

RESOLUTION NO. _____, SERIES 2017

A RESOLUTION AMENDING SECTION 4 OF THE RULES OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT COUNCIL TO ADDRESS CHANGES IN APPOINTMENT AUTHORITY (AS AMENDED).

SPONSORED BY: COUNCIL MEMBERS GREEN AND PARKER

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

WHEREAS, the amendments to KRS § 67C.139 delegate the Louisville Mayor’s appointing authority to the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) with boards and commissions, if the Mayor fails to appoint within 90 days of the expiration of the term;

WHEREAS, the Council hereby adopts a resolution, as required by KRS § 67C.139(b), amending the Rules of the Louisville/Jefferson County Metro Government Council (the “Rules”) to specify how these appointments will be made.

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

SECTION I: Section 4A of the Rules is hereby established to read as follows:

SECTION 4A. STANDING COUNCIL COMMITTEES

4A.01 The Committee on Committees is a standing committee composed of the President and the Chair and Vice Chair of the two largest caucuses, as determined under Rule 13.02, and composed of members determined under Rule 2.01(h).

4A.02 The Budget Committee is a standing committee established for Metro Council to comply with its duty in in KRS 67C.103(13)(c) to approve a budget.

4A.03 The Appointments Committee is a standing committee composed in accordance with Rules 2.01(h) and 4.01. The Council designates the Appointments Committee with the powers granted in KRS 67C.139(1)(b) to appoint members to boards and commissions when the Mayor fails to appoint or reappoint within ninety (90) days of the term's expiration.

- A. LMCO 32.XX requires the Mayor to maintain appointment terms for all the boards and commissions that are subject to shifting appointing authority under KRS 67C.139(2)(b).
- B. The Metro Council Clerk will monitor Granicus, or such other subsequent system used to report appointment terms, to determine if or when any board or committee vacancy has passed 90 days without an appointment made by the Mayor. The Metro Council Clerk will notify the Chair of the Appointments Committee following the expiration of the Mayor's ninety-day (90) appointment time. The Metro Council has 30 days to make such appointment from the date the Mayor's appointment expires. If the Metro Council fails to make such appointment within that 30-day period, then the appointment returns to the Mayor.
- C. The Chair of the Appointments Committee shall schedule a special meeting or add the new appointment to the next regularly scheduled Appointments Committee agenda for the committee to nominate a candidate for appointment to the vacancy of the board or commission.

- D. Any member of the Appointments Committee may nominate a candidate for appointment to the board or commission with a written nomination containing the candidate's qualifications for membership on the board or commission. Appointments may be filed at or before the Appointments Committee meeting and are not required to comply with Rule 6.01.
- E. Nominations shall comply with all criteria required for membership on the vacant board or commission and should take into account the political, geographic, gender, age, ~~and~~ racial and other elements of diversity of the population. Committee members may consider candidates from Granicus or any other qualified candidates for nomination.
- F. Appointments Committee will follow Rule 7.08 when considering appointment resolutions. Appointments will be considered at the next regular or special Metro Council meeting under old business on the agenda.
- G. Metro Council Members may make additional nominations during Metro Council Meetings so long as any new nominations comply with subsection E and is presented in written form.
- H. The appointment requires a majority vote pursuant to Rule 5.07 at the Metro Council meeting.
- I. The Metro Council Clerk shall present any approved appointment to the Mayor so the appointment may be communicated to the applicable board or commission. The Metro Council Clerk will also communicate the approved appointment to the appointee.

4A.04 The Government Oversight and Audit Committee is a standing committee as established in KRS 67C.103(14) with the powers and composed of committee members as established in subsections (a) and (b).

SECTION II: This Resolution shall be effective ~~upon~~ 90 days after its passage and approval.

H. Stephen Ott
Metro Council Clerk

David Yates
President of the Council

Approved: _____
Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____