>19,000</u>
<u>District 3</u>	<u>BOND-CIF</u>	<u>19,000</u>
<u>District 4</u>	<u>BOND-CIF</u>	<u>19,000</u>
<u>District 5</u>	<u>BOND-CIF</u>	<u>19,000</u>
<u>District 6</u>	<u>BOND-CIF</u>	<u>19,000</u>
<u>District 7</u>	<u>BOND-CIF</u>	<u>19,000</u>
<u>District 8</u>	<u>BOND-CIF</u>	<u>19,000</u>
<u>District 10</u>	<u>BOND-CIF</u>	<u>19,000</u>
<u>District 12</u>	<u>BOND-CIF</u>	<u>19,000</u>
<u>District 13</u>	<u>BOND-CIF</u>	<u>19,000</u>
<u>District 15</u>	<u>PAB-CIF</u>	<u>19,000</u>
<u>District 17</u>	<u>PAB-CIF</u>	<u>19,000</u>
<u>District 21</u>	<u>PAB-CIF</u>	<u>19,000</u>
<u>District 24</u>	<u>PAB-CIF</u>	<u>19,000</u>
<u>District 25</u>	<u>PAB-CIF</u>	<u>19,000</u>
<u>District 26</u>	<u>PAB-CIF</u>	<u>19,000</u>

Louisville Metro Council Total 3,100,000 2,097,700

**DEPUTY MAYOR/CHIEF OF STAFF**

**C. LOUISVILLE METRO POLICE DEPARTMENT**

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
3	Federal Forfeiture Funds Projects	FORF	2,148,800
4	State Forfeiture Funds Projects	FORF	1,852,200
5	Justice Assistance Grant		
a.		FEDERAL	599,100
b.		AG. REC.	6,500

Louisville Metro Police Department Total 4,606,600

**DEPUTY CHIEF OF STAFF**

**D. LOUISVILLE FREE PUBLIC LIBRARY**

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
6	General Repairs	NOTE	200,000
7	<u>D22 Fern Creek Library - new location/planning/construction</u>	<u>PAB-CIF</u>	<u>100,000</u>

Louisville Free Public Library Total 200,000 300,000

**CHIEF OF PUBLIC SERVICES**

**E. FACILITIES AND FLEET MANAGEMENT**

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
7	<u>8</u> Vehicles/Equipment for Police	NOTE	3,000,000
8	<u>9</u> Vehicles/Equipment for EMS/Fire	NOTE	2,000,000
9	<u>10</u> Vehicles/Equipment for General Services	NOTE	3,000,000
10	<u>11</u> Facilities Deferred Maintenance	NOTE	1,700,000
	<u>12</u> <u>LMPD 8th Division HQ Relocation</u>		
	a.	BOND	475,000
	b.	NOTE	25,000
13	<u>Fiscal Court &amp; LMPD Headquarters Project</u>	BOND	5,000,000
Facilities and Fleet Management Total			<u><b>9,700,000</b></u>
			<u><b>15,200,000</b></u>

**F. DEPARTMENT OF CORRECTIONS**

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
11	<u>14</u> General Repairs	NOTE	500,000
Department of Corrections Total			<u><b>500,000</b></u>

**G. PUBLIC WORKS & ASSETS**

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
12	<u>15</u> Metro Street Paving		
	a.	BOND	9,060,000
	b.	CCRF-MA	6,080,400
	c.	CCRF-CRA	140,000
	<u>d. Included in the amount above is paving and pavement rehab funds as outlined in the 3 Year Paving Plan presented as part of the Fiscal Year 2019-2020 capital budget and agreed upon by each Council member. By April 1, 2020, the Council requests Public Works and Assets to present an updated 3 Year Paving Plan to the Public Works &amp; Transportation Committee.</u>		
	<u>e. Public Works &amp; Assets will continue to provide the Council with the monthly status report of all paving projects funded from any source.</u>		
13	<u>16</u> Google Fiber Restitution	AG. REC.	3,840,000
14	<u>17</u> Metro Sidewalk Repair Program	BOND	1,500,000
	<u>a. Included in project 17 is sufficient funding to repair all 4s and 5s reported through July 17, 2017. Public Works &amp; Assets is proposing to dedicate the full sidewalk repair budget for fiscal years 2020, 2021 &amp; 2022 to eliminate the sidewalk repair backlog that are reported sidewalk hazards that pre-date the detailed sidewalk inventory. Sidewalk hazards reported after the sidewalk inventory, 12/31/18, will not receive a higher priority than sidewalk hazards discovered as a result of the inventory. Prioritization of sidewalk repairs using the sidewalk inventory will consider the following criteria: #1 – Latent demand using the Pedestrian Demand Map, #2 – Proximity to origin/destination – Transit, Hospital/Assisted Living Facility, School/Community Facility/Government Building, Employment Centers &amp; Business Zones, Residential, Concentration of damage &amp; injury claims. #3 – Quantity of severity in the area (we will focus on areas with a concentration of 4's &amp; 5's for efficiency).</u>		

As opposed to the spot repairs currently performed under the Sidewalk Repair Program, the proactive inventory-based program will address full block lengths and attempt to eliminate all barriers to accessibility in the area. The inventory created a massive amount of data, identifying almost 10,000,000 ft of sidewalk, so it will take Public Works & Assets time to develop the proactive plan that is meaningful and give Public Works & Assets the biggest bang for the buck. Using the raw data, Public Works & Assets estimates about \$68,333,874 in work that needs to be done to upgrade all of the Metro maintained sidewalks. Once the proactive, inventory-based program plan is completed, nothing shall restrict Public Works & Assets from dedicating fiscal year 2021 or fiscal year 2022 sidewalk repair budgets to the new plan instead of the sidewalk repair backlog.

b. Public Works & Assets will continue to provide the Council with a monthly status report of all sidewalk repair projects funded from any source.

15	<u>18</u>	Bridges Repair and Improvement Projects	BOND	1,500,000	
16	<u>19</u>	Guardrail Replacement	CCRF-CRA	500,000	
17	<u>20</u>	Signs and Markings	CCRF-MA	250,000	
18	<u>21</u>	Bike and Scooter Lanes	BOND	<del>400,000</del>	<u>0</u>
19	<u>22</u>	Pedestrian Safety Improvements	CCRF-CRA	120,000	
20	<u>23</u>	Main St. and Story Ave. Intersection Improvements			
	a.		BOND	40,000	
	b.		FEDERAL	160,000	
21	<u>24</u>	FY20 Rubber-Modified Asphalt Grant	STATE	100,000	
	<u>25</u>	<u>Westport Road Plan</u>	<u>BOND</u>		<u>100,000</u>
	<u>26</u>	<u>D5 Public Road Improvements</u>	<u>BOND</u>		<u>50,000</u>
	<u>27</u>	<u>D4 Trash Receptacles, liners, bins and carts</u>	<u>PAB-CIF</u>		<u>10,000</u>
	<u>28</u>	<u>D4 11th Street Corridor Project</u>	<u>PAB-CIF</u>		<u>90,000</u>
	<u>29</u>	<u>D6 15th Street and Oak Street Underpass Lighting Project</u>	<u>PAB-CIF</u>		<u>25,300</u>
	<u>30</u>	<u>D9 Ewing Ave and Bickel Rd Sidewalk Project</u>	<u>BOND-CIF</u>		<u>19,000</u>
	<u>31</u>	<u>D14 Ashby Ln Sidewalk Project Phase II</u>			
	a.		<u>PAB-CIF</u>		<u>100,000</u>
	b.		<u>BOND-CIF</u>		<u>19,000</u>
32	<u>32</u>	<u>D11, D16, D18, D19, D20 and D22 Paving Projects</u>			
	a.		<u>PAB-CIF</u>		<u>486,000</u>
	b.		<u>BOND</u>		<u>6,000</u>
33	<u>33</u>	<u>D11 Sidewalk Project: Six Mile Ln between Lantern Lite Pkwy and Old Six Mile Ln</u>	<u>PAB</u>		<u>46,000</u>
34	<u>34</u>	<u>D18 Sidewalk Project at Forest Hills</u>	<u>PAB</u>		<u>11,000</u>
35	<u>35</u>	<u>D19 Sidewalk Projects in Berrytown Neighborhood</u>	<u>PAB-CIF</u>		<u>15,000</u>
36	<u>36</u>	<u>D20 School/Street Crossing Solar Panel Flashing Signal</u>	<u>PAB-CIF</u>		<u>30,000</u>
37	<u>37</u>	<u>D20 Crosswalk Improvement at Stone Lakes Subdivision and Taylorsville Rd</u>	<u>PAB</u>		<u>20,000</u>
38	<u>38</u>	<u>D23 Cedar Creek Connector Road Study</u>	<u>PAB</u>		<u>19,000</u>
			Public Works & Assets Total	<b><u>23,690,400</u></b>	<b><u>24,336,700</u></b>

#### CHIEF OF COMMUNITY BUILDING

#### H. PARKS & RECREATION

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
22	<u>39</u>	General Repair	
	a.	NOTE	500,000
	b.	PAN	350,000
23	<u>40</u>	Deferred Maintenance	850,000
	a.	<u>The Parks &amp; Recreation Department shall provide sufficient funding for maintenance/improvement to the basketball courts in Algonquin Park.</u>	
24	<u>41</u>	Olmsted Match-Tyler Park Wheelchair Ramp	120,000
25	<u>42</u>	Olmsted Match-Central Park Lighting & Sidewalk Repairs	100,000
26	<u>43</u>	Olmsted Match-Shelby Park Accessibility Improvements	75,000
27	<u>44</u>	Olmsted Match-Bingham Park Master Plan	65,000

28	<u>45</u>	Jefferson Memorial Forest - Tom Wallace	NOTE	250,000	
29	<u>46</u>	Riverview Park Master Plan Improvements	BOND	500,000	
	<u>47</u>	Fern Creek Park Bathroom Renovations and Splash Pad (Phase III)	BOND		<u>160,000</u>
	<u>48</u>	Charlie Vettiner Park Tennis/Pickleball Lights	BOND		<u>100,000</u>
	<u>49</u>	Berrytown Park Improvements	BOND		<u>75,000</u>
	<u>50</u>	Locust Grove Capital Improvements	BOND		<u>50,000</u>
	<u>51</u>	Pool Repairs	NOTE		<u>400,000</u>
		a. <u>Included in Project 51 is funding to perform maintenance needed to open the Sun Valley and Algonquin pools for the 2020 swimming season.</u>			
	<u>52</u>	Norton Camp Taylor & Fairdale Pool Conversion	BOND		<u>800,000</u>
		a. <u>In the event, benefactors or residents do not adopt, significantly financially contribute or take over either or both of the aforementioned pools, Louisville Metro shall not convert such pools but shall open them to the public. In the event the pools stay open, this funding will be used for continued maintenance for these pools. Louisville Metro shall also reevaluate any conversion of such pools if Metro obtains or enacts new revenue which it currently does not receive.</u>			
				Parks & Recreation Total	<u><b>2,810,000</b></u>
					<u><b>4,395,000</b></u>

**I. LOUISVILLE ZOO**

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
30	<u>53</u>	Zoo General Repairs	
		a.	NOTE 500,000
		b.	AG. REC. 300,000
			Louisville Zoo Total <u><b>800,000</b></u>

**CHIEF OF LOUISVILLE FORWARD**

**J. ECONOMIC DEVELOPMENT**

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
31	<u>54</u>	Slugger Field Capital Improvements	BOND 8,000,000
			Economic Development Total <u><b>8,000,000</b></u>

**K. DEVELOP LOUISVILLE**

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
32	<u>55</u>	Develop Louisville Fund/Russell Neighborhood Commitment	NOTE 500,000
33	<u>56</u>	Louisville Affordable Housing Trust Fund	BOND 5,000,000
		a. <u>Louisville Metro Council directs the Department of Develop Louisville and the Louisville Affordable Housing Trust Fund to collaborate on establishing funding priorities and allocations of the bonded funds appropriated herein in order to ensure maximum community impact. The Louisville Affordable Housing Trust Fund and the Director of Develop Louisville or their designee(s) are requested to continue sending monthly financial reports with a summary of activity to the Metro Council.</u>	
34	<u>57</u>	HOME Funds	
		a.	CCRF 436,200 <u>126,200</u>
		b.	BOND 359,800 <u>669,800</u>
		c.	FEDERAL 2,841,900 <u>2,727,000</u>
35	<u>58</u>	Russell Choice Neighborhood Infrastructure	CCRF-CDBG 3,125,000
36	<u>59</u>	Russell NRSA Rental Rehabilitation	CCRF-CDBG 500,000 <u>2,318,000</u>
37	<u>60</u>	Home Repair - Emergency/Exterior/Code Alleviation & Rental Rehabilitation	CCRF-CDBG 2,642,000 <u>600,000</u>

38	<u>61</u>	Ramp and Barrier Removal Projects	CCRF-CDBG	200,000	
		a. <u>The Council directs the entity responsible for building the ramps to have no contact with a Council Office or direct residents to call the Council Office requesting a ramp. Eligibility for the program is determined by the entity and the Council Office is not to be given a listing of locations needing ramps. No Neighborhood Development Funds may be requested during Fiscal Year 2019 - 20 for this program.</u>			
39	<u>62</u>	Tree Planting	CCRF	300,000	<u>198,100</u>
		a. <u>The Director of Develop Louisville is requested to continue sending quarterly reports to the Metro Council with a summary of number of trees by size distributed/planted by zip code.</u>			
		b. <u>\$100,000 of the FY20 Tree Planting appropriation is reserved for the Community Forestry Escrow Fund.</u>			
40	<u>63</u>	Dixie Highway Project			
		a.	BOND	300,000	
		b.	STATE <u>FEDERAL</u>	1,100,000	
41	<u>64</u>	Jefferson Square - Construction Documents	NOTE	<del>425,000</del>	<u>0</u>
42	<u>65</u>	OneWest			
		a.	BOND	1,000,000	
		b.	AG. REC.	9,000,000	
43	<u>66</u>	Reimagine 9th Street	NOTE	500,000	
44	<u>67</u>	Property Acquisitions	BOND	500,000	
Develop Louisville Total				<u><del>28,729,900</del></u>	<u>27,864,100</u>

**CHIEF FINANCIAL OFFICER**

**L. OFFICE OF MANAGEMENT & BUDGET**

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
45	<u>68</u>	Enterprise Resource Planning (ERP) Project	
		a.	BOND 2,935,300
		b.	PAB 64,600
		c.	PAN 100
Office of Management & Budget Total			<u>3,000,000</u>

**CHIEF OF CIVIC INNOVATION**

**M. DEPARTMENT OF INFORMATION TECHNOLOGY**

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
46	<u>69</u>	Enhanced Network Infrastructure & CyberSecurity	
		BOND	850,000
Department of Information Technology Total			<u>850,000</u>

**RELATED AGENCIES**

**N. KENTUCKY SCIENCE CENTER**

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
47	<u>70</u>	General Maintenance	NOTE 50,000
48	<u>71</u>	Third Floor Permanent Gallery	NOTE 250,000
Kentucky Science Center Total			<u>300,000</u>

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**PART II.**  
**LEGEND**

AG. REC.	- Agency Receipts	13,146,500	<u>13,146,500</u>
BOND	- General Obligation Bonds to be issued	32,204,100	<u>38,918,100</u>
CCRF	- Capital Cumulative Reserve Fund	736,200	<u>324,300</u>
CCRF-CDBG	- CCRF-Community Development Block Grant	6,467,000	<u>6,243,000</u>
CCRF-CRA	- CCRF-County Road Aid Funds	760,000	<u>760,000</u>
CCRF-MA	- CCRF-Municipal Road Aid Funds	6,330,400	<u>6,330,400</u>
FEDERAL	- Federal Funds	3,601,000	<u>4,586,100</u>
FORF	- Forfeiture Funds	4,001,000	<u>4,001,000</u>
NOTE	- General Obligation Notes to be issued	14,585,000	<u>14,585,000</u>
PAB	- Previously Authorized Bond	2,905,600	<u>2,905,600</u>
PAN	- Previously Authorized Note	350,100	<u>350,100</u>
STATE	- State Funds	1,200,000	<u>100,000</u>

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**PART III.**  
**GENERAL PROVISIONS**

- A. The Chief Financial Officer may increase any project, authorized by this ordinance, by the lesser of five percent or \$50,000 through the transfer of funds not required in another project or projects within the same department in this ordinance or other prior annual Louisville Metro, City of Louisville and Jefferson County Fiscal Court Capital Budget ordinances, unless those funds were originally appropriated from Capital Infrastructure Fund ~~or Republican Pooled Unallocated CIF~~ or other council designated funds for projects added to the Mayor's Recommended Budget by the Metro Council. The Council shall be informed of the transfer(s) in the written quarterly financial updates presented by Office of Management and Budget.
- B. In the event non-city receipts or match monies are received in greater amounts than those listed for any project herein, those additional funds may be authorized for expenditure for the specific project, only with the authorization of the Chief Financial Officer and approval of the Mayor; overall project scope shall not significantly change without Metro Council approval.
- C. Upon project completion, as determined by the Chief Financial Officer, any unexpended funds shall lapse to the fund from which they were appropriated; however, all unused allocations from Capital Infrastructure Fund projects or other council designated funds shall be returned to the Council Member's unallocated Capital Infrastructure Fund or Republican Pooled Unallocated CIF or transferred by ordinance to another capital project determined by the Council member or Republican Caucus.
- D. The funds collected pursuant to Ordinance 66, Series 2006 pertaining to the System Development Charges for Roadways shall be transferred from the Capital Cumulative Reserve Fund in an amount up to \$1,182,570.17, if sufficient revenue is recognized in order to transfer that amount, into the Debt Service Reserve Fund for net debt service payments representing a pro-rata amount of the \$104,525,000 of bond principal issued pursuant to Ordinance 168, Series 2009. Funds collected in excess of the annual debt service shall be restricted for future bond or road development in accordance with the System Development Charge Ordinance. System Development Charges collected, matching Louisville Metro funds, and/or bond proceeds shall be spent on improvements to designated public roadways within the Transportation Benefit Districts in approximate proportion to the funds collected by Zone.
- E. For the Louisville Metro Police Department, funding adjustments from Federal and State Forfeiture Funds shall become eligible to be budgeted within the Federal and State Forfeiture Projects contained herein, respectively, upon appropriate recognition of the revenue.
- F. Funding provided to Public Works & Assets as follows may be budgeted for expenditure in Fiscal Year 2019-2020 as it is received and for the purpose specified: from Homeowner Association matching receipts to Council Capital Infrastructure Funds for the installation of speed humps; as part of a Binding Elements Agreement or Performance Land Development compliance related to land use and development; and Developer receipts for sidewalk construction as a fee-in-lieu in accordance with Council District direction.
- G. For Facilities and Fleet Management, funding adjustments from the Administrative Office of the Courts (AOC) shall become eligible to be budgeted upon notification of funding provided by the AOC.
- H. All questions which arise in interpreting any appropriation in this ordinance as to the purpose and manner for which each appropriation may be expended shall be decided by the Chief Financial Officer in accordance with policy intentions as considered and approved by the Metro Council as reflected in the Capital Budget Document project narrative. Overall project scope shall not be significantly changed without Metro Council approval.
- I. All proceeds from the sale of real property declared surplus by the Metro Council shall be subject to appropriation by the Metro Council for capital project purposes. Metro Council will be informed of any sale within 30 days of closing and prior to any appropriation of the proceeds is submitted to the Metro Council for consideration.
- J. Contracts - Appropriations in the Fiscal Year 2019-2020 capital budget that will go to fund professional service and non-competitively negotiated contracts, which are intended to be awarded by the Metro Government and which require an expenditure exceeding the small purchase amount in KRS 45A.385 in such fiscal year, shall be submitted to the Council in the form of a resolution for its approval. Appropriations in the Fiscal Year 2019-2020 capital budget that will go to fund Metro Government contracts of a fixed price, cost, cost plus a fixed fee or incentive type, which are intended to be awarded per KRS 45A.365, and not awarded to the lowest evaluated bid, and which require an annual expenditure of over \$100,000 in such fiscal year, shall be submitted to the Council in the form of a resolution for its approval.
- K. ~~Appropriated capital projects with no financial activity for at least 24 months may be lapsed by the Chief Financial Officer and subject to appropriation by the Council.~~
- L. Capital projects involving agreements with the Kentucky Transportation Cabinet appropriated herein or in prior ordinances or resolutions are hereby specifically authorized to proceed with regard to Memorandums of Agreement or Understanding related to design, right-of-way acquisition, utility phases, and construction along with any other related actions necessary to complete the appropriated capital project. This Ordinance fulfills the Resolution requirement from the Commonwealth of Kentucky Transportation Cabinet by further recognizing the authority granted by KRS 67C.105(5)(h) for the Mayor to enter into the types of agreements above listed in this section.
- M. Funding provided to Develop Louisville as follows may be budgeted for expenditure in Fiscal Year 2019-2020 as it is received and for the purpose specified pursuant to Ordinance 68, Series 2010: Developer receipts to the Louisville Public Space Art Fund as a fee-in-lieu as outlined in Section 5.12.1, item 3 of Louisville Metro Land Development Code.



- N. Included in the Capital Fund appropriations listed herein are funds total \$736,200 from the following sources: \$339,700 from current and anticipated surplus vehicle and property sales; \$287,500 from interest related to the Capital Cumulative Reserve Fund; and \$109,000 from previously completed capital projects within the capital Cumulative Reserve Fund.
- O. An appropriation in the amount of \$2,841,000 from the 2018A Bond as authorized by Ordinance 109, Series 2018 as pertaining to the Fiscal Year 2018-2019 capital budget for project number 14 Hall of Justice Capital Improvements is hereby lapsed to fund the appropriations listed herein as project number 1 Council Infrastructure Fund and project number 2 Council Designated Projects with a Previously Authorized Bond.
- P. An appropriation in the amount of \$350,000 from the 2018 Note as authorized by Ordinance 109, Series 2018 as pertaining to the Fiscal Year 2018-2019 capital budget for project number 107 Waterfront Botanical Gardens Public Infrastructure is hereby lapsed to fund the appropriation listed herein as project ~~22~~ 39 General Repairs with a Previously Authorized Note.
- Q. An appropriation in the amount of \$100 from the 2015A Note as authorized by Ordinance 102, Series 2016 as pertaining to the Fiscal Year 2016-2017 capital budget for project number 5 Port Security Grant Match is hereby lapsed to fund the appropriation listed herein as project ~~45~~ 68 Enterprise Resource Planning (ERP) Project with a Previously Authorized Note.
- R. An appropriation in the amount of \$64,600 from the 2008A Bond as authorized by Ordinance 90, Series 2009 as pertaining to the Fiscal Year 2009-2010 capital budget accumulated from lapsed project balances as authorized under Ordinance 119, Series 2012, Part IV., General Provisions C., as pertaining to the Fiscal Year 2012-2013 capital budget, Ordinance 107, Series 2013, Part IV., General Provisions C., as pertaining to the Fiscal Year 2013-2014 capital budget and Ordinance 101, Series 2014, Part III., General Provisions C., as pertaining to the Fiscal Year 2014-2015 capital budget is hereby lapsed to fund the appropriation listed herein as project ~~45~~ 68 Enterprise Resource Planning (ERP) Project with a Previously Authorized Bond.
- S. An appropriation in the amount of \$238,200 from the cumulative capital reserve fund as authorized by Ordinance 107, Series 2013 as pertaining to the Fiscal Year 2013-2014 capital budget for project number 11 Upgrade Security System is hereby lapsed.

**PART IV.**

Except as provided otherwise herein, this ordinance shall take effect upon passage and approval.

\_\_\_\_\_  
H. Stephen Ott  
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: \_\_\_\_\_