

ORDINANCE NO. 141, SERIES 2011

AN ORDINANCE RELATING TO THE 2011-12 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 2011-12. (AS AMENDED)

Sponsored By: Councilwoman Butler

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 Capital Cumulative Reserve Fund (CCRF), the Capital Cumulative Reserve Fund - Community Development Block Grant (CCRF-CDBG), the Capital Cumulative Reserve Fund - County Road Aid Funds (CCRF-CRA), the Capital Cumulative Reserve Fund - Municipal Aid (CCRF-MA), from the 2009F Bond, from the 2004A Bond, from State Forfeited Funds, from Agency Receipts (AG. REC.), from Federal Transportation - Congestion Mitigation Air Quality Funds, from Federal Surface Transportation Funds, from Federal Home Investment Funds, from Federal Department of Justice Funds, from Federal Justice Administration Grant Funds, from Federal Homeland Administration Funds, from Private Donations and other funding sources, from Federal Forfeited Funds, from Federal Office of Domestic Preparedness Funds, and from Federal Housing and Urban Development Funds, 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, 2012 and identified below:

METRO COUNCIL

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>	
1	Council Infrastructure Fund			
	a.	CCRF-CIF	1,300,000	850,000
	b.	CCRF-MA	1,300,000	0

c. Each of the 26 council districts received an average of \$50,000 Municipal Aid Program (MAP) appropriation as well as \$50,000 Capital Infrastructure Fund (CIF) appropriation for a total of \$100,000 per district. Districts 7, 11, 16, 17, 18, 19, 20, 22, and 23 pooled their \$50,000 MAP and allocated the \$450,000 to Public Works & Assets to be used for paving primary and secondary collectors rated 50 through 60 in their districts. Districts 7, 11, 16, 17, 18, 19, 20, 22, and 23 pooled their \$50,000 CIF and allocated \$25,000 to Public Works & Assets to repair sidewalks rated 4 and 5 in their districts and allocated \$425,000 to Public Works & Assets to be used for paving primary and secondary collectors rated 50 through 60 in their districts.

d. CCRF-MA funding has been moved to Public Works & Assets for

the following districts:

<u>District 1</u>	<u>35,000</u>
<u>District 2</u>	<u>50,000</u>
<u>District 3</u>	<u>35,000</u>
<u>District 4</u>	<u>35,000</u>
<u>District 5</u>	<u>35,000</u>
<u>District 6</u>	<u>45,000</u>
<u>District 7</u>	<u>50,000</u>
<u>District 8</u>	<u>35,000</u>
<u>District 9</u>	<u>50,000</u>
<u>District 10</u>	<u>35,000</u>
<u>District 11</u>	<u>50,000</u>
<u>District 12</u>	<u>100,000</u>
<u>District 13</u>	<u>35,000</u>
<u>District 14</u>	<u>35,000</u>
<u>District 15</u>	<u>50,000</u>
<u>District 16</u>	<u>50,000</u>
<u>District 17</u>	<u>50,000</u>
<u>District 18</u>	<u>50,000</u>
<u>District 19</u>	<u>50,000</u>
<u>District 20</u>	<u>50,000</u>
<u>District 21</u>	<u>75,000</u>
<u>District 22</u>	<u>50,000</u>
<u>District 23</u>	<u>50,000</u>
<u>District 24</u>	<u>35,000</u>
<u>District 25</u>	<u>75,000</u>
<u>District 26</u>	<u>90,000</u>

e. CCRF-CIF funding identified in section a. above shall be allocated

as follows by district:

<u>District 1</u>	<u>65,000</u>
<u>District 2</u>	<u>50,000</u>
<u>District 3</u>	<u>65,000</u>
<u>District 4</u>	<u>65,000</u>
<u>District 5</u>	<u>65,000</u>
<u>District 6</u>	<u>55,000</u>
<u>District 8</u>	<u>65,000</u>

District 9	50,000
District 10	65,000
District 13	65,000
District 14	65,000
District 15	50,000
District 21	25,000
District 24	65,000
District 25	25,000
District 26	10,000

Total - Metro Council

2,600,000

850,000

PUBLIC PROTECTION

A. EMERGENCY MANAGEMENT AGENCY/METROSAFE

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
2	UHF/VHF Equipment Compliance	CCRF	75,000
3	Emergency Contact and Notification System	CCRF	500,000
Total - Emergency Management Agency/MetroSafe			575,000

B. METRO CORRECTIONS

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
4	Integrated Security System	CCRF	250,000
Total - Metro Corrections			250,000

C. YOUTH DETENTION SERVICES

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
5	Equipment and Facility Maintenance	CCRF	180,000
Total - Youth Detention Services			180,000

D. METRO ANIMAL SERVICES

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
6	Safety and Security System	CCRF	36,300
Total - Metro Animal Services			36,300

LOUISVILLE METRO POLICE

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
7	Body Armor	AG. REC.	49,000
8	Justice Assistance Grant Program	FEDERAL	500,000
9	Property Room and Training Unit Equipment Replacement	STATE	71,100
10	Firearms Training Center Phase II		
	a.	FEDERAL	430,000
	b.	STATE	70,000
Total - Louisville Metro Police			1,120,100

ECONOMIC DEVELOPMENT

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
11	Accessibility Revolving Loan Program	AG. REC.	50,000
12	Façade Revolving Loan Program	AG. REC.	500,000
13	Kentucky Economic Opportunity Zone (KEOZ) Grant Revolving Loan Fund	AG. REC.	50,000
14	New Market Tax Credit Project	AG. REC.	120,000
15	PARC Capital Improvements <u>a. Metro Council requests PARC to research accessing Police Stolen Car Data.</u>	AG. REC.	793,800
16	Sluggar Field Capital Improvement Fund	AG. REC.	150,000
17	<u>EPA Brownfields Revolving Loan Fund Supplemental - 2011</u>		
	<u>a.</u>	FEDERAL	500,000
	<u>b.</u>	CCRF	100,000
18	<u>EPA Brownfields Environmental Assessment Grant - 2011</u>	FEDERAL	400,000
19	<u>Bardstown Road Corridor</u>	CCRF	33,000
20	<u>Dixie Highway Corridor</u>	CCRF	52,000
21	<u>Oak Street Corridor</u>	CCRF-CDBG	250,000
22	<u>University Corridor</u>	CCRF-CDBG	100,000
Total - Economic Development			<u>1,663,800</u> <u>3,098,800</u>

CODES & REGULATIONS

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
47	23 Comprehensive Plan Review and Update	CCRF	50,000
Total - Codes & Regulations			<u>50,000</u>

PARKS & RECREATION

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
48	24 Parks Repair <u>a. Up to \$50,000 of Parks Repair may be used to repave Creason Park Connector Road from Illinois to Trevillian Way, which shall require a match of up to \$25,000 from D10 MAP dollars if costs exceed \$50,000. b. Included in Parks Repair is \$10,000 for repairs in Districts 7, 11, 16, 17, 18, 19, 20, 22, and 23 parks.</u>	CCRF	500,000 510,000
49	25 Louisville Loop Planning Study - Fairdale to McNeely <u>a.</u>	FEDERAL	117,500
	<u>b.</u>	CCRF	117,500
26	<u>Algonquin Park Furniture</u>	CCRF	50,000
27	<u>Black Mud Park Restroom</u>	CCRF	36,000
28	<u>Charlie Vettlner Park Improvements</u>	CCRF	135,000
29	<u>Chickasaw Park Track Repair</u>	CCRF	50,000
30	<u>Emerson Park Improvements</u>	CCRF	40,000
31	<u>Germantown Little League</u>	CCRF	10,000
32	<u>Petersburg Cemetery</u>	CCRF	15,000

33	<u>Sun Valley Improvements</u>	CCRF	48,000
34	<u>Seneca Park Kids Golf Course</u>	CCRF	16,000
35	<u>Tyler Park Master Plan Implementation</u>	CCRF	24,000
36	<u>Wyandotte Park Improvements</u>	CCRF	40,000

Total - Parks & Recreation	736,000	1,209,000
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COMMUNITY SERVICES & REVITALIZATION

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
29	37 Affordable Housing Trust Fund		
	a.	AG. REC.	100,000
	b.	CCRF	100,000
	c. <u>Metro Council requests Community Services & Revitalization to</u> <u>release the Affordable Housing Trust Fund to the newly formed</u> <u>non-profit organization established under LMCO 40.45 and hereby</u> <u>releases Community Services & Revitalization from</u> <u>administration and oversight of those funds.</u>		
24	38 Lake Louisville/Park Springs	CCRF-CDBG	1,000,000
22	39 HOME Investment Partnership Program		
	a.	FEDERAL	2,515,000
	b.	CCRF	731,800
23	40 HOME Tenant Based Rental Assistance	FEDERAL	900,000
24	41 Micro-Enterprise/New Business Development Loans	CCRF-CDBG	100,000
26	42 Neighborhood Revitalization Strategy Area-Smoketown	CCRF-CDBG	4,676,000
	a. <u>Metro Council requests Community Services & Revitalization to</u> <u>present a spending plan to the Council for the Smoketown</u> <u>Neighborhood Revitalization Strategy before any funding can</u> <u>be spent or encumbered.</u>		
26	43 Residential Repair	CCRF-CDBG	1,733,000
27	44 Shelter Plus Care Program	FEDERAL	2,400,000
28	45 Weatherization Program	CCRF-CDBG	272,400
	46 <u>Neighborhood House Mortgage Payment</u>	CCRF	100,000
Total - Community Services & Revitalization			41,628,200
			11,278,200

PUBLIC WORKS & ASSETS

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
29	47 Guardrail Projects	CCRF-CRA	250,000
30	48 Metro Street Improvements	CCRF-MA	806,300
	a.	CCRF-MA	1,256,300
	b.	CCRF-CIF	425,000
	c. <u>The \$425,000 in 48 b. above can only be used for primary and</u> <u>secondary collectors rated between 50 and 61 in Districts 7,</u> <u>11, 16, 17, 18, 19, 20, 22, and 23 including paving Vaughn Mill.</u>		
	d. <u>The \$1,256,300 in 48 a. above may only be used for roads rated</u> <u>below 49 as of June 1, 2011.</u>		

e.	<u>District 1 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>35,000</u>
f.	<u>District 2 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>50,000</u>
g.	<u>District 3 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>35,000</u>
h.	<u>District 4 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>35,000</u>
i.	<u>District 5 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>35,000</u>
j.	<u>District 6 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>45,000</u>
k.	<u>District 8 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>35,000</u>
l.	<u>District 9 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>50,000</u>
m.	<u>District 10 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>35,000</u>
n.	<u>District 12 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>100,000</u>
o.	<u>District 13 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>35,000</u>
p.	<u>District 14 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>35,000</u>
q.	<u>District 15 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>50,000</u>
r.	<u>District 21 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>75,000</u>
s.	<u>District 24 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>35,000</u>
t.	<u>District 25 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>75,000</u>
u.	<u>District 26 Paving and/or sidewalk projects</u>	<u>CCRF-MA</u>	<u>90,000</u>
v.	<u>The Metro Council encourages the Mayor to issue a bond to pay</u>		

for paving projects for all roads rated 60 and below and to address

deferred capital maintenance projects.

34	49.	<u>Metro-Wide Traffic Signal System Synchronization - Upgrade and Operation Phase II</u>		
	a.		FEDERAL	800,000
	b.		CCRF	70,000
32	50	<u>PW&A/Facilities Repair</u>	AG. REC.	450,000
33	51	<u>Safety Improvements Along Metro Rural Roads</u>	CCRF-CRA	640,000
34	52	<u>Development Code Performance Compliance</u>	AG. REC.	150,000
35	53	<u>ADA Facilities Compliance</u>	CCRF	75,000
				<u>100,000</u>
36	54	<u>Signs and Markings Material</u>	CCRF-MA	300,000
37	55	<u>Bridge and Cross Drain Repair and Replacement</u>	CCRF-CRA	600,000
38		<u>River Road Corridor Bicycle and Pedestrian Improvements, Phase II</u>		
	a.		FEDERAL	973,900
	b.		CCRF	14,900
	56	<u>District 4 Paving Projects</u>	CCRF	<u>26,000</u>
39	57	<u>LaGrange Road Bicycle and Pedestrian Improvements</u>		
	a.		FEDERAL	828,000
	b.		CCRF	39,800
40	58	<u>LaGrange Road Pedestrian Facilities Project</u>		
	a.		FEDERAL	1,356,400
	b.		CCRF	19,400
41	59	<u>Broadrun Road Slope Stabilization</u>	CCRF	125,000
42	60	<u>Walkable Communities</u>		
	a.		FEDERAL	300,000
	b.		CCRF	7,500
43	61	<u>Broadway and 18th Street</u>		
	a.		FEDERAL	350,000
	b.		CCRF	190,000
44	62	<u>Sidewalk Repair Program</u>	CCRF	200,000
	a.		CCRF	<u>200,000</u>
	b.		CCRF-CIF	<u>25,000</u>
	c.	<u>The \$25,000 in 62 b. above may only be used for sidewalk repair</u>		

rated 4 or 5 in Districts 7, 11, 16, 17, 18, 19, 20, 22, and 23.

63	<u>Blanton Turn Lane</u>	<u>CCRF</u>	<u>60,000</u>
64	<u>Highlands Alley Paving</u>	<u>CCRF</u>	<u>20,000</u>
65	<u>Lyndon Lane Turn Lane</u>	<u>CCRF</u>	<u>100,000</u>
66	<u>MET Continuation</u>	<u>CCRF</u>	<u>170,000</u>

67	<u>Okolona Infrastructure</u>	CCRF	<u>55,000</u>
68	<u>Reconstruction of Southside Kenwood</u> <u>Intersection (requires Council match)</u>	CCRF	<u>55,000</u>
69	<u>Valley Station Drum Clean-Up</u>	CCRF	<u>7,000</u>
70	<u>Third Street Road Sidewalks</u>	CCRF	<u>30,000</u>
Total - Public Works & Assets		8,548,200	<u>9,855,400</u>

TECHNOLOGY SERVICES

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
45	71 LMPD Phone System Replacement	CCRF	154,000
Total - Technology Services			<u>154,000</u>

RELATED AGENCIES

A. LOUISVILLE FREE PUBLIC LIBRARY

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
46	72 Southwest Regional Library Design Development a. <u>The Metro Council requests this design be a prototype for all regional libraries in the Library Master Plan.</u> b. <u>The Metro Council intends to fund 80% of all future capital building projects in the Master Plan upon receipt of a 20% match.</u>	CCRF	500,000
47	73 Western Branch Renovation	CCRF-CDBG-CF	400,000
48	74 Fairdale Branch Furniture, Fixtures, and Equipment a. b.	AG. REC. CCRF	125,000 125,000
49	75 Main Library Parking Lot Improvement	AG. REC.	30,000
Total - Louisville Free Public Library			<u>1,180,000</u>

B. LOUISVILLE SCIENCE CENTER

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
50	76 General Maintenance	CCRF	50,000
Total - Louisville Science Center			<u>50,000</u>

C. LOUISVILLE ZOO

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
51	77 Maintenance for AZA Accreditation	CCRF	150,000
52	78 General Maintenance for Animal Areas	CCRF	100,000
	79 <u>Landscape and Irrigation Project</u>	CCRF	<u>12,000</u>
Total - Louisville Zoo		260,000	<u>262,000</u>

D. WATERFRONT DEVELOPMENT CORPORATION

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
80	Riverview Park	CCRF	<u>25,000</u>
<u>Total - Waterfront Development Corporation</u>			<u>25,000</u>

LEGEND

PART I.

APPROPRIATIONS/AUTHORIZATIONS

- AG. REC. - Agency Receipts
- CCRF - Capital Cumulative Reserve Fund
- CCRF-CDBG - Capital Cumulative Reserve Fund-Community Development Block Grant
- CCRF-CDBG-CF - Capital Cumulative Reserve Fund-Community Development Block Grant--Carryforward
- CCRF-CIF - Capital Cumulative Reserve Fund-Council Infrastructure Funds
- CCRF-CRA - Capital Cumulative Reserve Fund-County Road Aid Funds
- CCRF-MA - Capital Cumulative Reserve Fund-Municipal Road Aid Funds
- FEDERAL - Federal Funds
- STATE - State Funds

PART II.

CAPITAL FUND SOURCE EXCHANGES AND LAPSES RELATED TO APPROPRIATIONS WITHIN THIS ORDINANCE

- A. Section 1. of Ordinance No. 55, Series 2000, is hereby amended as follows:
 The sum of ~~\$2,754,400~~ \$2,731,038 is hereby appropriated from the unappropriated balance of the Police Metro Equipment Replacement Fund to the Division of Police for the purchase of 122 replacement vehicles.

- B. Section 1. of Ordinance No. 56, Series 2004, is hereby amended as follows:
 The sum of ~~\$2,649,500~~ \$2,478,821.32 is hereby appropriated from the unappropriated balance of the Police Equipment Replacement Fund to the Department of Public Works for purchase of 120 replacement vehicles.

- C. Section II. of Ordinance No. 187, Series 2004, is hereby amended as follows:
 The sum of ~~\$2,220,000~~ \$2,217,617.04 is hereby appropriated from the unappropriated balance of the Fire Equipment Replacement Fund for the purchase of replacement vehicles.

- D. Section 1. of Ordinance No. 53, Series 2005, is hereby amended as follows:
 The sum of ~~\$4,214,000~~ \$4,213,978.59 is hereby appropriated from the unappropriated balance of the Police Equipment Replacement Fund to the Department of Public Works for purchase of replacement vehicles and related equipment.

E. Section 1. of Ordinance No. 137, Series 2005, is hereby amended as follows:

The sum of ~~\$38,000~~ \$23,500 is hereby appropriated from the unappropriated balance of the Police Equipment Replacement Fund to the General Services Agency—Fleet Division for purchase of a snow-removal replacement vehicle.

F. Section 1. of Ordinance No. 4, Series 2006, is hereby amended as follows:

The sum of ~~\$2,540,000~~ \$2,517,137.14 is hereby appropriated from the unappropriated balance of the Metro Equipment Replacement Fund for purchase of replacement vehicles.

G. Section 1. of Ordinance No. 70, Series 2006, is hereby amended as follows:

The sum, not to exceed ~~\$6,097,750~~ \$4,736,702.04, is hereby appropriated from the unappropriated balance of the Police Equipment Replacement Fund to the General Services Administration for the purchase of replacement vehicles, not to exceed 188, and related equipment.

H. Section 1. of Ordinance No. 115, Series 2006, is hereby amended as follows:

The sum of ~~\$5,232,600~~ \$5,039,848 is hereby appropriated from the unappropriated balance of the Metro Equipment Replacement Fund for purchase of replacement vehicles.

I. Section 1. of Ordinance No. 67, Series 2008, is hereby amended as follows:

The sum, not to exceed ~~\$3,333,000~~ \$3,308,387.48, is hereby appropriated from the unappropriated balance of the Police Equipment Replacement Fund to the Public Works & Assets Department for the purchase of replacement vehicles, not to exceed 146, and related equipment.

J. Section 1. of Ordinance No. 96, Series 2009, is hereby amended as follows:

The sum of ~~\$4,100,000~~ \$1,098,691.69 is hereby appropriated from the unappropriated balance of the Fire Equipment Replacement Fund for purchase of replacement vehicles and equipment.

K. As a result of Part II, Sections A. to J., a transfer from the Metro Equipment Replacement Fund of \$215,814.86, a transfer from the Fire Equipment Replacement Fund of \$3,691.27, and a transfer from the Police Equipment Replacement Fund of \$565,122.57 into the Capital Cumulative Reserve Fund (total transfer amount of \$784,628.70) is hereby authorized.

L. Part I., Public Works & Assets, of Ordinance No. 90, Series 2009, is hereby amended as follows:

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>	
98	Fairdale Village Plan	CCRF	<u>500,000</u>	<u>0</u>
		<u>2009F BOND</u>	<u>500,000</u>	

M. Part I., Public Works & Assets, of Ordinance No. 111, Series 2008, is hereby amended as follows:

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>	
115	Fairdale Village Plan	CCRF	<u>100,000</u>	<u>0</u>
		<u>2004A BOND</u>	<u>100,000</u>	

N. Part I., Public Works & Assets, of Ordinance No. 126, Series 2007, is hereby amended as follows:

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>	
128	Downtown Streetscape/ Infrastructure and Curb Replacement			
	a.	CCRF-BP	1,099,000	<u>835,864.56</u>
	b.	CCRF	151,000	
132	Fairdale Village Plan	CCRF	75,000	<u>20,297.27</u>
	a.	<u>2004A BOND</u>	<u>16,547.19</u>	
	b.	<u>2009F BOND</u>	<u>38,155.54</u>	

O. As a result of Part II, Sections L. to N., \$654,702.73 of Capital Cumulative Reserve Funds are available for appropriation throughout this ordinance. The 2004A Bond proceeds identified in Part II, Sections M. and N., represent unappropriated bond proceeds in the amount of \$116,547.19 as provided on the Third Quarter Capital Project Report for FY11. The 2009F Bond proceeds identified in Part II, Sections L. and N., are a combination of unappropriated bond proceeds in the amount of \$75,020.10 as provided on the Third Quarter Capital Project Report for FY11 and \$483,135.44 of remaining bond proceeds in the Metro Curb Replacement Project described in Part II, Section N.

P. Part I., Public Works & Assets, of Ordinance No. 126, Series 2007, as amended by Ordinance No. 225, Series 2008 for projects 131 and 142, and as amended by Ordinance No. 213, Series 2009 for project 131, is hereby amended as follows:

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>	
131	Downtown Street Signage	CCRF	<u>176,000</u>	0
142	Update Comprehensive Transportation Plan	CCRF	100,000	0

Q. Ordinance No. 240, Series 2010 is hereby amended as follows:

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>	
	Preston Park Street Paving	CCRF	50,000	0
		<u>CCRF-MA</u>	<u>50,000</u>	

R. Part I., Public Works & Assets, of Ordinance No. 126, Series 2007, as amended by Ordinance No. 201, Series 2010, is hereby amended as follows:

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>		
143	Kenwood Drive Paving	CCRF	25,000	<u>8,031.43</u>	<u>3,031.43</u>
	a.	<u>CCRF-MA</u>	<u>46,968.57</u>	<u>21,968.57</u>	

S. As a result of Part II, Sections Q. to R., ~~\$66,968.57~~ \$71,968.57 of Capital Cumulative Reserve Funds are available for appropriation throughout this ordinance.

PART III.

GENERAL PROVISIONS

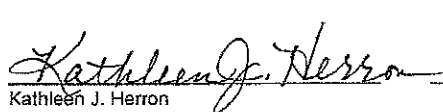
- A. The Chief Financial Officer may increase any project, authorized by this ordinance, by up to ~~ten~~ five percent through the transfer of funds not required in another project or projects in this ordinance or other prior annual Louisville Metro, City of Louisville and Jefferson County Fiscal Court Capital Budget ordinances unless those funds were originally appropriated from a Council Member's Capital Infrastructure Fund or 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 provided, however, overall project scope shall not be significantly changed 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 the amount of \$1,164,722.64 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. Included in the Capital Fund appropriations listed herein are funds totaling ~~\$3,473,700~~ \$3,404,600 from the following sources: \$3,000,000 from the sale of surplus properties; \$380,000 from interest related to the Capital Cumulative Reserve Fund; and ~~\$93,700~~ \$24,600 from previously completed capital projects within the Capital Cumulative Reserve Fund.

- F. Included in the Capital Fund appropriations listed herein are funds totaling ~~\$2,187,500~~ \$2,967,500 from the following sources: ~~\$581,200~~ \$1,181,200 of funds from the Police Property Room Fund to be transferred to the Capital Cumulative Reserve Fund, as they become available; \$784,828.70 of funds from the Police, Fire, and General Fleet Vehicle and Equipment Replacement Funds to be transferred to the Capital Cumulative Reserve Fund as described in Part II, Section K. of this ordinance; \$654,702.73 of funds from the Capital Cumulative Reserve Fund once 2004A bond proceeds and 2009A bond proceeds are authorized to replace Capital Cumulative Reserve Funds in the Fairdale Village Roundabout project as described in Part II, Section O. of this ordinance; ~~\$400,000~~ \$275,000 of funds from the Capital Cumulative Reserve Fund as described in Part II, Section P. of this ordinance; and ~~\$66,968.57~~ \$71,968.57 of funds from the Capital Cumulative Reserve Fund once Municipal Road Aid Funds are authorized to replace Capital Cumulative Reserve Funds in two projects as described in Part II, Section S. of this ordinance.
- G. A separate Vehicle and Equipment Replacement Fund for EMS shall be established, with the funding appropriated within EMS for vehicle replacement purposes directed to that fund. Additionally, a transfer from the General Fleet Vehicle and Equipment Replacement Fund of \$48,700 into the EMS Vehicle and Equipment Replacement Fund is hereby authorized.
- 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 appropriated into the Capital Cumulative Reserve Fund to be expended as appropriated herein. All proceeds from the sale of real property declared surplus by the Metro Council in excess of the \$3,000,000 in revenue assumed in Part III, Section E., of this ordinance shall require an appropriation by the Metro Council before they may be expended on a capital project. Except for the \$3,000,000 in revenue assumed in this ordinance from the sale of real property, all proceeds from the sale of real property declared surplus by the Metro Council shall be appropriated into a project line in the Capital Cumulative Reserve Fund designated as Metro Council Unnamed Projects. No expenditures or appropriations may be made from this account without prior approval of the Metro Council through an ordinance separate from this or any future annual capital or operating budgets.


- J. Contracts - Appropriations in the Fiscal Year 2011-12 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 of over \$10,000 in such fiscal year, shall be submitted to the Council in the form of a resolution for its approval. Appropriations in the Fiscal Year 2011-12 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.343 through 45A.460, 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. Written quarterly reports of the status of all capital projects will be submitted to the Budget Committee no later than one month after each quarter ending September 30, December 31, March 31, and June 30. Such reports shall balance to the accounting system of Metro Government.
- L. Metro Council requests Economic Development to aggressively pursue collection of delinquent loans including the use of a commercial loan collection agency.
- M. Metro Council requests Community Services & Revitalization to allocate \$300,000 of Fiscal Year 2012-13 CDBG funding to Dreams with Wings from its CDBG allocations from the Federal Fiscal Year beginning October 1, 2011.
- N. Metro Council requests Community Services & Revitalization to allocate \$1,000,000 to the Housing Partnership or equivalent developer for the Nightingale Project from its CDBG allocations from the Federal Fiscal Year beginning October 1, 2011.
- O. Metro Council requests Community Services & Revitalization to aggressively pursue collection of delinquent loans including the use of a commercial loan collection agency.
- P. Metro Council requests Public Works & Assets to develop a 5-year infrastructure plan to include but not limited to roads, sidewalks, and alleys.
- Q. Metro Louisville requests the Mayor to enter into a lease with the Zoo Foundation to allow the Foundation to secure funding and lease or operate new train(s) at the Zoo with the related net operating revenue used to repay the funding or any borrowings by the Foundation.

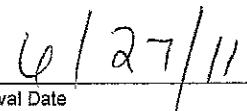
PART IV.

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


Kathleen J. Herron
Metro Council Clerk


Jim King
President of the Council

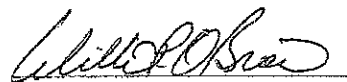

Greg Fischer
Mayor


Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney



BY: 

FY12 Capital Ordinance 062311.xlsx