

RESOLUTION NO. _____, SERIES 2020

A RESOLUTION OF THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT EXPRESSING CONCERNS IN THE LEADERSHIP OF MAYOR GREG FISCHER AND URGING IMPROVED PARTNERSHIP WITH METRO COUNCIL TO ADDRESS THE ISSUES AFFECTING THE CITY OF LOUISVILLE (AMENDMENT BY SUBSTITUTION).

SPONSORED BY: COUNCIL MEMBERS WINKLER, KRAMER, BENSON, ENGEL, PARKER, REED, PIAGENTINI, AND PRESIDENT JAMES

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (“Council”) believes the number one priority of Louisville Metro Government is to ensure the safety of all its residents; and

WHEREAS, the Council recognizes significant issues of racial and social inequity exists across our community and our nation that must be proactively addressed; and

WHEREAS, the Council believes that claims of transparency by Mayor Greg Fischer and the Administration have not been sufficiently supported through the actions of the Administration including disciplining those that have sought to punish whistle blowers in Metro Government; and

WHEREAS, the Council believes that Mayor Greg Fischer failed to hold leadership of the Louisville Metro Police Department (“LMPD”) properly accountable thereby contributing to the civil unrest; and

WHEREAS, the Council believes that the time has come for systemic changes at the LMPD and finalization of the Fraternal Order of Police (“FOP”) contract; and

WHEREAS, the number of homicides reported by LMPD continues to rise; and

WHEREAS, communication and partnership by and between Mayor Greg Fischer and the Council have not been sufficient; and

WHEREAS, concern exists with the selection and management by the Administration of Boards and department leadership; and

WHEREAS, not enough effort has been made to ensure the make-up of Metro Government represents the demographics of Louisville Metro; and

WHEREAS, the Council has authorized an investigation into the actions of the Administration and has a legislative and moral obligation to ensure that investigation is completed publicly; and

WHEREAS, the Council recognizes the challenges in balancing the diverse and sometimes conflicting interests of the residents of Louisville Metro; and

WHEREAS, the Council recognizes that the issues currently faced in Louisville Metro are exacerbated by the divisions that are being sown by national politicians; and

WHEREAS, the Council recognizes the progress that has been made by launching the top to bottom review of LMPD; naming Yvette Gentry as interim police chief; implementing policy changes at LMPD in regards to duty to intervene, mandatory use of body cameras and use of tear gas; budgetary investments in housing, vacant and abandoned property, code enforcement, eviction prevention and, small business investments; and

WHEREAS, that healing our community needs can only be accomplished through compassion, dialogue, unity, and equity.

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

SECTION I: The Council with this vote expresses its concern/no confidence in the leadership demonstrated by Mayor Greg Fischer.

SECTION II: In order to restore trust between the residents of Louisville Metro and its government and to ensure the safety and equality of all its residents, the Council urges Mayor Greg Fischer to:

(A) Advance policies for social and racial equity by evaluating all policies through an equity lens.

1. Proactively engage the Council, business community and the non-profit sector to address key issues in our society such as policing policy, social inequality, environmental inequality, and economic inequality.

2. Continue to advance policies that promote home ownership without displacement, and wealth building in our most impoverished census tracts. Develop and present a plan to Council that outlines:

a. Strategies to aggressively increase the number of affordable housing units across Jefferson County.

b. Reduce/freeze property taxes to protect long-time residents in areas at risk of gentrification.

c. Limit large-scale development in at-risk neighborhoods unless the development is black-owned and affordable for residents in the at-risk area.

d. Create a stabilization voucher program for homeowners in at-risk neighborhoods to retain low-income residents and avoid displacement.

e. Aggressively lobby for eviction prevention reform with members of both parties of the Kentucky General Assembly.

3. Create budgets in 2021 and 2022 that support these objectives and defines clearly measurable goals and outcomes and provide quarterly reporting against those goals.

(B) Champion reform by demanding action in Frankfort to address systemic racial and socioeconomic inequity in the criminal justice system.

(C) By 12/31/20, develop a plan/task force to address and reduce the rising rates of homicides across Jefferson County.

(D) Demonstrate a total commitment to transparency, through words and actions.

1. Work with the Kentucky Attorney General to ensure that the complete investigative findings into the killings of Breonna Taylor, David McAtee and subsequent civil unrest are detailed to the public shortly after the conclusion of the investigation(s). These should include a review of the events, the decisions that led to those events, and a review of policies that need to be changed to ensure those events are never repeated. Allow for a detailed question and answer session by members of the Council and the media.

2. Willingly make available any and all Metro staff and cooperate fully with the Council's investigation.

3. Provide a public accounting of all pending Public Integrity Unit ("PIU") and Professional Standards Unit ("PSU") investigations and ensure their expedient resolution whenever possible.

4. Conduct future press briefings in person to enable unfiltered questioning from the media.

(E) Complete the top to bottom review of the Louisville Metro Police Department (“LMPD”) by 12/31/20. Engage the public in review of policies; personally push state leaders on both sides of the aisle for reforms. Institute policies that change the culture of LMPD, promote community engagement, and support officers who identify and report potential peer misconduct. Include the Council President, Chair and Vice Chair of the Public Safety Committee and one private citizen at large on the hiring committee for the new Police Chief.

(F) Finalize the Fraternal Order of Police (“FOP”) contract by 12/31/20 to ensure Louisville Metro Government can attract and retain the best police officers and hold them fully accountable for their job performance. Institute proactive recruiting practices to ensure the demographic make-up of LMPD represents the diversity of Louisville Metro by 11/1/2022. Create a program to incentivize LMPD officers to live in Jefferson County.

(G) Continue to balance First Amendment rights with a focus on the protection of life and property through improved police training and response.

(H) Immediately develop a plan to improve communications and collaboration with the Council. This includes inclusion in the planning phases of key initiatives, consultation on major personnel decisions, and regular engagement with individual Council members.

(I) Immediately conduct a review of all leadership appointments, including feedback from the Council, and remove and replace those not adequately serving the Louisville Metro Government in a manner that meets expectations by 12/31/2020.

(J) Conduct and publish a study of Metro Government’s employee demographic make-up. Implement proactive processes to recruit and hire new staff that represents the

diversity of Louisville Metro by 12/31/2021. Provide quarterly updates to the Council on progress.

(K) By 12/31/20, develop a plan to significantly enhance Code Enforcement activity by prioritizing high impact areas and proactively searching for and addressing code violations versus being dependent upon resident complaints. Identify additional opportunities to promote cleanliness across the city through implementation of a second impound lot not in West Louisville, additional graffiti abatement, additional enforcement of illegal dumping violations and public private partnerships that promote urban beatification.

(L) Implement programs that prioritize infrastructure spending across the county by need.

(M) With the approval of the Council, hire a Louisville Metro Ombudsman and Community Relations Director to address online complaints, work with social and civic organizations, and collaborate with protestors to establish solutions for addressing perceived or actual injustices. Provide regular engagement with the community and foster connections between the community and division chiefs, public officials and others to discuss key issues and build relationships. Develop an early warning system to escalate concerns within the community that might lead to civil unrest.

(N) Create and hire a director-level position within Louisville Forward with a concentration in economic development within disadvantaged or at-risk areas of the community. Direct Louisville Forward to develop an incentive program to spur investment without displacement in our most impoverished neighborhoods.

SECTION III: The Council stands ready as a co-equal branch of government to work with Mayor Greg Fischer and the Administration to advance these policies for the benefit of all residents of Louisville Metro. Failure to advance these objectives will result in further actions by the Council.

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

Sonya Harward
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: _____
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