

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
	Lapsed Projects	109,000
	Non-recurring funding source	339,700
	CAPITAL FUND TOTAL	<u>736,200</u>
2.	AGENCY AND OTHER RECEIPTS	71,993,300
3.	MUNICIPAL AID	6,330,400
4.	COUNTY ROAD AID	760,000
5.	COMMUNITY DEVELOPMENT	6,467,000
	Total Available for Appropriation	<u>86,286,900</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
2	Council Designated Projects		
	a.	PAB	241,000
	b.	BOND	259,000
	Louisville Metro Council Total		<u>3,100,000</u>

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		<u>4,606,600</u>

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
Louisville Free Public Library Total			200,000

CHIEF OF PUBLIC SERVICES

E. FACILITIES AND FLEET MANAGEMENT

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
7	Vehicles/Equipment for Police	NOTE	3,000,000
8	Vehicles/Equipment for EMS/Fire	NOTE	2,000,000
9	Vehicles/Equipment for General Services	NOTE	3,000,000
10	Facilities Deferred Maintenance	NOTE	1,700,000
Facilities and Fleet Management Total			9,700,000

F. DEPARTMENT OF CORRECTIONS

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

G. PUBLIC WORKS & ASSETS

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
12	Metro Street Paving		
	a.	BOND	9,060,000
	b.	CCRF-MA	6,080,400
	c.	CCRF-CRA	140,000
13	Google Fiber Restitution	AR	3,840,000
14	Metro Sidewalk Repair Program	BOND	1,500,000
15	Bridges Repair and Improvement Projects	BOND	1,500,000
16	Guardrail Replacement	CCRF-CRA	500,000
17	Signs and Markings	CCRF-MA	250,000
18	Bike and Scooter Lanes	BOND	400,000
19	Pedestrian Safety Improvements	CCRF-CRA	120,000
20	Main St. and Story Ave. Intersection Improvements		
	a.	BOND	40,000
	b.	FEDERAL	160,000
21	FY20 Rubber-Modified Asphalt Grant	STATE	100,000
Public Works & Assets Total			23,690,400

CHIEF OF COMMUNITY BUILDING

H. PARKS & RECREATION

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
22	General Repair		
	a.	NOTE	500,000
	b.	PAN	350,000
23	Deferred Maintenance	NOTE	850,000
24	Olmsted Match-Tyler Park Wheelchair Ramp	NOTE	120,000
25	Olmsted Match-Central Park Lighting & Sidewalk Repairs	NOTE	100,000
26	Olmsted Match-Shelby Park Accessibility Improvements	NOTE	75,000
27	Olmsted Match-Bingham Park Master Plan	NOTE	65,000
28	Jefferson Memorial Forest - Tom Wallace	NOTE	250,000
29	Riverview Park Master Plan Improvements	BOND	500,000
Parks & Recreation Total			2,810,000

I. LOUISVILLE ZOO

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

CHIEF OF LOUISVILLE FORWARD

J. ECONOMIC DEVELOPMENT

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

K. DEVELOP LOUISVILLE

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
32	Develop Louisville Fund/Russell Neighborhood Commitment	NOTE	500,000
33	Louisville Affordable Housing Trust Fund	BOND	5,000,000
34	HOME Funds		
	a.	CCRF	436,200
	b.	BOND	359,800
	c.	FEDERAL	2,841,900
35	Russell Choice Neighborhood Infrastructure	CCRF-CDBG	3,125,000
36	Russell NRSA Rental Rehabilitation	CCRF-CDBG	500,000
37	Home Repair - Emergency/Exterior/Code Alleviation & Rental Rehabilitation	CCRF-CDBG	2,642,000
38	Ramp and Barrier Removal Projects	CCRF-CDBG	200,000
39	Tree Planting	CCRF	300,000
40	Dixie Highway Project		
	a.	BOND	300,000
	b.	STATE	1,100,000
41	Jefferson Square - Construction Documents	NOTE	425,000
42	OneWest		
	a.	BOND	1,000,000
	b.	AR	9,000,000
43	Reimagine 9th Street	NOTE	500,000
44	Property Acquisitions	BOND	500,000
		Develop Louisville Total	28,729,900

CHIEF FINANCIAL OFFICER

L. OFFICE OF MANAGEMENT & BUDGET

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

CHIEF OF CIVIC INNOVATION

M. DEPARTMENT OF INFORMATION TECHNOLOGY

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

RELATED AGENCIES

N. KENTUCKY SCIENCE CENTER

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

**PART II.
LEGEND**

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

**PART III.
GENERAL PROVISIONS**

- A. The Chief Financial Officer may increase any project, authorized by this ordinance, by five percent through the transfer of funds not required in another project or projects 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 a Council Member's Capital Infrastructure Fund or Republican Pooled Unallocated CIF for projects added to the Mayor's Recommended Budget by the Metro Council.
- 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 shall be returned to the Council Member's unallocated Capital Infrastructure Fund or Republican Pooled Unallocated CIF.
- 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.
- 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 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 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 Enterprise Resource Planning (ERP) Project with a Previously Authorized Bond.

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: _____