



# Louisville Metro Government

## Legislation Details (With Text)

**File #:** O-167-22      **Version:** 2      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 5/9/2022      **In control:** Metro Council

**On agenda:** 11/10/2022      **Final action:** 11/10/2022

**Title:** AN ORDINANCE AMENDING CHAPTER 39 OF THE LOUISVILLE METRO CODE OF ORDINANCES (“LMCO”) TO REQUIRE METRO GOVERNMENT DEPARTMENTS AND AGENCIES RECEIVING FUNDING FROM METRO COUNCIL FOR SPECIFIC PROJECTS TO PAY ANY OVERAGES FROM THE ESTIMATED AMOUNT SUBMITTED IN ITS PROPOSAL.

**Sponsors:** James Peden (R-23)

**Indexes:**

**Code sections:**

**Attachments:** 1. O-167-22 V.2 110222 Metro Depts to Pay Overages of Estimates for Appropriations.pdf, 2. O-167-22 V.1 051922 Metro Depts to Pay Overages of Estimates for Appropriations.pdf, 3. O-167-22 PROPOSED CAM 110222 Metro Depts to Pay Overages of Estimates for Appropriations.pdf, 4. Proposal for Steps to Address Delayed CIF Funded Projects (O-167-22).pdf, 5. ORD 169 2022.pdf

Date	Ver.	Action By	Action	Result
11/10/2022	2	Metro Council	passed	Pass
11/2/2022	1	Appropriations Committee	untabled	
11/2/2022	1	Appropriations Committee	amended	
11/2/2022	1	Appropriations Committee	recommended for approval	Pass
10/19/2022	1	Appropriations Committee	held	
10/5/2022	1	Appropriations Committee	held	
9/14/2022	1	Appropriations Committee		
8/31/2022	1	Appropriations Committee	held	
8/17/2022	1	Appropriations Committee	untabled	
8/17/2022	1	Appropriations Committee	tabled	
8/3/2022	1	Appropriations Committee	untabled	
8/3/2022	1	Appropriations Committee	tabled	
7/20/2022	1	Appropriations Committee	held	
6/15/2022	1	Appropriations Committee	untabled	
6/15/2022	1	Appropriations Committee	tabled	
6/1/2022	1	Appropriations Committee	recommended for approval	
6/1/2022	1	Appropriations Committee	tabled	
5/19/2022	1	Metro Council	assigned	

**ORDINANCE NO. \_\_\_\_\_, SERIES 2022**  
**AN ORDINANCE AMENDING CHAPTER 39 OF THE LOUISVILLE METRO CODE OF ORDINANCES (“LMCO”) TO REQUIRE METRO GOVERNMENT DEPARTMENTS**

**AND AGENCIES RECEIVING FUNDING FROM METRO COUNCIL FOR SPECIFIC PROJECTS TO PAY ANY OVERAGES FROM THE ESTIMATED AMOUNT SUBMITTED IN ITS PROPOSAL (AS AMENDED).**

**SPONSORED BY: COUNCIL MEMBER PEDEN**

**WHEREAS**, Metro Council appropriates funding from Capital Infrastructure Funds (CIF) and Neighborhood Development Funds (NDF) and Council Designated Funds (CDF) to Metro Government departments and agencies to fund specific projects;

**WHEREAS**, Metro Council approves Metro Government's budget every fiscal year which includes items funding specific projects;

**WHEREAS**, Metro Government departments and agencies often present estimates to Metro Council which allow Metro Council to determine the amount of funds to appropriate or approve for each specific project;

**WHEREAS**, if the project is not completed by the Metro Government department or agency in a timely fashion, estimates for a project no longer accurately reflect the cost of implementation of the project; and

**WHEREAS**, Metro Council would like to incentivize the timely commencement of projects which it appropriates or approves funding to a Metro Government department or agency to complete.

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

**SECTION I:** A new section of LMCO is hereby created as follows:

**§ 39.XXX FUNDING APPROPRIATED OR APPROVED BY METRO COUNCIL TO METRO DEPARTMENTS AND AGENCIES.**

(A) If Metro Council appropriates funding to a Metro Government department or agency to complete a specific project based upon an estimate provided by that Metro Government department or agency, the Metro Government department or agency shall be responsible for paying any additional cost above the estimate after the completion of the project with the exception of projects

partially funded with State or Federal Funds.

(B) If Metro Council approves funding in the budget for a Metro Government department or agency to complete a specific project based upon an estimate provided by that Metro Government department or agency, the Metro Government department or agency shall be responsible for paying any additional cost above the estimate after the completion of the project with the exception of projects partially funded with State or Federal Funds.

(C) At the time Metro Government provides project estimates to Metro Council, an estimated start and completion date is also given.

(D) Metro Government will provide quarterly status reports to Metro Council containing, at a minimum, scope changes, expenditures, remaining costs, and expected completion date.

**SECTION II:** This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

\_\_\_\_\_  
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: \_\_\_\_\_