

ORDINANCE NO. 90, SERIES 2009

AN ORDINANCE RELATING TO THE 2009-10 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 2009-10. (AS AMENDED)

Sponsored By: Councilman Jim King

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 (CCRF-CD), the Capital Cumulative Reserve Fund - County Road Aid Funds (CCRF-CRA), the Capital Cumulative Reserve Fund - Municipal Aid (CCRF-MA), the Capital Cumulative Reserve Fund Bond Proceeds (CCRF-BP), from Capital Cumulative Reserve Fund-Previously Authorized Bonds (CCRF-PAB), from the General Expenditure Fund, from State Forfeited Funds, from Agency Receipts (AG. REC.), from American Recovery and Reinvestment Act funds (ARRA), from Federal Transportation Efficiency Act Funds, 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, 2010 and identified below:

METRO COUNCIL

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>	
1	Council Infrastructure Fund	CCRF-CIF	2,600,000	<u>1,600,000</u>
2	<u>District 18 Capital Infrastructure Fund</u>	CCRF-CIF		<u>100,000</u>
3	<u>District 23 Capital Infrastructure Fund</u>	CCRF-CIF		<u>100,000</u>
4	<u>District 25 Capital Infrastructure Fund</u>	CCRF-CIF		<u>100,000</u>
a. <u>CIF Accounts allocations for Fiscal Year 2009-10 shall be reviewed for reductions in January 2010 based on actual revenue versus forecasted revenue.</u>				
5	<u>Metro Council Unnamed Projects</u>	CCRE		<u>1,500,000</u>
a. <u>Includes expected sale of real estate deemed surplus during Fiscal Year 2009-10 but unallocated to other capital projects until this ordinance is amended.</u>				
Total - Metro Council			2,600,000	3,400,000

PUBLIC PROTECTION

A. METRO EMERGENCY MEDICAL SERVICES

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
2	6 LifePak Defibrillators		
	a.	CCRF	198,000
	b.	FEDERAL	792,000
Total - Metro Emergency Medical Services			990,000

B. EMERGENCY MANAGEMENT AGENCY/METROSAFE

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
3	7 Radio Tower Infrastructure	FEDERAL	1,813,800
4	8 MetroSafe Radios and Technology		
	* a.	CCRF-BP	10,500,000
	b.	CCRF-PAB	1,500,000
	c.	STATE	1,000,000
Total - Emergency Management Agency/MetroSafe			14,813,800

C. METRO CORRECTIONS

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
5	9 Tiburon Inmate Management System Upgrade	CCRF	100,000
Total - Metro Corrections			100,000

D. CRIMINAL JUSTICE COMMISSION

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
6	10 Public Protection Wireless Data Network	FEDERAL	1,000,000
7	11 Day Reporting Center & Compliance Technology	ARRA	500,000
8	12 e-Subpoena & Court Notification Technology	ARRA	400,000
Total - Criminal Justice Commission			1,900,000

LOUISVILLE METRO POLICE

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
9	13 Bullet Resistant Vests/Body Armor		
	a.	AG. REC.	141,500
	b.	FEDERAL	800
40	14 In-car Cameras	FEDERAL	331,500
44	15 Personal Computers	STATE	109,300
42	16 In-car Computers	FEDERAL	375,000
43	17 Cars with Equipment	ARRA	4,130,000
44	18 Radio Equipment for Conversion to 800MHz	FEDERAL	183,700
45	19 Port Security Equipment	FEDERAL	353,800
46	20 License Plate Readers	STATE	50,000
47	21 Radar Guns	STATE	49,500
48	22 Professional Standards Unit Move	FEDERAL	44,200
49	23 Portable Breathalyzers	FEDERAL	12,700
20	24 Forfeiture Funds Analyst	STATE	52,000
24	25 Justice Assistance Grant (JAG)	FEDERAL	986,200
Total - Louisville Metro Police			6,820,200

ECONOMIC DEVELOPMENT

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
22	26 PARC Capital Improvements	AG. REC.	10,755,700
23	27 Downtown Infrastructure Improvements		
	a.	FEDERAL	2,400,000
	b.	CCRF-PAB	600,000
24	28 Park DuValle Grocery Building		
	a.	ARRA	3,184,800
	* b.	CCRF-BP	100,000
	c. The \$100,000 CCRF-BP will only be expended if project 28 is at least 30,000 square feet.		
25	29 Energy Efficiency Conservation Block Grant	ARRA	6,000,400
	30 * West Market Street Corridor Renovation	CCRF-BP	1,000,000
	31 Portland Museum	CCRF	10,000
	32 Portland Now	CCRF	20,000
	33 * Baxter/Bardstown Rd	CCRF-BP	35,000
Total - Economic Development			22,940,900
			24,105,900

PARKS & RECREATION

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
26	<u>34</u> Olmsted Parkways Shared-Use Path		
	* a.	CCRF-BP	515,000
	b.	FEDERAL	2,060,000
27	<u>35</u> Parks General Repair		
	a.	CCRF-PAB	475,100
	* b.	CCRF-BP	24,900
28	<u>36</u> Equestrian Improvements at Jefferson Memorial Forest		
	* a.	CCRF-BP	75,000
	b.	STATE	75,000
29	<u>37</u> Ohio River Levee Trail	ARRA	687,500
30	<u>38</u> AB Sawyer Greenway & Connector Trail	ARRA	616,000
	<u>39</u> * Metro Spraygrounds - Long Run & Newburg Parks	CCRF-BP	<u>600,000</u>
	<u>40</u> JCPS/Wellington School Playground	CCRF	<u>20,000</u>
	<u>41</u> Hornbeck Park Fields	CCRF	<u>55,000</u>
	<u>42</u> Sun Valley Community Center Renovation	CCRF	<u>10,000</u>
	<u>43</u> Wyandotte Park Master Plan Implementation	CCRF	<u>55,000</u>
	<u>44</u> Hayes-Kennedy Park/Locust Grove Improvements	CCRF	<u>80,000</u>
	<u>45</u> District 11 Raptor Rehab Project	CCRF-CIF	<u>170,000</u>
Total - Parks & Recreation			<u>4,528,500</u> <u>5,518,500</u>

HOUSING & FAMILY SERVICES

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
34	<u>46</u> Neighborhood Stabilization		
	a.	CCRF-CD	1,900,000
	b.	FEDERAL	1,570,000
32	<u>47</u> Emergency Shelter Grant (ESG)	FEDERAL	498,800
33	<u>48</u> Newburg Individual Development Accounts Grant Match	CCRF-CD	20,000
34	<u>49</u> Housing Opportunities for Persons With Aids (HOPWA)	FEDERAL	465,600
35	<u>50</u> Shelter Plus Care Program	FEDERAL	1,693,000
36	<u>51</u> Weatherization Program		
	a.	ARRA	4,849,900
	b.	CCRF-CD	425,000
	c.	FEDERAL	1,070,000
37	<u>52</u> American Dream Downpayment Initiative	FEDERAL	29,500
38	<u>53</u> Housing Rehabilitation	CCRF-CD	2,427,000
39	<u>54</u> HOME Investment Partnership Program	FEDERAL	3,337,800
40	<u>55</u> Tenant Based Rental Assistance	FEDERAL	600,000
	<u>56</u> Neighborhood House Debt Principal Payment	CCRF	<u>50,000</u>
Total - Housing & Family Services			<u>48,886,600</u> <u>18,936,600</u>

NEIGHBORHOODS

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
57	<u>District 11 Beautification & Public Enhancement Projects</u>	CCRF-CIF	25,000
Total - Neighborhoods			25,000

PUBLIC WORKS & ASSETS

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
41	<u>58</u> Bicycle Priority Corridors - River Road Phase IV		
	* a.	CCRF-BP	243,500
	b.	FEDERAL	973,900
42	<u>59</u> Metro Street Improvements		
	a.	CCRF-MA	2,010,600
	b.	ARRA	5,500,000
	c.	CCRF-CD	160,600
43	<u>60</u> LaGrange Road Bicycle and Pedestrian Improvements Phase I		
	a.	CCRF	7,000
	b.	FEDERAL	1,028,000
44	<u>61</u> KIPDA Pedway Program		
	a.	CCRF	20,800
	b.	STATE	83,200
45	<u>62</u> Bicycle Facilities Striping & Signage		
	a.	CCRF	31,300
	b.	FEDERAL	125,000
46	<u>63</u> Bicycle & Pedestrian Education, Encouragement, Enforcement & Evaluation		
	a.	CCRF	25,000
	b.	STATE	100,000
47	<u>64</u> Metro-wide Thoroughfare Plan Update		
	* a.	CCRF-BP	50,000
	b.	STATE	200,000
48	<u>65</u> Bicycle Facilities Striping & Signage - River Road Scenic Byway		
	a.	CCRF	62,500
	b.	FEDERAL	250,000
49	<u>66</u> Pedestrian Signals for the Visually Impaired		
	a.	CCRF	47,200
	b.	ADF	52,800
50	<u>67</u> Seneca Loop	ARRA	988,400
51	<u>68</u> * Traffic Signals	CCRF-BP	100,000
52	<u>69</u> Metro-wide Traffic Signal System - Upgrade and Operation		
	a.	CCRF-MA	9,000
	b.	FEDERAL	91,000
53	<u>70</u> New Sidewalks	ARRA	4,950,000
54	<u>71</u> Intermodal Transit Center		
	* a.	CCRF-BP	26,000
	b.	ARRA	1,856,000
	c.	STATE	104,000
55	<u>72</u> Safety Improvements Along Metro Rural Roads	CCRF-CRA	439,100
56	<u>73</u> Signs and Markings Material	CCRF-MA	500,000
57	<u>74</u> Bridge and Cross Drain Repair and Replacement	CCRF-CRA	525,000
58	<u>75</u> * Facilities General Repair	CCRF-BP	500,000

59	<u>76</u>	Metro Curb Replacement Program	ARRA	2,200,000
60	<u>77</u>	Guardrail Projects	CCRF-CRA	189,000
64	<u>78</u>	Bicycle & Pedestrian Access Improvements Along Corridors	ARRA	88,000
62	<u>79</u>	Old Brownsboro Road & Various Sidewalks	ARRA	283,300
63	<u>80</u>	Traffic Signal Synchronization		
	a.		ARRA	1,000,000
	b.		STATE	640,000
	c.		FEDERAL	4,000,000
64	<u>81</u>	Litter Abatement Project	STATE	367,600
	<u>82</u>	<u>COOL Streetscape- West Broadway</u>	CCRF	75,000
	<u>83</u>	* <u>Intersection Modification</u>	CCRF-BP	800,000
	a.	<u>For projects in Districts 7, 11, 16, 17, 18, 19, 20, 22, 23, and 25 only.</u>		
		<u>Individual projects in excess of \$80,000 must be funded by the Council member.</u>		
	<u>84</u>	* <u>Hubbards Lane Sidewalk Project</u>	CCRF-BP	200,000
	<u>85</u>	<u>MSD/Algonquin Parkway</u>	CCRF	50,000
	<u>86</u>	<u>District 8 Stump Grinding and Tree Replacement</u>	CCRF	15,000
	<u>87</u>	* <u>Drescher Bridge</u>	CCRF-BP	50,000
	<u>88</u>	<u>Nightingale Apartment Project</u>	CCRF	50,000
	<u>89</u>	* <u>Blanton Lane Turn Lane</u>	CCRF-BP	50,000
	<u>90</u>	* <u>Farnsley Moreman Chapel Renovation</u>	CCRF-BP	40,000
	<u>91</u>	<u>Sidewalk Installation, Repair & SpeedHumps for District 18</u>	CCRF-CIF	50,000
	<u>92</u>	<u>MET, Shared-use Path on S side of Shelbyville Rd</u>		
	* a.		CCRF-BP	110,000
	b.		CCRF	10,000
	<u>93</u>	* <u>Southland BLVD Sidewalks</u>	CCRF-BP	50,000
	<u>94</u>	<u>Street Paving in District 25</u>	CCRF-CIF	50,000
	<u>95</u>	<u>District 24 Projects</u>	CCRF	50,000
	<u>96</u>	* <u>Sidewalks on Winchester Rd</u>	CCRF-BP	50,000
	<u>97</u>	* <u>Aiken Road Safety Project & Improvements</u>	CCRF-BP	100,000
	<u>98</u>	<u>Fairdale Village Plan</u>	CCRF	500,000
	a.	<u>This project will be funded from the proceeds of the sale of the 400 S 1st St. building (see project 5). The remaining expected sale proceeds will be reserved to future library projects.</u>		
	<u>99</u>	* <u>Farnsley Moreman Improvements</u>	CCRF-BP	700,000
	<u>100</u>	<u>Sidewalk & Speed hump Installation & Repair D11</u>	CCRF-CIF	25,000
	<u>101</u>	<u>Road, Sidewalk & Speedhump Installation & Repair D17</u>		
	a.		CCRF	150,000
	b.		CCRF-CIF	30,000
	<u>102</u>	<u>Right of Way Fund for Gene Snyder Access D20</u>	CCRF-CIF	75,000
	<u>103</u>	<u>Sidewalk & Speed hump Installation & Repair D20</u>	CCRF-CIF	100,000
	<u>104</u>	<u>Sidewalk & Speed hump Installation & Repair D22</u>	CCRF-CIF	175,000
	<u>105</u>	<u>Fegenbush Lane Sidewalk Project D22</u>	CCRF	50,000
Total - Public Works & Assets				29,827,800
				33,432,800

TECHNOLOGY SERVICES

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
65 <u>106</u>	MIDAS Upgrade		
	a.	CCRF	1,000,000
	b.	AG. REC.	1,000,000
Total - Technology Services			2,000,000

OFFICE OF MANAGEMENT & BUDGET

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
66 107	LeAP System Enhancements/Imaging	CCRF	600,000
Total - Office of Management & Budget			600,000

RELATED AGENCIES

A. TRANSIT AUTHORITY OF RIVER CITY (TARC)

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
67 108	General Capital Improvements		
	a.	ARRA	18,142,200
	b.	MTTF	3,932,000
Total - Transit Authority of River City (TARC)			22,074,200

B. LOUISVILLE ZOO

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
68 109	Glacier Run		
	* a.	CCRF-BP	900,000
	b. <u>The Mayor of Louisville Metro is authorized to provide a Metro guarantee for up to \$3 million in debt to be borrowed by the Zoo Foundation, Inc.</u>		
Total - Louisville Zoo			900,000

C. WATERFRONT DEVELOPMENT CORPORATION

110 *	Riverview Park	CCRF-BP	700,000
Total - Waterfront Development Corporation			700,000

LEGEND

PART I.

APPROPRIATIONS/AUTHORIZATIONS

ADF	- State Area Development Funds
AG. REC.	- Agency Receipts
ARRA	- American Recovery and Reinvestment Act Stimulus Funds
CCRF	- Capital Cumulative Reserve Fund
CCRF-BP	- Capital Cumulative Reserve Fund-Bond Proceeds
CCRF-CD	- Capital Cumulative Reserve Fund-Community Development
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
CCRF-PAB	- Capital Cumulative Reserve Fund-Previously Approved Bond
FEDERAL	- Federal Funds
MTTF	- Mass Transit Trust Fund
STATE	- State Funds

PART II.

GENERAL PROVISIONS

- A. All appropriations which involve State Area Development Funds are contingent upon KIPDA approval.
- B. The Director of Office of Management & Budget may increase any project, authorized by this ordinance, by up to ten 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.
- C. 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 Director of Office of Management & Budget and approval of the Mayor provided, however, overall project scope shall not be significantly changed without Metro Council approval.
- D. Upon project completion, as determined by the Director of Office of Management & Budget, 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.
- E. The funds collected pursuant to Ordinance 66, Series 2006 pertaining to the System Development Charges for Roadways may be transferred as necessary into the Debt Service reserve fund for debt service payments per Ordinance 45, Series 2008. Funds collected in excess of the annual debt service will be restricted for future bond or road development in accordance with the System Development Charge Ordinance.
- F. System Development charges collected, matching Louisville Metro funds, and/or bond proceeds will be spent on improvements to designated public roadways within the Transportation Benefit Districts in the approximate proportion to the funds collected by Zone.

~~F-G.~~ Included in the Capital Fund appropriations listed herein are funds totaling ~~\$3,589,000- \$5,089,000~~ from the following sources: ~~\$500,000 \$2,000,000~~ from the sale of surplus properties including 400 S 1st St. to be placed for sale by August 1, 2009; \$360,000 from interest related to the Capital Cumulative Reserve Fund; \$1,975,100 of unallocated bond construction proceeds; \$500,000 in the bond reserve fund at the Revenue Commission held for restricted debt service for Louisville Metro Government; approximately \$85,300 identified as unexpended funds from the City of Louisville General Obligation Bond and Note funds ("Bond Fund" on page 83 of the FY08 Comprehensive Annual Financial Report); and approximately \$168,600 identified as unexpended funds from the Revenue Finance Corporation ("Revenue Finance Corporation" on page 83 of the FY08 Comprehensive Annual Financial Report).

~~G-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 Director of Office of Management & Budget 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.

~~H-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. Except for the \$2,000,000 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.~~

~~I-J.~~ Contracts - Appropriations in the Fiscal Year 2009-10 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 2009-10 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 six weeks after each quarter ending September 30, December 31, March 31 and June 30.

~~L.~~ The Louisville Metro Mayor, or his designee, shall seek proposals from qualified financing, risk management, or investment firms to assess and report to the Metro Council the utility, valuation, and marketability of Metro Government's infrastructure assets that generate gross revenues equal to or in excess of \$500,000 annually.

~~M.~~ The Louisville Metro Mayor, or his designee, shall recommend \$1 million of CCRF projects previously appropriated to be reallocated by the Council to other projects during Fiscal Year 2009-10 through a budget amendment.

~~N.~~ To the extent revenues exceed the revenue forecast presented on June 2, 2009, all Fiscal Year 2009 capital projects delayed or cancelled as a result of the fiscal 2009 spending restrictions shall be completed with those funds.

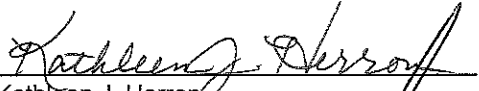
~~O.~~ Re title CCRF project #168154, Parks Land Acquisition, previously appropriated to as follows: Waterfront Development Corp for Riverview Park Master Plan Implementation \$741,000; Public Works for Farnsley Moreman \$700,000.

P. O.

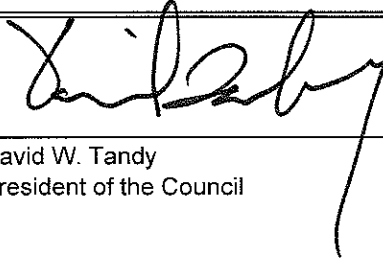
Traffic studies and other contracted engineering services, funded by general fund, not essential to safety that are budgeted but not yet begun by Public Works and Assets or Parks and Recreation shall be deferred until the third quarter of the Fiscal Year.

PART III.

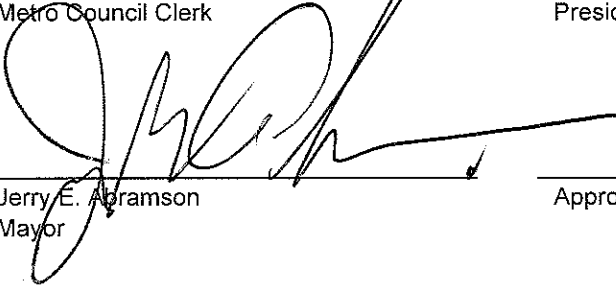
Except as provided otherwise herein, this ordinance shall take effect upon passage and approval.



Kathleen J. Herron
Metro Council Clerk



David W. Tandy
President of the Council

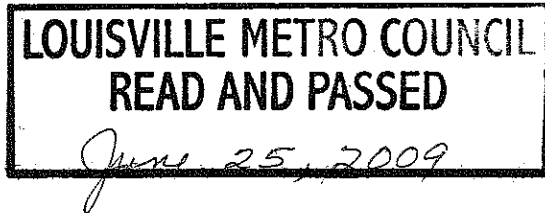


Jerry E. Abramson
Mayor

6-30-09
Approval Date

APPROVED AS TO FORM AND LEGALITY:

MICHAEL J. O'CONNELL
JEFFERSON COUNTY ATTORNEY



BY: 