RESOLUTION NO. _____, SERIES 2026

A RESOLUTION AMENDING THE LOUISVILLE METRO COUNCIL POLICIES AND PROCEDURES REGARDING IMAGE USAGE AND APPROVAL OF MAILINGS.

SPONSORED BY: COUNCIL MEMBER ACKERSON

WHEREAS, the Louisville Metro Council ("Council") adopted the Metro Council Policies and Procedures ("Policies and Procedures") on March 17, 2003; and

WHEREAS, Council has amended the Policies and Procedures several times with the last revision being made on June 26, 2025; and

WHEREAS, the Council wants to amend its policies and procedures to include information on image usage by Council in their communications; and

WHEREAS, the Council wants to amend its policies and procedures to address the inadvertent deletion in the December 2024 amendments of language regarding approval of district mailings.

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

SECTION I: Section 6 of the Metro Council Policies and Procedures is amended as follows:

SECTION 6. COUNCIL COST CENTERS

The Council has divided a portion of its Fiscal Year Budget into individual Cost Centers for each Council Member. During each fiscal year a member of the Council shall be permitted to expend the sum budgeted for a Council Member's Cost Center for expenses associated with the member's district and/or Council Member's duties. A full ledger of accounts can be obtained from the Council Business Office.

Funds appropriated for each Council Member 's Cost Center are for a fiscal year and will lapse if not expended during the fiscal year. No Council Member shall be entitled to use funds appropriated to the Cost Center of another Council Member even with the consent of the other Council Member.

A budget will be prepared for each Cost Center utilizing object codes provided through the Council Business Office. A Council Member who finds it necessary to transfer monies during the fiscal year between object codes shall make the request in writing to the Council Business Office. Council Members are requested to review the monthly Operating Detail Appropriation Report on Cost Center expenditures to monitor their balances and to make any necessary adjustments in the division of appropriated funds.

A Council Member may not use Cost Center funds for neighborhood projects or to fund outside agencies. Only expenses associated with the administration of their district and/or Council duties or personnel are authorized. However, expenses intended "for and generally associated with maintaining the good will of the government with a community association or civic organization" are permitted. Further, all expenditure requests must satisfy a public purpose. Individual Council Members may transfer funds not used in the Administrative Council budget Cost Center for personnel costs in their Cost Center or other allowable Cost Center expense.

Council Members may transfer NDF funds to their Operating Cost Center account. The ordinance transferring the NDF to Cost Center accounts must contain detail of the amounts being added to each budget line, ie. personnel, printing, mailing, etc. Transferred funds remaining at the close of the fiscal year will be returned to the unappropriated NDF account.

Operating Cost Center funds cannot be transferred to an NDF account.

In the event a new Council Members takes office via election, the Council President will consult with the Council Business Office for an accounting of the residual amount of unappropriated funds on hand in the new Council Members's Cost Center account. If the total residual amount of unappropriated funds in the district's Cost Center account of the Council Members when he or she is sworn into office is $5,000.00 or less, the Council President shall transfer funds, if available, from the Council's General Account to the new Council Members's Cost Center account so that the new balance equals up to $7,500.

If a Council Members's term ends before the completion of the fiscal year, the Council Members must leave at least half of the year's appropriation (i.e. $15,000 in FY 2019) in the Council District's Cost Center funds account. If Cost Center funds have been depleted beyond the aforementioned amount due to exceptional and/or unforeseen circumstances involving a staff person, such as a prolonged leave of absence due to medical leave, military duty, or prolonged jury duty, the Council Members impacted by such circumstances may appear before the Government Oversight, Audit and Ethics Committee to request approval for an exception to this policy.

The use of Cost Center funds are restricted to a public purpose associated with a Council Member's district or Council duties.

Cost center funds may not be spent for any printing for district mailings greater than 200 pieces unless either the Jefferson County Attorney's Office, or an Outside Attorney as

stated in Section 8, has reviewed the mailing to confirm it satisfies a public purpose and has provided written confirmation to the Council District office.

Eligible items or services for purchase include, but are not limited to:

- Community events including advertisement costs of the event and refreshments for attendees
- banquet tickets for a community or civic function, provided that the Council office may only retain up to two (2) tickets for their own use and must return any remainder of tickets to the organization
- Professional services, including retention of legal services
- Administrative support for the Council Member's office
- Training and education costs
- Travel
- Office supplies and office equipment

Ineligible items or services for purchase include, but are not limited to:

- Food and beverage expenses for celebrations such as birthday parties, holiday parties, weddings, bridal and baby showers, and similar functions
- Coffee, water, and other beverages primarily consumed by employees of the Council District Office on a regular basis
- Utensils and related supplies for general department use
- Alcoholic beverage purchases
- Gifts for full-time, part-time, or temporary employees and interns
- Birthday gifts
- Wedding, bridal, and baby shower gifts
- Retirement gifts
- Commemorative coins
- Employee awards exceeding $25
- Funeral flowers or memorial gifts
- Promotional items for employees

Council Members using cost center funds to purchase services must contact the Business Office to process and sign any contracts.

SECTION II: The Council hereby amends its Policies and Procedures manual to replace existing Section 10 as follows, and to renumber all existing sections thereafter as appropriate:

SECTION 10. IMAGE USAGE

Metro Council e-communications, including but not limited to email communications, social media posts and newsletters distributed electronically, often include graphics or pictures.

Metro IT policy expressly prohibits the use of any material pulled from the Internet that is "protected by copyright, patent, trademark, service mark, or trade secret, unless such disclosure is properly authorized and bears the appropriate notations." Use of a legally protected image without proper permission from the owner can expose the user to legal liability. Accordingly, Council Districts must take great care when using images for their communications.

- Council members and staff should assume that **any** image they did not create entirely on their own is copyrighted.

- Do **NOT** pull images directly from the Internet for use in your newsletters or other communications, even if a website bills itself as "free," open source, or suggests their images are in the public domain.

- No copyrighted image should be used for any purpose unless you have either:

    - obtained **express written permission** from the copyright owner to use the image at no cost for that purpose, or

    - paid for the right to use the image (known as obtaining a license) for that purpose.

If an organization sends you an image to use in promoting their event, obtain **express written permission** from the organization before using the image in your communication. (See Attachment M - Sample Permission Form).

Metro Government holds a license for Adobe Stock photos that is available to all Metro users through a self-serve portal. If a Council District wishes to request use of an image, please visit https://helpdesk.louisvilleky.gov/TDClient/30/MTS/Home/?ToUrl= and follow the prompts. For questions, contact the Metro IT service desk at 574-4444.

Additionally, photos taken by police photographers for your events and other images owned by Metro Government are available for your use.

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

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Sonya Harward
Metro Council Clerk

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Brent Ackerson
President of the Council

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Approval Date

APPROVED AS TO FORM:

Michael J. O'Connell
Jefferson County Attorney

By: _____

R-096-26 Amend MC Policies and Procedures – Council Image Usage Policy and Correction on mailer approval– MHH- 7-23-26