

ORDINANCE NO. 111, SERIES 2008

AN ORDINANCE RELATING TO THE 2008-09 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 2008-09 (AS AMENDED).

Sponsored By: Councilwoman Hamilton

BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

PART I.

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), the Capital Cumulative Reserve Fund - Prior Bond Proceeds (CCRF-PBP), the Capital Cumulative Reserve Fund-Carry forward (CCRF-CF), the Capital Cumulative Reserve Fund - Capital Infrastructure Fund (CCRF-CIF), from State Road (STATE RD.) Funds, from the General Expenditure Fund, from State Forfeited Funds, from Agency Receipts (AG. REC.), the Mass Transit Trust Fund (MTTF), State Area Development Funds (ADF), 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, 2009 and identified below:

METRO COUNCIL

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>	
1	Council Infrastructure Fund	CCRF	2,600,000	<u>0</u>
2	1 Council Chamber Cameras	CCRF	45,000	
	2 District 1 Capital Infrastructure Fund	CCRF-CIF	100,000	
	3 District 2 Capital Infrastructure Fund	CCRF-CIF	100,000	
	4 District 3 Capital Infrastructure Fund	CCRF-CIF	100,000	
	5 District 4 Capital Infrastructure Fund	CCRF-CIF	100,000	
	6 District 5 Capital Infrastructure Fund	CCRF-CIF	100,000	
	7 District 6 Capital Infrastructure Fund	CCRF-CIF	100,000	
	8 District 8 Capital Infrastructure Fund	CCRF-CIF	100,000	
	9 District 9 Capital Infrastructure Fund	CCRF-CIF	100,000	
	10 District 10 Capital Infrastructure Fund	CCRF-CIF	100,000	
	11 District 12 Capital Infrastructure Fund	CCRF-CIF	100,000	
	12 District 13 Capital Infrastructure Fund	CCRF-CIF	100,000	
	13 District 14 Capital Infrastructure Fund	CCRF-CIF	100,000	
	14 District 15 Capital Infrastructure Fund	CCRF-CIF	100,000	
	15 District 21 Capital Infrastructure Fund	CCRF-CIF	100,000	
	16 District 23 Capital Infrastructure Fund	CCRF-CIF	100,000	
	17 District 24 Capital Infrastructure Fund	CCRF-CIF	100,000	
	18 District 25 Capital Infrastructure Fund	CCRF-CIF	100,000	
Total - Metro Council			2,645,000	<u>1,745,000</u>

PUBLIC PROTECTION

A. LOUISVILLE FIRE

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
3	19 Fire Rescue Boat	FEDERAL	225,000
4	20 * Firehouse Modernization- Ashland Avenue	CCRF-BP	4,000,000
5	21 Rescue Watercraft	FEDERAL	65,000
6	22 Water Rescue Equipment	FEDERAL	50,000
7	23 Incident Command Personnel Tracking System		
	a.	CCRF	122,000
	b.	FEDERAL	488,000
Total - Louisville Fire			4,950,000

B. METRO EMERGENCY MEDICAL SERVICES

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
8	24 Lifepak Upgrade	ADF	32,000
9	25 Biphasic AEDs	ADF	20,000
Total - Metro Emergency Medical Services			52,000

C. EMERGENCY MANAGEMENT AGENCY/METROSAFE

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
10 26	MetroSafe Phase III		
	* a.	CCRF-BP	12,692,900
	b.	AG. REC.	3,284,000
Total - Emergency Management Agency/MetroSafe			15,976,900

D. METRO ANIMAL SERVICES

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
44 27	Newburg Metro Animal Services Facility		
	* a.	CCRF-BP	850,000
	b.	AG. REC.	600,000
Total - Metro Animal Services			1,450,000

E. CRIMINAL JUSTICE COMMISSION

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
28	Lake Dreamland Firefighter Equipment D1	CCRF	10,000
Total - Criminal Justice Commission			10,000

LOUISVILLE METRO POLICE

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
42 29	Body Armor & Reflective Vests		
	a.	ADF	63,900
	b.	FEDERAL	1,500
43 30	In-car Camera Server Expansion	STATE	300,000
44 31	In-car Cameras	STATE	250,000
45 32	Mobile Data Terminals		
	a.	FEDERAL	742,600
	b.	STATE	136,000
46 33	Forfeited Funds Projects	STATE	52,000
47 34	Port Security		
	a.	CCRF	68,000
	b.	FEDERAL	200,000
Total - Louisville Metro Police			1,814,000

ECONOMIC DEVELOPMENT

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>	
18	<u>35</u> * Downtown Land Acquisition	CCRF-BP	17,615,000	
19	<u>36</u> Slugger Field Upgrades			
	<u>a.</u>	CCRF	300,000	<u>0</u>
	<u>b.</u>	PR.DON.	300,000	
	* <u>c.</u>	CCRF-BP	700,000	
	<u>d. The private donation shall be provided by the Downtown Development Corporation during 2009 on a schedule consistent with the performance of the planned work at Slugger Field.</u>			
20	<u>37</u> COOL Infrastructure & Corridor Improvement Program	CCRF	225,000	
21	<u>38</u> Poplar Level Corridor Streetscape			
	<u>a.</u>	CCRF	25,000	<u>50,000</u>
	<u>b.</u>	NDF	25,000	<u>0</u>
22	<u>39</u> West Market Steetscape and Infrastructure			
	<u>a.</u>	CCRF	25,000	<u>50,000</u>
	<u>b.</u>	NDF	25,000	<u>0</u>
23	<u>40</u> Bardstown Road Streetscape			
	<u>a.</u>	CCRF	25,000	<u>100,000</u>
	<u>b.</u>	NDF	25,000	<u>0</u>
24	<u>41</u> Preston Corridor Improvements			
	<u>a.</u>	CCRF	25,000	<u>50,000</u>
	<u>b.</u>	NDF	25,000	<u>0</u>
25	<u>42</u> University Corridor			
	<u>a.</u>	CCRF	25,000	<u>100,000</u>
	<u>b.</u>	NDF	25,000	<u>0</u>
26	<u>43</u> Preston Highway Streetscape			
	<u>a.</u>	CCRF	25,000	<u>50,000</u>
	<u>b.</u>	NDF	25,000	<u>0</u>
	<u>44</u> Street Furniture for Brownsboro Rd D9	CCRF	30,000	
	<u>45</u> Bardstown Road (Buechel Area) Streetscape	CCRF	60,000	
	<u>46</u> Shelbyville Road Beautification Project	CCRF-CIF	100,000	
Total - Economic Development			18,440,000	19,430,000

CODES & REGULATION

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>	
27	Master Plan for Clifton Heights Greenway			
	<u>a.</u>	CCRF	25,000	<u>0</u>
	<u>b.</u>	NDF	25,000	<u>0</u>
Total - Codes & Regulations			50,000	0

PARKS & RECREATION

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>	
28	<u>47</u> Louisville Loop-Northeast Trail Commons			
	a.	CCRF	160,000	
	b.	FEDERAL	800,000	
29	<u>48</u> Olmsted Parkway Multi-use Path			
	a.	CCRF	318,800	
	b.	FEDERAL	1,525,200	
30	<u>49</u> General Repair	CCRF	500,000	
34	<u>50</u> Starfish	CCRF	90,000	
32	<u>51</u> Byck Playground Equipment and Garden			
	a.	CCRF	25,000	<u>30,000</u>
	b-	NDF	5,000	<u>0</u>
33	St. George Community Center			
	a-	CCRF	25,000	<u>0</u>
	b-	NDF	25,000	<u>0</u>
34	<u>52</u> Central Park Tennis Court Lighting			
	a.	CCRF	25,000	<u>100,000</u>
	b-	NDF	25,000	<u>0</u>
35	<u>53</u> Camp Taylor Park Improvements			
	a.	CCRF	25,000	<u>50,000</u>
	b-	NDF	25,000	<u>0</u>
36	<u>54</u> Buechel Park Master Plan Implementation			
	a.	CCRF	25,000	<u>140,000</u>
	b-	NDF	25,000	<u>0</u>
37	<u>55</u> Charlie Vettiner Ballfields <u>Park Improvements</u>			
	a.	CCRF	25,000	<u>240,000</u>
	b-	NDF	25,000	<u>0</u>
38	<u>56</u> Highview Park Electrical Service Extensions			
	a.	CCRF	25,000	<u>50,000</u>
	b-	NDF	25,000	<u>0</u>
39	<u>57</u> Okolona Park Improvements	CCRF	10,000	
40	<u>58</u> Blue Lick Park Improvements			
	a.	CCRF	15,000	<u>25,000</u>
	b-	NDF	40,000	<u>0</u>
44	<u>59</u> Preston Park Improvements			
	a.	CCRF	25,000	<u>50,000</u>
	b-	NDF	25,000	<u>0</u>
60	<u>Master Plan for Clifton Heights Greenway</u>	CCRF	50,000	
61	* <u>Aquatic Facilities</u>			
	a.	CCRF-BP	600,000	
	b.	<u>Before the \$600,000 is spent with respect to Breslin and Shelby Park, the Parks Department shall submit the plan for approval to the Metro Council.</u>		
62	* <u>Algonquin Pavilion/Entrance</u>	CCRF-BP	100,000	
63	<u>Emerson Gardens Park D10</u>	CCRF	50,000	
64	<u>Foster Elementary Playground D1</u>	CCRF	25,000	
65	<u>Creason Benches</u>	CCRF	9,000	
66	<u>Hornbeck Park Skate Facility D13</u>	CCRF	40,000	
67	<u>Wyandotte Park D15</u>	CCRF	50,000	
68	<u>Bobby Nichols Golf Net</u>	CCRF	50,000	
69	<u>Fisherman's Park Improvement</u>	CCRF	90,000	

<u>70</u>	<u>Berrytown Community Center Improvements</u>	<u>CCRF</u>	<u>10,000</u>
<u>71</u>	<u>McNeely Lake Park</u>	<u>CCRF</u>	<u>75,000</u>
<u>72</u>	<u>Waverly Park Improvements</u>	<u>CCRF</u>	<u>25,000</u>
<u>73</u>	<u>Farnsley Park</u>	<u>CCRF</u>	<u>90,000</u>
<u>74</u>	<u>AB Sawyer Greenway Trail</u>	<u>CCRF-CIF</u>	<u>100,000</u>

Total - Parks & Recreation

3,809,000

5,453,000

HOUSING & FAMILY SERVICES

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>	
42 <u>75</u>	Liberty Green HOPE VI Project	CCRF-CD	1,629,800	
43 <u>76</u>	Lead Safe Louisville	CCRF-CD	77,200	
44 <u>77</u>	Newburg Weed and Seed	CCRF-CD	40,000	
45 <u>78</u>	Weatherization Program	FEDERAL	700,000	
46 <u>79</u>	Housing Opportunities for Persons With Aids (HOPWA)	FEDERAL	476,000	
47 <u>80</u>	American Dream Downpayment Initiative	FEDERAL	29,500	
48 <u>81</u>	Emergency Shelter Grant	FEDERAL	524,500	
49 <u>82</u>	Housing Rehabilitation			
	a.	CCRF-CD	1,900,000	
	b.	FEDERAL	1,000,000	
50 <u>83</u>	HOME Investment Partnership Program			
	a.	CCRF	680,600	
	b.	FEDERAL	2,600,700	
51 <u>84</u>	Vacant Properties Program	CCRF	200,000	
52 <u>85</u>	African American Heritage Center			
	a.	CCRF-CD	500,000	
	b.	STATE	5,500,000	
53 <u>86</u>	Salvation Army/Kroc Center	CCRF-CD	250,000	
54 <u>87</u>	Presbyterian Community Center			
	a.	CCRF	25,000	<u>100,000</u>
	b.	NDF	25,000	<u>0</u>
<u>88</u>	<u>Faith Chapel D1</u>	<u>CCRF</u>	<u>40,000</u>	
<u>89</u>	<u>First Congregational Church D1</u>	<u>CCRF</u>	<u>15,000</u>	
<u>90</u>	<u>Portland Gateway Project D5</u>	<u>CCRF</u>	<u>50,000</u>	
<u>91</u>	<u>Neighborhood House Capital</u>	<u>CCRF</u>	<u>250,000</u>	

A. During Fiscal Year 2008-2009, the Oversight of Government Accountability and Audit Committee will hold hearings on the status of previous HUD and CDBG awards.

Total - Housing & Family Services

46,158,300

16,563,300

PUBLIC HEALTH & WELLNESS

55 <u>92</u>	Mobile Dental Health Unit	FEDERAL	238,800
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Total - Public Health & Wellness

238,800

NEIGHBORHOODS

93	<u>Central High School JCPS Locker Room D1</u>	<u>CCRF</u>	<u>15,000</u>
Total - Neighborhoods			<u>15,000</u>

PUBLIC WORKS & ASSETS

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
56	<u>94</u> Metro Street Improvements		
	a.	CCRF	199,000
	b.	CCRF-MA	3,251,000
	c.	CCRF-CRA	750,000
	d.	CCRF-CD	300,000
57	<u>95</u> Alley Improvements	CCRF	150,000
	<u>a. For a district specific alley paving project, each Council District must match the requested funding from this project with its District funds. The total eligible for a match from these project funds for each district shall not exceed \$10,000.</u>		
58	<u>96</u> Bicycle & Pedestrian Improvements - Seneca Loop East		
	a.	CCRF	48,000
	b.	FEDERAL	192,000
59	<u>97</u> Bicycle Priority Corridors - River Road	STATE	500,000
60	<u>98</u> K & I Bicycle Bridge		
	a.	CCRF	62,500
	b.	FEDERAL	250,000
61	<u>99</u> KIPDA Pedway Program		
	a.	CCRF	20,000
	b.	STATE	80,000
62	<u>100</u> Bicycle & Pedestrian Improvements - U of L		
	a.	CCRF	48,000
	b.	FEDERAL	192,000
63	<u>101</u> Bicycle Facilities Striping & Signage		
		CCRF	31,300
		FEDERAL	125,000
64	<u>102</u> Bicycle & Pedestrian Outreach		
	a.	CCRF	20,000
	b.	FEDERAL	80,000
65	<u>103</u> Cooper Chapel Phase I		
	a.	CCRF-MA	500,000
	b.	STATE	4,000,000
66	<u>104</u> River Road Widening (Beargrass to Zorn)	FEDERAL	3,200,000
67	<u>105</u> Metro-wide Traffic Signal System - Upgrade and Operation		
	a.	STATE	9,000
	b.	FEDERAL	91,000
68	<u>106</u> School Zone Flashing Beacon Installation	CCRF	100,000
69	<u>107</u> Riverwalk General Construction	CCRF	50,000
70	<u>108</u> Ohio River Levee Trail		
	a.	CCRF	100,000
	b.	FEDERAL	88,000
	c.	STATE	500,000

71	<u>109</u>	Metro Street Tree Maintenance Program	CCRF-CD	75,000	
72	<u>110</u>	Metro Sidewalk Construction and Repair Program	CCRF	200,000	
73	<u>111</u>	Metro Street Tree Planting Program	CCRF-CD	75,000	
74	<u>112</u>	Signs and Marking Material	CCRF-MA	500,000	
75	<u>113</u>	Safety Improvements Along Metro Rural Roads			
		a.	CCRF-MA	310,000	
		b.	CCRF-CRA	215,000	
76	<u>114</u>	Bridge and Cross Drain Repair and Replacement			
		a.	CCRF-MA	310,000	
		b.	CCRF-CRA	215,000	
77	<u>115</u>	Fairdale Village Plan			
		a.	CCRF	25,000	<u>100,000</u>
		b.	NDF	25,000	<u>0</u>
78	<u>116</u>	Johnsontown Road Sidewalk Project			
		a.	CCRF	25,000	<u>150,000</u>
		b.	NDF	25,000	<u>0</u>
	<u>117</u>	Eastern Parkway Median Restoration D8	CCRF	50,000	
	<u>118</u>	Two Street Conversion Old Louisville D6	CCRF	100,000	
	<u>119</u>	Preston Park Traffic Light D21	CCRF	50,000	
	<u>120</u>	Intersection Modifications	CCRF	250,000	
		a. For a district specific intersection modification project, the Council District must fund the cost in excess of \$50,000.			
	<u>121</u>	LaGrange Road Quiet Zone	CCRF	304,000	
	<u>122</u>	Bike Lanes for Whipps Mill Rd	CCRF	100,000	
	<u>123</u>	Intersection Street Signs	CCRF	51,000	
	<u>124</u>	Brownsboro Rd Safety Project and Sidewalks	CCRF-CIF	200,000	
	<u>125</u>	Taylorsville Road Sidewalk	CCRF-CIF	70,000	
	<u>126</u>	Sidewalk Projects D16	CCRF-CIF	150,000	
	<u>127</u>	LaGrange Rd & Whipps Mill Improvements	CCRF-CIF	70,000	
	<u>128</u>	Bardstown Road Sidewalk Projects	CCRF-CIF	100,000	
	<u>129</u>	Entrance Signs, Mailboxes, Beautification D26	CCRF-CIF	60,000	
	<u>130</u>	Sidewalks and Curbing D26	CCRF-CIF	50,000	
Total - Public Works & Assets				46,936,800	<u>18,691,800</u>

TECHNOLOGY SERVICES

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
79	<u>131</u>	MIDAS Upgrade	
		a.	CCRF 1,000,000
		b.	AG. REC. 1,000,000
80	<u>132</u>	Voicemail Replacement	CCRF 175,000
Total - Technology Services			2,175,000

FINANCE & ADMINISTRATION

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
81 133	Financial System (LeAP) Upgrade	CCRF	400,000
134	Connect Kentucky	CCRF	40,000
Total - Finance & Administration			440,000

RELATED AGENCIES

A. Louisville Free Public Library

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
135 *	Library Planning	CCRF-BP	750,000
82 136	Newburg Library Branch		
	a.	CCRF-PBP	1,000,000
	* b.	CCRF-BP	500,000
	c. <u>A revised Master Plan for the Library shall be provided to the Metro Council by December 31, 2008; however, a status report shall be delivered to Metro Council by October 31, 2008.</u>		
Total - Louisville Free Public Library			1,000,000
			2,250,000

B. Waterfront Development Corporation

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
83 137	Riverview Park Redevelopment		
	a.	CCRF	100,000
	* b.	CCRF-BP	600,000
84 138	Waterfront Park Phase III	CCRF	400,000
Total - Waterfront Development Corporation			500,000
			1,100,000

C. Louisville Zoo

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
85 139	Glacier Run		
	* a.	CCRF-BP	900,000
	b.	PR. DON.	1,500,000
	c. <u>Ordinance No. 126, Series 2007, Part I, Related Agencies, C. Louisville Zoo, Project 168, Glacier Run, Section a. is hereby amended to remove the restriction on \$3,000,000 of bond funding that was contingent upon receipt of \$6,000,000 in State funds for the project.</u>		
Total - Louisville Zoo			2,400,000

D. Transit Authority of River City (TARC)

<u>Number</u>	<u>Project Title</u>	<u>Fund</u>	<u>Amount</u>
86 140	General Capital Improvements	MTTF	2,614,100
Total - Transit Authority of River City (TARC)			2,614,100

LEGEND

PART I

APPROPRIATIONS/AUTHORIZATIONS

ADF	- State Area Development Funds
AG. REC.	- Agency Receipts
CCRF	- Capital Cumulative Reserve Fund
<u>CCRF-CIF</u>	- <u>Capital Cumulative Reserve Fund-Capital Infrastructure Fund</u>
CCRF-BP	- Capital Cumulative Reserve Fund-Bond Proceeds
CCRF-PBP	- Capital Cumulative Reserve Fund-Prior Bond Proceeds
CCRF-CD	- Capital Cumulative Reserve Fund-Community Development
CCRF-CRA	- Capital Cumulative Reserve Fund-County Road Aid Funds
CCRF-MA	- Capital Cumulative Reserve Fund-Municipal Road Aid Funds
FEDERAL	- Federal Funds
MTTF	- Mass Transit Trust Fund
NDF	- Neighborhood Development Funds
PR.DON.	- Private Donations
STATE	- State Funds

PART II

GENERAL PROVISIONS

- A. All appropriations which involve State Area Development Funds are contingent upon KIPDA approval.
- B. The Chief Financial Officer 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 added by a Council Member's Capital Infrastructure Fund.

- 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 Chief Financial Officer 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 Chief Financial Officer, any unexpended funds shall lapse to the fund from which they were appropriated; however, all unused allocations from Capital Infrastructure Fund projects are to be returned to the Council Member's unallocated Capital Infrastructure Fund.
- E. The amount of \$839,700 is authorized to be transferred from the City Equipment Replacement Fund to the Fire Equipment Replacement Fund.
- F. 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.
- G. 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 amount proportion to the funds collected by District Zone.
- H. The Chief Financial Officer may use proceeds from the financing authorized by Ordinance 45, Series 2008 for projects bearing an asterisk in the event projects currently approved for funding through such Ordinance are not currently prepared to move forward, with the exception of any land purchases related to the City Center Development.
- I. 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 Chief Financial Officer 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.

- J. ~~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 \$250,000 in revenue assumed in this ordinance from the sale of real property, all proceeds from the sale of such 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 the annual capital or operating budget.
- K. Contracts - Appropriations in the Fiscal Year 2008-09 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 2008-09 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.
- L. 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.
- M. Those pay-go capital projects included in this capital budget shall not be effectuated unless the State Legislature approves a revision to the CERS that results in a savings to Metro Louisville of at least \$3 million in Fiscal Year 2008-2009.

PART III.

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

Kathleen J. Herron

Kathleen J. Herron
Metro Council Clerk

Jim King

Jim King
President of the Council

Jerry E. Abramson

Jerry E. Abramson
Mayor

7-1-08

Approval Date

APPROVED AS TO FORM AND LEGALITY:

IRV MAZE
JEFFERSON COUNTY ATTORNEY



BY: *Walter P. Brown*