

ORDINANCE NO. _____, SERIES 2017

AN ORDINANCE AMENDING LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES ("LMCO") CHAPTER 32 RELATING TO POLICIES ON APPOINTMENTS TO BOARDS AND COMMISSIONS (AS AMENDED).

SPONSORED BY: COUNCILMEMBERS GREEN, PARKER AND STUCKEL

WHEREAS, the Kentucky General Assembly amended Kentucky Revised Statute ("KRS") § 67C.139 during the 2017 General Session in Senate Bill 222;

WHEREAS, the Legislative Council of Louisville/Jefferson County Metro Government ("Metro Council") is authorized under KRS 67C.117(3) to "adopt ordinances and develop policies to achieve the mandate set forth" in that section, which requires policies of equal opportunity and fair representation in all aspects of governance.

WHEREAS, Metro Council is empowered under KRS 67C.139(2)(c) to "enact an ordinance setting out the role of the legislative council, if any, in the appointment process for each individual agency, board, and commission created by statute."

WHEREAS, Metro Council seeks to provide structure and clarity for appointment processes, provide ability to track the expiring terms, promote accountability, and prevent extended vacancies or expired tenures in government entities.

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

SECTION I: LMCO Chapter 32.200 is hereby amended as follows:

§ 32.200_____ ~~PERSONS TO SERVE ON ONLY ONE BOARD OR COMMISSION AND REPRESENT DIFFERENT GEOGRAPHICAL AREAS~~ GENERAL POLICIES OF

LOUISVILLE METRO PERTAINING TO APPOINTMENTS TO BOARDS AND COMMISSIONS.

That the Metro Council and the Mayor declare that it shall henceforth be the policy of the Louisville/Jefferson County Metro Government that, unless otherwise expressly provided by ordinance or statute:

1. a person hereinafter appointed to serve on a board or commission, whose appointment is subject to Metro Council approval, shall not at the same time serve on another board or commission whose appointment is subject to Metro Council approval, unless such service is expressly authorized by ordinance or state statute. In addition, it shall be the policy of the Louisville/Jefferson County Metro Government to strive to have
2. No person shall be appointed to serve more than three terms on any board or commission. If a person has served more than fifty percent (50%) of a term, he or she is considered to have served a full term.
3. Appointments should reflect geographic, political, gender, age, and racial and other elements of diversity, where appropriate, so that representatives on all boards and commissions are proportionate to the many facets and areas of the Louisville Metro community to enable an equal voice in the policy and decision making processes of such boards and commissions.

SECTION II: LMCO Chapter 32.202 is hereby amended as follows:

§ 32.202 DOCUMENTATION PROCEDURES RELATED TO APPLICANTS FOR APPOINTMENTS TO LOUISVILLE METRO BOARDS AND COMMISSIONS REQUIRING METRO COUNCIL APPROVAL.

1. Where the Mayor has power to make appointments to a board or commission, and the appointment is subject to Metro Council approval, the appointment terms must

be maintained electronically in a designated database system with access provided to Metro Council. The Office of the Mayor must update the electronic database system upon notification of a vacancy in an existing appointment and after the establishment of any new board or commission position subject to shifting appointment authority contained in KRS 67C.139.

2. The Office of the Mayor shall provide ~~the~~ Metro Council with ~~computerized~~ access to the designated database system through ~~Louisville Metro~~ information technology services to the ~~database~~ containing all documentation and information submitted to the Office of the Mayor by all applicants for appointments to boards and commissions that require the approval of Metro Council. Metro Council shall not take action on any proposed appointment until and unless said access has been provided to the Council. ~~The~~ Metro Council, Council staff, and Metro Council Clerk's Office shall keep applicant information and documentation confidential and allow inspection or dissemination of such information and documentation only to the extent required by Kentucky open records law.
3. Metro Government shall post all board and commission vacancies on the Metro Government website and advertise board and commission vacancies on Metro TV or other public access media outlet.
4. As custodian of the records for ~~the Louisville~~ Metro Council, the Metro Council Clerk's Office shall be responsible for compiling and disseminating information relating to boards and commissions.

SECTION III: This Ordinance shall take effect upon its passage and approval.

H. Stephen Ott
Metro Council Clerk

David Yates
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____

O-377-17 - Amend LMCO 32 Boards and Commission per changes to 67C.139 as amended 11-14-17.docx