

RESOLUTION NO. 028, SERIES 2013

A RESOLUTION AMENDING SECTION 3 OF THE LOUISVILLE METRO COUNCIL POLICIES AND PROCEDURES, PERTAINING TO NEIGHBORHOOD DEVELOPMENT FUNDS AND CAPITAL INFRASTRUCTURE FUNDS (AS AMENDED)

Sponsored By: Council Members Blackwell, Engel and Kramer

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

SECTION I: Section 3. 1. B. of the Louisville Metro Council Policies and Procedures is hereby amended to read as follows:

B. Eligible Non-Profit Organization Grant Requirements

The organization has an Affirmative Action/Equal Employment Opportunity plan and/or policy statement if required to do so.

The organization may not discriminate based on age, color, race, disabled status, sexual orientation, national origin, religion, sex, or Vietnam era veteran status.

Metro funds generally are not used to supplement more than 33% of the total agency operating budget. The 33% guideline is not applicable for capital projects or special one-time projects not in the general operating budget.

The organization may not require clients receiving services or project participants to participate in religious, political, fraternal, etc. activities in order to receive services or participate.

Any Council member, legislative assistant or family member of a Council member or legislative assistant must disclose any relationship with any requesting organization including Metro Government agencies. No such persons shall serve a grant recipient as an officer or have the fiduciary authority to sign checks or other documents on behalf of the grantee.

The organization agrees to participate in any required training.

The organization agrees to adhere to all terms of agreements/contracts set forth within the NDF application or agreement.

The organization agrees to be audited and/or monitored on site by the appropriate agency personnel to determine appropriate expenditure of funds and/or record keeping.

The organization agrees to submit any required written financial, program, or other monitoring reports timely.

The organization publicly acknowledges the funding is provided by Louisville Metro Council and may also acknowledge the individual Council member in its publicity and informational material.

The organization agrees to expend funds by the end of the fiscal year or extension date of the grant agreement for purpose(s) stated in grant proposal. Automatic extensions are given by Office of Management and Budget to entities receiving their grant check after April 1 in the fiscal year. Requests for extensions are also considered if the entity cannot spend funds for an extenuating circumstance through a written agreement prepared or approved by the County Attorney's Office.

Organizations expending funds prior to the execution of the grant agreement do so at their own risk. Louisville Metro is not liable for NDF related expenses incurred until the grant agreement is executed unless the application specifically requests reimbursements; however, reimbursement should not be made for expenditures prior to the NDF Application date absent demonstration of an emergency by the primary sponsor.

After the NDF application has been approved by Metro Council, a grant agreement is mailed to the organization by the Metro Clerk within ten business days of the approval and an email notification is sent to the primary sponsor. If the grant agreement is not received by the Metro Clerk within 90 days of initial mailing, the Council approval is automatically revoked without any further action of the Appropriation Committee or full Council. Any organization's grant agreement mailed before the enacted date of this policy change will be sent a letter by the Clerk informing the applicant of this change and give them 90 days from that mailing date to submit their grant agreement.

The Metro Clerk will prepare and submit the NDF request packet which includes the grant agreement, NDF application and supporting documentation to OMB within seven days of receipt.

NDF funds shall not be provided to Neighborhood Associations, Homeowners Associations or similar citizen groups for lawn maintenance or mowing private, nongovernment owned property unless all the following criteria are met:

- The property has been assigned or referred for cutting by either Department of Codes and Regulations or Metro Public Works. A lien has been or shall be filed.
- Anyone paid for mowing grass or maintaining property must provide: proof of insurance directly from their insurance agent, proof that they are registered with the Louisville Revenue Commission. In the event that the use of chemicals is necessary in performing grass mowing or property maintenance, any person(s) who uses such chemicals shall be certified to use such chemicals as required by the Kentucky Department of Agriculture's Division of Environmental Services.
- Must keep records of all properties maintained, service dates and person(s) paid for work for the entire year. Documents must be available for review by Metro Government and its

Internal Auditor and must be part of any future grant requests sought from Metro Government within the next four years.

The organization agrees to return any unexpended funds to Louisville Metro Government after the end of the grant period (as extended) stated in the grant agreement. The returned funds are credited to the Council Member’s NDF account originally funding the request.

Funding for start-up organizations is discouraged. All organizations should be able to prove long term viability before receiving NDF funding.

SECTION II: Section 3. 1. E. of the Louisville Metro Council Policies and Procedures is hereby amended to read as follows:

E. Grant Administration/Monitoring

Grant administration to non-profit organizations is the responsibility of the Office of Management and Budget.

The Office of Management and Budget provides a copy of the final grant report to the Clerk’s office who tracks open grants and provides a copy of the report to the primary sponsor of each grant.

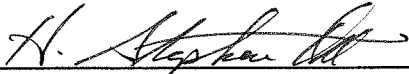
Responsibilities are outlined in (1) and (2) below.

(1) Expending Neighborhood Development Funds to a Non-Profit Organization

Responsible Party	Process Description
Organization	Contacts Council member regarding need.
Council member	Forwards Application (located on Council shared drive) to organization for completion.
Organization	Returns completed Application with required supporting documentation to Council member.
Council member	- Reviews request, verifies completeness of Application and supporting documentation, decides level of funding to be requested if any. - Prepares Request Form, if needed. - Submits request by noon on the Monday before the regularly scheduled Council meeting to the Clerk’s office to be added to the Council agenda or the Appropriations, NDFs and CIFs Committee agenda.
Clerk’s office	After review, places requests greater than \$5,000 on Council Agenda. After review, places requests of \$5,000 or less on Appropriations, NDFs and CIFs Committee’s agenda.
Appropriations, NDFs	Considers/approves request. The original requestor or their

and CIFs Committee/Council	designee must be present to discuss requests of \$5,000 or more.
Clerk's office	If an ordinance is approved in Committee, the Clerk's office places it on the Council agenda for second reading.
Council	Considers/approves second reading.
<u>Clerk's Office</u>	<u>Mails grant agreement to organization within ten business days of approval.</u> <u>Submits the NDF request packet including the grant agreement, NDF application & supporting documents to OMB within seven days of receipt.</u>
Office of Management and Budget	If approved by the Appropriations, NDFs and CIFs Committee or the Council, the Office of Management and Budget administers the grant by tracking and monitoring the transactions to final disbursement and reconciliation in accordance with their current Neighborhood Development Grant Policies and Procedures. A copy of the final grant report is provided to the Clerk's office for tracking and forwards a copy to the primary sponsor.
Council member	If funds remain or are returned by grantee, the Council member's NDF account is credited for those funds.

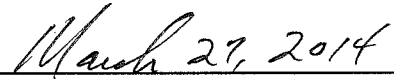
SECTION III: This Resolution shall take effect upon its passage and approval.



H. Stephen Ott
Metro Council Clerk



Jim King
President of the Council



Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney



By: 
