As of
March 2016

Louisville Metro Council Policies and Procedures

Louisville Metro Council Policies and Procedures are designed to give guidance in a wide variety of areas necessary to administer the Offices of Metro Council Members

Louisville Metro Government

LOUISVILLE METRO COUNCIL POLICIES AND PROCEDURES

METRO COUNCIL
POLICIES & PROCEDURES
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Introduction. These policies and procedures are reviewed on a bi-annual basis to ensure compliance with current practices and review of needed changes.

All Council employees with spending authority, including elected Council members and their staff members, review these Council Policies and Procedures and sign an attestation form on an annual basis signifying that they have read and understand the policies and procedures and that they understand all district offices are required to adhere to these procedures.

Section 1. DRAFTING OF ORDINANCES, RESOLUTIONS, CONTRACTS AND LEASES

See also Council Rules, Section 6, Procedures for Introduction of Ordinances and Resolutions.

The Clerk of the Council shall receive all ordinances and resolutions to be enacted at any regular meeting of the Council by Monday at 12:00 p.m. prior to the regular Thursday meeting of the Council. A Tentative Agenda shall be prepared and distributed to the council members by Monday at 5:00 p.m. The deadline for receiving items for the Final Agenda is Tuesday at 2 pm.

Nothing will be added to the Final Agenda after the deadline without the expressed permission of the President. The Committee on Committees shall meet after the deadline for the Final Agenda to review any new business items and decide upon the committee referral for each item of new business for the final agenda.

By 2:00 p.m. on the Wednesday prior to the regularly scheduled meeting of the Council, the Clerk shall cause a Final Agenda to be prepared for that meeting.

The agenda items are electronically linked, including supporting documentation. To view the ordinance/resolution, click the tracking number; for example O-12-1-03. To view the supporting documentation, look for the hyperlink Attachment 1 on the agenda and click to view the documentation. If the legislation item does not have supporting documentation, it may prompt as having none. Some attachments are in PDF format and can only be viewed through Adobe Reader which may be installed by visiting the web link http://www.adobe.com/products/acrobat/readstep.html.

Ordinances and Resolutions coming from the administration may be drafted by the Finance and Budget Department or by the County Attorney's Office/Research Ordinance Commission ("ROC") at the request of an individual department or agency. They are reviewed at several levels, and by the time the Mayor's Office brings them to the Council for introduction, they have been reviewed and approved by the Mayor and the County Attorney.

An ordinance or resolution submitted by the administration must be sponsored and introduced by a council member, usually the chair of the committee that the ordinance or resolution will be referred to by the Committee on Committees, or the council member in whose district the action will occur. The Mayor's Office will deliver a copy of the ordinance or resolution to the committee chair and ask for their sponsorship of the item.

The Mayor's Office will also deliver a hard copy and an electronic copy to the Clerk of the Council and a hard copy to the President of the Council.

If a council member wants an ordinance or resolution drafted, there are at least three options:

1. Any council member may ask the County Attorney for assistance in drafting an ordinance or resolution.

2. The Council may ask a contract attorney to perform legal work for them. A council member may ask an attorney to draft an ordinance or resolution. However, all applicable rules pertaining to a council members use of Council attorney's will apply.

3. A legislative assistant, council member, or member of the Council's staff, may draft an ordinance or resolution at the request of a council member.

There are cases when a legislative assistant, or member of the Council's staff, drafts ordinances and resolutions. These are, for the most part, special resolutions honoring people and events, or ordinances to spend money from the Neighborhood Development Fund.

ALL ORDINANCES AND RESOLUTIONS DRAFTED BY ANY COUNCIL MEMBER, LEGISLATIVE ASSISTANT, MEMBER OF THE COUNCIL'S STAFF, OR ANY OTHER PERSON, MUST GET APPROVAL AS TO FORM AND LEGALITY FROM THE JEFFERSON COUNTY ATTORNEY BEFORE SUBMITTING THE ORDINANCE OR RESOLUTION TO THE CLERK OF THE COUNCIL FOR INTRODUCTION.

f a council member, legislative assistant, or member of the Council's staff, drafts an ordinance or resolution that needs "approval as to form and legality" from the Jefferson County Attorney's Office, the name of the County Attorney should be typed below the signature line. This will indicate to the County Attorney a request for his or her approval is needed or required.

Such a draft ordinance or resolution shall be sent electronically or delivered to the County Attorney for review and preliminary approval prior to submitting the item to the Clerk of the Council for introduction. All new business items shall be sent by electronically to the County Attorney for review and approval, even those that are routine, unless drafted by a contract attorney. However, the Jefferson County Attorney must review all items as to form and legality.

Anyone who drafts an ordinance or resolution shall save the original on the computer hard drive until the item has been passed and approved so that any amendments may be made.

Any appropriation ordinance must have the following items in both the title AND in the body:

1) The amount of money being appropriated;

2) Which fund the money is coming from;

3) Which government agency the money is being administered through;

4) If applicable, which outside agency is receiving the money; (which shall include the exact name of the agency or organization as registered with the Secretary of State) and,

5) The purpose for which the money is being spent.

The Clerk of the Council shall not accept any ordinances or resolutions which do not comply with these provisions.

Legislative assistants shall be responsible for tracking their council member's appropriation ordinances through passage and approval, to the Budget Office, and through Finance for check preparation and delivery.

Since contracts and leases are with the Louisville/Jefferson County Metro Government as the Municipal Corporation, all contracts and leases shall be drafted by the Jefferson County Attorney's Office. A copy of the signed and approved personal service contract shall be filed with the original resolution. Any language relating to lobbying before the Kentucky General Assembly shall meet the requirements of KRS 6.807 and 6.811.

Section 2. COUNCIL COMMITTEES

See also Council Rules, Section 4, Council Committees, Meetings and Duties.

PROLOGUE

Committee meetings are an essential part of the Council's operations. Committees make recommendations back to the Council as a whole. In order to provide for an efficient use of time and resources, the following procedures are to be followed regarding the Council committee system.

Deadlines for placing items on committee agendas, including Neighborhood Development Fund grants, is Wednesday at 4:30 noon prior to the regular Thursday council meeting.

In this manner, proper time can be allowed to verify that all the paperwork is in order.
All other rules and procedures shall be followed in order for a neighborhood development fund grant to be approved.

The deadline for submitting committee agenda items for all other committees is also at

Noon the day following a regular Council meeting. NOTHING WILL BE ADDED TO AN AGENDA OR A COMMITTEE MEETING SCHEDULED AFTER THE DEADLINE WITHOUT THE EXPRESSED PERMISSION OF THE COMMITTEE CHAIR AND/OR THE PRESIDENT.

Electronic agendas and committee packets can be viewed on-line and downloaded from a computer at www.loukymetro.org. Agendas will be distributed electronically by 5 p.m. on the Friday preceding the regular council meeting.

Much like the council agenda for council meetings, all items are electronic and can be viewed electronically and printed out to create a packet for each committee meeting. Click the "printer friendly version" before choosing the option to print all linked items. This will help streamline a hard copy agenda packet.

COMMITTEE MANAGEMENT

The newly appointed chair and vice chair, along with the committee members, shall choose a date and time that will allow for all to meet taking into consideration those members who are working at jobs other than the council. The committee manager shall be informed of the meeting time decision and shall determine if there are any conflicts with other committees.

The committee manager will draft an agenda from the legislation that has been introduced at council meetings. The chair checks with council members sponsoring the legislation to see if it is ready to be heard in committee. Any item may be held in committee for no more than six months from the date it was introduced, before it "dies".

All committee items will be available electronically and sent to the Council members on the committee. Legislative assistants are responsible for printing out the agenda and supporting documentation according to the wishes of their legislator.

Most committees limit their agendas to an hour because there are other committee meetings that follow them.

DEFINITION OF "SPECIAL MEETING"

All meetings that are held outside those meeting dates and times assigned in the Council Calendar shall be deemed "Special Meetings" and all state open meeting laws provisions shall apply. (See Appendix A-Kentucky Open Meetings Law)

ATTENDANCE BY COUNCIL MEMBERS

The committee members are responsible for coming on time and being prepared.

The committee staff person shall note all members of the Council who are in attendance at any committee meeting. This will be noted on the marked agenda and filed.

In order to be marked present, a council member must either be recognized by the committee chair or sign the sign-in sheet. ONCE THE MEETING HAS ADJOURNED,

NO ONE SHALL BE LISTED AS PRESENT WHO WAS NOT THERE. ATTENDANCE BY A LEGISLATIVE ASSISTANT DOES NOT CONSTITUTE A PROXY FOR A COUNCIL MEMBER IN REGARD TO ATTENDANCE.

If a council member is not present, the council member should have their legislative assistant, or Metro Council Attorney, attend the committee meeting to speak to an item in their absence.

The President of the Council, when present, is considered a member of each committee, and entitled to vote on any matter and participate in discussions as any other committee member.

COMMITTEE PROTOCOL

Duties of the chair include, but are not limited to, recognizing all council members present; reading items into the record; asking for clarification on procedures when necessary.

A member may make a motion or second. A member may amend an item and that item must be voted upon in committee.

A member may call the question if they are recognized by the chair. The chair may not limit discussion on any item by calling the question.

The committee chair will usually address any item that was voted upon in committee under old business when it is presented on the floor.

(See attachment B- for more information on AGENDA ORDER)

COMMITTEE SPEAKERS

The committee manager shall be responsible for notifying the media, cabinet secretaries, department heads, and in zoning cases, the applicants. All other speakers, attorneys of record, experts, and people who testified at the public hearing will be contacted by the committee staff person. Committees may request agency directors or outside experts to be present at the meeting.

In zoning cases, only information contained in the public hearing record will be allowed to be discussed at the zoning committee. The committee staff person will only address the committee when asked to relay information on a technical matter or on a rule of order.

For discussion only items, a council member or legislative assistant must inform the committee manager of the name and contact numbers for any guest or speaker to be invited to a committee meeting and the topic to be addressed.

Guests may address a committee upon the request of the sponsor and permission of the committee chair.

COMMITTEE TAPES
All committee tapes are official records subject to the provisions of the Open Records laws. Under no circumstances will the original leave the possession of the committee staff person. Audio tapes will be kept according to the Department of Archives retention schedule.

Duplicate tapes will be made for any Council Member or member of the public who wishes to receive a tape under an Open Records request.

All committees are broadcast live over GLTV if they are held in the caucus room or the chambers. GLTV tapes can be made available for $5.00 per tape and are available for a period of three months. GLTV tapings are not considered the official record of the meeting.

QUORUM
There must be a quorum present in order for a committee to place items on the Council's Consent Calendar. If there is not a quorum present, or an item receives a "no" vote in committee items shall go to Old Business.

COMMITTEE MINUTES
Minutes/summaries will be written for each meeting and shall note the members in attendance and all actions taken by the committee. The minutes will be available electronically for each council member with the Final Agenda for approval on the floor. Any corrections to committee summaries can be made on the floor.

Copies of committee minutes will be maintained and archived at the end of each calendar year.

Tapes of Council meetings are archived. The minutes of a Council meeting, once approved by the Council, shall exist as the official record of the meeting and shall then be printed in the Journal. Minutes will be approved at regular Council meetings.

CONTRACTS AND LEASES
Copies of all contracts and leases that are to be considered by the Contracts/ Appointments Committee must be delivered to the committee staff person no later than 12 noon on the Tuesday prior to a regular Council meeting. All applicable Metro Finance and Jefferson County Attorney policies will be followed.

Complete details of all contracts and leases must be distributed to all council members for review at least 48 hours prior to the committee meeting where the contract is on the agenda for discussion. If no details are provided, or the contract or lease is incomplete, the contract or lease shall be removed from the agenda.

A resolution approving a professional service contract (PSC) shall include the PSC number, the name of the entity that is being contracted with, the amount of the PSC, which department of the Metro Government has asked for the PSC, what services will be rendered under the contract, the effective dates of the contract and whether the contract is a renewal PSC or not.

Copies of all personal service contracts passed by the Council will be filed with the Resolution approving same in the Clerk's office and logged in the Personal Service Contract log.

Council personal service contracts shall be negotiated by the President and approved by a majority of the Council and signed by the mayor. A vote by the majority of the Council can cancel a contract.

Section 3. NEIGHBORHOOD DEVELOPMENT FUND (NDF) AND CAPITAL INFRASTRUCTURE FUND (CIF)

In addition, Section 6 of the Rules of the Metro Council outlines the specifications and form for ordinances and resolutions.

1. Neighborhood Development Fund (NDF) - The Neighborhood Development Fund is established in the Operating Budget each fiscal year to complete projects/programs in Council Districts or Louisville/Jefferson County. Each council member is appropriated the same level of funding. Funds not allocated during a fiscal year will not carry over into the next fiscal year unless requested by the Council member to the Office of Management and Budget before the end of the fiscal year or unless agreed upon in the Budget Ordinance.

A. Guidelines to Expend Funds from NDF

The Council member submits the request to the Appropriations, NDFs and CIFs Committee for consideration before commitment of the funds and before the event takes place if possible.

The Council member may request expending NDF in the following ways:

- capital and operating grants to eligible non-profits defined under the Internal Revenue Code Sections:
    - 501(c)3 Organizations
    - 501(c)4 Organizations (Civic Leagues, Social Welfare and Neighborhood Associations only)
    - Homeowner Associations not recognized tax exempt under section 501(c), but who consistently file Form 1120-H, U. S. Income Tax Return for Homeowners Associations;
    - Section 501(c)6 Organizations (Business Leagues only)
    - Section 501(c)19 Organizations (Veterans)
- Operating projects/programs of Metro government departments/agencies
- Capital or operating projects/programs of other governmental entities

- Transfer to council member's operating cost center accounts, limited to $25,000 per fiscal year. The ordinance transferring the NDF to cost center accounts must contain detail of the amounts being added to each budget line, ie. personal, printing, mailing, etc.
- Transfer to council member's capital infrastructure fund
- Council originated NDF

Council member's operating cost center funds cannot be transferred to a NDF or CIF account.

Effective July 1, 2016: In the event a new Council member takes office via election, the Metro Council President will consult with the Metro Council Business Office for an accounting of the residual amount of unappropriated funds on hand in the new Council member's NDF account. The pro-rated allocated share is determined by dividing by twelve the total amount of money allocated by Louisville Metro Government to the district for the most recent fiscal year then multiplying the figure by the number of months remaining in said fiscal year. If the total residual amount of unappropriated funds in the district's NDF account of the Council member is less than the pro-rated allocated share for the most recent fiscal year and in the event of an emergency or unforeseen natural disaster, the Metro Council President with approval of a majority of the Committee on Committees, shall transfer funds, not to exceed $20,000.00, if available, from the Metro Council's General Account to the new Council member's NDF account to cover the expenses to handle such emergency or unforeseen natural disaster.

The Council may expend NDF grants to organizations which provide services, programs or projects the Council member determines meets critical human needs, improves the quality of life for Louisville Metro citizens or is in the best interest of the district or community. Each request for the use of funds shall explicitly state their purpose and use. Expenditures may only be used to serve Louisville/Jefferson County.

A short form council originated NDF may be used to fund items such as sponsoring luncheons. Council originated NDFs are approved by the Appropriations, CIF and NDF Committee.

Eligible and Ineligible Activities

Eligible activities include, but are not limited to:

- one-time capital expenditures (such as computer equipment, infrastructure repairs)
- direct client services (such as rent assistance)
- any Metro department/agency service (such as park playground equipment)
- general operating
- community events
- constituent meals or refreshments as part of an event whereby volunteers are performing a public service and/or actively participating in their community regardless of their limitations, whether physical or mental
- meals provided to persons for emergency sustainability

Ineligible activities include, but are not limited to:

- direct appropriations to property owners/residents to improve private property
- personal gifts
- alcoholic beverages
- mileage reimbursement paid to local staff or volunteers for use of their personal automobile
- membership dues or subscriptions for periodicals
- out of town staff training including travel
- sales tax for 501(c)3 applicants
- capital improvements to faith based organizations
- funding to another taxing district for its statutorily required expenditures
- cash payments/incentives (excluding de minimis) to individuals
- employee bonuses or severance pay
- rent and depreciation for property owned by the organization

Expenditures are for Public Purpose only

Generally, the objective of public purpose is for the promotion of public health, safety, general welfare, security, prosperity, or contentment of residents within the jurisdiction of the Metro Louisville. A public expenditure must be primarily for the benefit of the general public, but the fact that it incidentally benefits others, including private parties, does not make it unacceptable. A public expenditure may be made through a private group or individual, and it does not lose its public character when it is administered in that manner. Council members are encouraged to seek informal advice or a formal opinion from the County Attorney's office for an NDF in any amount if there is a doubt concerning public purpose. County Attorney Office Memoranda dated March 19, 2009, The Public Purpose Requirement for the Appropriation of Public Funds under Kentucky law; October 15, 2004, Guidelines for Educational Appropriations; September 22, 2004, Appropriations for Educational Purposes; April 27, 2010, Appropriations to Churches and Religious Organizations; August 27, 2009, Appropriation of Public Funds; and June 14, 2011, NDF/CIF Funds Expenditures; are specifically incorporated by reference into these Policies and Procedures. Further, the public purpose, grants to taxing districts, grants to churches, grants to private schools, grants to improve private property, and grants involving "cash" or "personal gifts" sections of the Metro Council NDF/CIF/Cost Center Training Manual are also incorporated by reference into these Policies and Procedures.

Constitutional Constraints

The Commonwealth of Kentucky has established many taxing districts and defined the services required to be funded with the collected taxes. Metro Government may not appropriate funding to other Jefferson County taxing districts for services the taxing districts are required to provide their constituents. This is the case because these taxing districts must use their own taxes to finance their programs and projects. In some circumstances NDF funds can be indirectly applied to taxing districts if and only if they benefit the collective public purpose and not simply a purpose specific to the individual district. Under current and applicable Kentucky law, expenditures may be made to incorporated cities within Louisville Metro only if the expenditure qualifies under the

Metro Partnership Program as set forth in LMCO § 97.100. Taxing districts include but are not limited to Transit Authority of River City, Jefferson County Public Education, fire districts and all small cities. Public school funding may not be given directly to the school. Funding may go to Jefferson County Public School Foundation, a PTA or other non-profit organization affiliated with the receiving school.

The Commonwealth of Kentucky also follows the Federal Constitution of the separation of church and state. Therefore, NDF may not be used to fund any church or religious organization in the furtherance of its religious purpose unless all funds received are applied completely to a project or program that serves a public purpose, is completely open to all members of the public regardless of organization membership or faith/moral beliefs, and involves no form of worship or religious practice. Any issue involving church and state has great potential to become controversial so care must be taken to ensure the money is being used for a secular purpose. As such, if NDF funds are granted to a religious organization there must be a signed statement from the organization acknowledging this limitation secured prior to disbursement of funds.

Public funds cannot be appropriated for private use, therefore any appropriation of NDF funds for use and improvement of private property is illegal and inadmissible. If a project or program whose primary benefit is for the public good also happens to benefit a private individual or organization it can still legally receive NDF funds.

Public funds cannot be used to make personal gifts because this appropriation will not result in a reciprocal benefit for the public or the government e.g. buying flowers for sick constituent or a special occasion. Public funds cannot be used for cash grants, even if it is for 'needy families.' If a family or individual is in need they must use Metro-established avenues such as social service agencies to obtain necessary funding.

Good Standing

A registered eligible 501(c) non-profit organization must be in good standing with:

- the Kentucky Secretary of State;
- the Louisville Metro Revenue Commission;
- Louisville Metro Government Department/Agencies who also have grants with the non-profit organization;
- Internal Revenue Service; and
- Human Relations Commission

If a non-profit organization has applied but not yet received an IRS determination letter, it is eligible to apply for NDF funding and may submit its Articles of Incorporation and the IRS application for exempt status (on a one time basis). However, a non-profit organization not formally recognized as exempt by the IRS must furnish their most recent annual Statement of Earnings and the most recent IRS Form 990 or IRS Form 1120-H annual filing. The Corporate Articles of Organization must contain tax exempt language as defined in the IRS Publication 557, Tax-Exempt Status for Your Organization.

Grantee/Subrecipient Appropriations

If a grantee organization provides Metro funding to a sub grantee or recipient, both organizations fall under Metro policies, procedures, however the grantee organization is ultimately responsible and accountable for complying with the grant requirements. The grantee is required to monitor the performance of the third party (sub-grantee) by ensuring the project or program was properly completed and the appropriate reports and expenditure documentation is provided to the Office of Management and Budget as a condition of the grant.

B. Eligible Non-Profit Organization Grant Requirements

The organization has an Affirmative Action/Equal Employment Opportunity plan and/or policy statement if required to do so.

The organization may not discriminate based on age, color, race, disabled status, sexual orientation, national origin, religion, sex, or veteran status.

Metro funds generally are not used to supplement more than 33% of the total agency operating budget. The 33% guideline is not applicable for capital projects or special one-time projects not in the general operating budget.

The organization may not require clients receiving services or project participants to participate in religious, political, fraternal, etc. activities in order to receive services or participate.

Any Council member, legislative assistant or family member of a Council member or legislative assistant must disclose any relationship with any requesting organization including Metro Government agencies. No such persons shall serve a grant recipient as an officer or have the fiduciary authority to sign checks or other documents on behalf of the grantee.

The organization agrees to participate in any required training.

The organization agrees to adhere to all terms of agreements/contracts set forth within the NDF application or agreement.

The organization agrees to be audited and/or monitored on site by the appropriate agency personnel to determine appropriate expenditure of funds and/or record keeping.

The organization agrees to submit any required written financial, program, or other monitoring reports timely.

The organization publicly acknowledges the funding is provided by Louisville Metro Council and may also acknowledge the individual Council member in its publicity and informational material.

The organization agrees to expend funds by the end of the fiscal year or extension date of the grant agreement for purpose(s) stated in grant proposal. Automatic extensions are given by Office of Management and Budget to entities receiving their grant check after April 1 in the fiscal year. Requests for extensions are also considered if the entity cannot spend funds for an extenuating circumstance through a written agreement prepared or approved by the County Attorney's Office.

Organizations expending funds prior to the execution of the grant agreement do so at their own risk. Louisville Metro is not liable for NDF related expenses incurred until the grant agreement is executed unless the application specifically requests reimbursements; however, reimbursement should not be made for expenditures prior to the NDF Application date absent demonstration of an emergency by the primary sponsor. NDF request to appropriate funds to Metro/Agencies to cover expenses for non-profit organization's event, activity or project must contain adequate documentation from the non-profit organization describing the event, activity or project. NDF requests must also contain evidence of the non-profit's request to fund the expenses prior to the event, activity or project or demonstrate an emergency by the primary sponsor as to the reason(s) for payment after the event, activity or project has occurred or been completed.

After the NDF application has been approved by Metro Council, a grant agreement is mailed to the organization by the Metro Clerk within ten business days of the approval and an email notification is sent to the primary sponsor. If the grant agreement is not received by the Metro Clerk within 90 days of initial mailing, the Council approval is automatically revoked without any further action of the Appropriation Committee or full Council. Any organization's grant agreement mailed before the enacted date of this policy change will be sent a letter by the Clerk informing the applicant of this change and give them 90 days from that mailing date to submit their grant agreement.

The Metro Clerk will prepare and submit the NDF request packet which includes the grant agreement, NDF application and supporting documentation to OMB within seven days of receipt.

NDF funds shall not be provided to Neighborhood Associations, Homeowners Associations or similar citizen groups for lawn maintenance or mowing private, nongovernment owned property unless all the following criteria are met:

- The property has been assigned or referred for cutting by either Department of Codes and Regulations or Metro Public Works. A lien has been or shall be filed.
- Anyone paid for mowing grass or maintaining property must provide: proof of insurance directly from their insurance agent, proof that they are registered with the Louisville Revenue Commission. In the event that the use of chemicals is necessary in performing grass mowing or property maintenance, any person(s) who uses such chemicals shall be certified to use such chemicals as required by the Kentucky Department of Agriculture's Division of Environmental Services.
- Must keep records of all properties maintained, service dates and person(s) paid for work for the entire year. Documents must be available for review by Metro Government and its Internal Auditor and must be part of any future grant requests sought from Metro Government within the next four years.

The organization agrees to return any unexpended funds to Louisville Metro Government after the end of the grant period (as extended) stated in the grant agreement. The returned funds are credited to the Council Member's NDF account originally funding the request.

Funding for start-up organizations is discouraged. All organizations should be able to prove long term viability before receiving NDF funding.

C. Preparing an NDF Ordinance

An ordinance is required to allocate funding by one or more Council members over $5,000 to any one project/program within an organization in the same fiscal year. The required ordinance format is:

- The title – (a) sets out the level of funding; (b) identifies the account to be charged; (c) indicates the assigned department/agency; (d) identifies the purpose of the allocation; and (e) identifies the requesting organization (using the exact name of the organization as registered with the IRS).
- The sponsor – Directs the Office of Management and Budget to draw the funds from the appropriate NDF account.
- Section 1 – Repeat of the title
- Section 2 – Declares the funds will be used for a public purpose
- Section 3 – The effective date of the ordinance
- Signature approval lines- Lined spaces for the Council President, Council Clerk, Mayor and the County Attorney, as well as the date approved by the Mayor

D. Documentation Requirements

NDF Request Form, Non-Profit Application and internal forms such as checklists are maintained on the Council shared network drive. The request forms, application and the NDF application checklist (revision date December 2, 2011) are updated and approved by the Appropriations, NDFs and CIFs Committee and may or may not be the same application used by the Administration's External Agency Task Force.

In order to be considered by the Appropriations, NDFs and CIFs Committee, the signed request and all supporting documentation are submitted to the Clerk's office by 12:00 PM on the Monday prior to a regular Council meeting.

All disclosure forms shall be signed by the person completing the forms and may not be signed by another person, even with consent.

All disclosure and review forms which require a Metro Council member's signature shall be thoroughly read by the Metro Council member and shall be signed by the Metro Council member unless such Council member authorizes such signature in writing, e-mail or facsimile (fax).

The authorization for a third party to sign NDF or CIF for the Council member if multiple NDF/CIFs are up for the same meeting can be compiled in one document listing each NDF/CIF.

An ordinance is required if funds are requested to be moved between the operating budget and the capital budget. Preparation of NDF ordinance is requested of the Office of Management and Budget and forwarded to the County Attorney's Office.

E. Grant Administration/Monitoring

Grant administration to non-profit organizations is the responsibility of the Office of Management and Budget. OMB's current procedures are used to administer and monitor the grants with some flexibility in approving amendments to the budget approved by the Metro Council. Some situations require additional approvals by the Metro Council and will be processed as follows:

- **Funding cannot be spent as originally approved by Council –** If the funding cannot be spent as approved, spending the money in a related, comparable way may be approved by the primary sponsor with agreement from every other sponsor of the grant, the Appropriations, CIF and NDF Committee Chair, Appropriations, CIF and NDF Committee Vice-Chair and the Council President. As an alternative, the grant may be reconsidered by the Appropriations NDF and CIF Committee at the request of any sponsor.
- **Approved funding is less than the original request** – If the original grant request was not fully funded, any combination of Metro expenditures in the original grant budget may be funded, If not otherwise restricted by the Appropriation NDF & CIF Committee.
- **Amendment request not in the original g ant** – If the amendment requested is not contained in the original grant, the grant should be closed and a new grant request submitted by the grantee.

The Office of Management and Budget provides a copy of the final grant report to the Clerk's office who tracks open grants and provides a copy of the report to the primary sponsor of each grant.

Responsibilities are outlined in (1) and (2) below.

(1) Expending Neighborhood Development Funds to a Non-Profit Organization

Responsible Party	Process Description
Organization	Contacts Council member regarding need.
Council member	Forwards Application (located on Council shared drive) to organization for completion.
Organization	Returns completed Application with required supporting documentation to Council member.
Council member	- Reviews request, verifies completeness of Application and supporting documentation, decides level of funding to be

	requested if any. - Prepares Request Form and checklist and initiates an ordinance if the proposed funding is greater than $5,000. - Submits request by noon on the Monday before the regularly scheduled Council meeting to the Clerk's office to be added to the Council agenda or the Appropriations, NDFs and CIFs Committee agenda.
Clerk's office	After review, places requests greater than $5,000 on Council Agenda with ordinance. After review, places requests of $5,000 or less on Appropriations, NDFs and CIFs Committee's agenda.
Appropriations, NDFs and CIFs Committee/Council	Considers/approves request. The original requestor or their designee must be present to discuss requests of $5,000 or more.
Clerk's office	If an ordinance is approved in Committee, the Clerk's office places it on the Council agenda for second reading.
Council	Considers/approves second reading.
Clerk's Office	Mails grant agreement to organization within ten business days of approval. Submits the NDF request packet including the grant agreement, NDF application & supporting documents to OMB within seven days of receipt.
Office of Management and Budget	If approved by the Appropriations, NDFs and CIFs Committee or the Council, the Office of Management and Budget administers the grant by tracking and monitoring the transactions to final disbursal and reconciliation in accordance with their current Neighborhood Development Grant Policies and Procedures. A copy of the final grant report is provided to the Clerk's office for tracking and forwards a copy to the primary sponsor. If funds remain or are returned by grantee, the Council member's NDF account is credited for those funds.

(2) Expending Neighborhood Development Funds to a Metro Department/Agency or other government entity

Responsible Party	Process Description
Council member	Determines type and scope of work to be completed. Requests department/agency detailed estimate.
Department/Agency	Prepares detailed estimate for Council member.
Council member	If funding is desired, submits the request by noon on the Monday before the regularly scheduled Council meeting to the Clerk's office to be added to the Council agenda or the Appropriations, NDFs and CIFs Committee agenda.
Clerk's office	After review, places on Council Agenda for first reading if the NDF is over $5,000. After review, places the requests of $5,000 or less on the

	Appropriations Committee's Agenda.
Appropriations, NDFs and CIFs Committee/Council	Considers/approves request. The original requestor or their designee must be present to discuss requests of $5,000 or more.
Clerk's office	If an ordinance is approved in Committee, the Clerk's office places it on the Council agenda for second reading.
Council	Considers/approves second reading.
Clerk's office	If approved by the Appropriations, NDFs and CIFs Committee or Council, forwards copy of completed NDF Request and Application to the Office of Management and Budget for grant administration.
Department/Agency	Office of Management and Budget processes a budget adjustment Receiving Department schedules work for completion. Receiving Department notifies Council member when the work begins. At the end of the project, receiving department notifies Council member of all disbursements and remaining balance.
Council member	If funds remain or are returned by grantee, the Council member's NDF account is credited for those funds.

2. Capital Infrastructure Fund (CIF) - The Capital Infrastructure Fund (CIF) is established in the Capital Budget each fiscal year to complete projects/programs in Council Districts or Louisville/Jefferson County. Each Council member is appropriated the same level of funding. Funds not appropriated during a fiscal year carry over into the next fiscal year.

A. Guidelines to Expend/Transfer Funds from CIF

Beginning July 1, 2005, the Council member submits the Request Form to the Appropriations, NDFs and CIFs Committee for consideration before any funds from the FY06 and all future year Capital Budgets can be expended if required in the Budget Ordinance. If not required in the Budget Ordinance, only funds that are not specifically identified in the Budget Ordinance must be presented to the Appropriations, NDFs and CIFs Committee. FY04 and FY05 CIF must be reallocated to other projects through a Budget Ordinance Amendment.

The Council member may request expenditure of CIF for:

- Metro government department/agency for specific projects
- Other governments for specific projects
- Council member may move CIF to NDF through an ordinance submitted and approved by the Metro Council

Each request for funds shall explicitly state their purpose and use.

Expenditures are for public purpose only. Generally, the objective of public purpose is for the promotion of public health, safety, general welfare, security, prosperity, or contentment of residents within the jurisdiction of the Metro Louisville. A public expenditure must be primarily for the benefit of the general public, but the fact that it incidentally benefits others, including private parties, does not make it unacceptable. Council members are encouraged to seek opinion from the County Attorney's office if there is a doubt concerning public purpose.

Expenditures may only be used to serve Louisville/Jefferson County.

B. Documentation Requirements

CIF Request Form is maintained on the Council shared network drive. The Request Form and Application are designed by the Appropriations, NDFs and CIFs Committee.

In order to be considered by the Appropriations, NDFs and CIFs Committee, all items (including all supporting documentation) are submitted to the Clerk's office by 12:00 PM on the Monday prior to a regular council meeting.

Any Appropriations, NDFs and CIFs Committee member may request the CIF application be added to the next Council meeting as a special item for consideration.

C. Administration/Monitoring

The CIF request and application forms are defined by the Appropriations, NDFs and CIFs Committee. Grant administration is the responsibility of the Clerk's Office.

Responsibilities are outlined below.

Expending Capital Infrastructure Funds to a Metro Department/Agency or other Government Entity

Responsible Party	Description
Council member	Determines type and scope of work to be completed. Requests agency detailed estimate.
Department/Agency	Prepares detailed estimate for Council member.
Council member	Approves estimate and submits to the Clerk's Office the completed Request Form by 12:00 Noon on the Monday before a regularly scheduled Council meeting.
Clerk's office	After review, places item on Appropriations, NDFs and CIFs Committee agenda.
Appropriations, NDFs and CIFs Committee	Considers/approves request. Any member of the committee may request the original CIF application be added to the next Council meeting agenda as a special item for consideration. The original requestor or their designee must be present to discuss requests of $5,000 or more.
Clerk's office	If requested by member of Appropriations, NDFs and CIFs Committee, places the CIF application on the next Council meeting

	as a special item for consideration.
Council	Considers/approves request.
Clerk's office	If approved by Appropriations, NDFs and CIFs Committee or Council, forwards copy of completed CIF request to the Office of Management and Budget who prepares the budget adjustment transferring the funds from the council to the appropriate department.
Office of Management and Budget	Processes the budget adjustment for the project and forwards the information to the Council Member.
Department/Agency	Schedules work for completion. Notifies Council Member when the work begins. At the end of the project, notifies the Council Member of all disbursements and any remaining balance. Prepares a budget adjustment to move remaining funds to the appropriate Capital Infrastructure Fund.
Office of Management and Budget	Processes a budget adjustment moving remaining funds to the appropriate Capital Infrastructure Fund and provides notification of the budget adjustment to the Council.

3. NDF and CIF Training

A training session for all Appropriation, NDF and CIF Committee members is held during January each year. It is recommended that Council members and their legislative aides attend an annual training session on the procedures that govern the administration of NDF and CIF. The Training Manual is approved prior to the training by the Appropriations, CIF and NDF Committee and is incorporated by reference into these Policies and Procedures.

Section 4. COUNCIL PUBLIC HEARING

The Council will occasionally hold public hearings to gather input, hear reaction and provide information to the public. Hearings may be called by the President of the Council, a majority of a committee, or a Committee chair, and will be coordinated and staffed by Council staff. Hearings called by an individual council member will be deemed a fact-finding meeting, and will be staffed by the council member's legislative assistant. There are additional requirements if the council decides to hold a public hearing on a zoning case. Zoning related hearings must adhere to applicable KRS (and/or) relative code of ordinance(s). (See Appendix F-Sample Public Hearing Script)

Section 5. BOARDS AND COMMISSIONS

The Contracts/Appointments Committee shall assist in finding qualified candidates for referral to the mayor for service on Metro Government Boards and Commissions.

The Contracts/Appointments Committee is responsible for seeing that Board and Commission appointments reflect geographic or district balance and socio-economic, cultural, gender diversity, and any other requirement specific to a particular board of commission.

Council members wishing to submit nominees for appointment should submit them to the chair of the Contract/Appointment committee. It will be the responsibility of the Contracts/Appointments Committee to submit nominees for vacancies on boards and commissions to the Mayor. The Mayor's Office shall notify the Contracts/Appointments committee of upcoming vacancies on Boards and Commissions at least 4 to 6 weeks in advance of the expiration of a current term, or anticipated vacancy. When the Mayor makes his selection he/she shall submit nominee(s) for introduction by letter to be read at a regular council meeting as Communications from the Mayor. The nominee(s) shall be referred to the Contracts/Appointments committee for approval and referral back to the council for a 2nd reading and approval.

Section 6. COUNCIL COST CENTERS

The Metro 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 Metro 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. Expenses authorized under the following designated object codes are permitted:

521101	Dues & Subscriptions
521106	Postage/Postal & Shipping Services
523853	Travel, Out of Town
521109	Training/Educational Programs
521352	Public Relations
521353	Public Meeting Expenses
522403	Telephone Services
523852	Airfare
521301	Professional Services/Studies
531201	Office Supplies
531202	Office Equipment
521105	Printing & Reproduction Supplies
544102	Computer Hardware
560117	Copy/Postal Charges-In House

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 designating the funds among the object codes listed above in any manner determined by that council member. A council member

who finds it necessary to transfer monies during the fiscal year between object codes shall make his or her 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 among the major categories on a quarterly basis.

A council member may not use Cost Center funds for neighborhood projects or to fund outside agencies. Only expenses associated with the administration of his or her 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" (e.g., purchase of no more than two banquet tickets at a community or civic function) are permitted. **Further, all expenditure requests must satisfy a public purpose as defined by the Jefferson County Attorney.** 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 limited to $25,000 per fiscal year. 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.

Effective July 1, 2016: In the event a new Council member takes office via election, the Metro Council President will consult with the Metro Council Business Office for an accounting of the residual amount of unappropriated funds on hand in the new Council member's Cost Center account. If the total residual amount of unappropriated funds in the district's Cost Center account of the Council member when he or she is sworn into office is $5,000.00 or less, the Metro Council President shall transfer funds, if available, from the Metro Council's General Account to the new Council member's Cost Center account so that the new balance equals up to $7,500.

Postage expenditures for mailings of more than 200 pieces must be submitted to contracted legal counsel of the council member, or the Jefferson County Attorney's Office for review and certification of public purpose. Other expenditures about which a council member has reasonable cause to believe significant questions may be raised should be submitted to legal counsel for review and certification as to public purpose.

COST CENTER OBJECT CODE DESCRIPTIONS

USE OF THE FUNDS SHALL BE RESTRICTED TO A PUBLIC PURPOSE ASSOCIATED WITH A COUNCIL MEMBER'S DISTRICT OR COUNCIL DUTIES.

521101 DUES AND SUBSCRIPTIONS

DUES
Membership dues in professional organizations, associations and societies. Purchase of newsletters, newspapers, reports, or magazine subscriptions. This object code is not for books.

SUBSCRIPTIONS
Mailing addresses for all subscriptions shall be the Office of the Metro Council.

521106 POSTAGE
Stamps, postage, meter refills, freight, drayage or express charges.

A council member or legislative assistant must prepare a mail request form with cost center number for any mailing over 10 pieces of mail and affix the Agency Mailing Record form to mailing.

> Large district mailings over 200 pieces shall use the council member's envelopes rather than the Metro Council envelopes. If Council envelopes are used, the Agency Mailing Record form should reflect the appropriate district cost center for proper accounting and billing purposes.

When using an outside vendor for mailing purposes, the Agency Mailing Record form must also be completed.

As a courtesy when mailing outside your district boundaries, please notify or send copy to the council member of the districts involved.

TRAVEL EXPENSE, OUT OF TOWN TRAINING and EDUCATION, AIR FARE

FINANCE POLICY DEFINITION:
523853 TRAVEL EXPENSE, OUT OF TOWN
Includes mileage, reimbursement, meals, parking fees, tips, cab or bus fare, and lodging while on official Metro Government business in excess of 100 miles outside Louisville. Except if it is included in Finance Department Definition of Travel Expense, Local.

521109 TRAINING AND EDUCATION
Costs of education programs or sending an employee to a training seminar. This does not include tuition.

523852 AIR FARE
Cost of plane fare for employees on an approved out-of-town travel.

TRAVEL
Travel Authorization and Expense Report shall be prepared by legislative assistant. The President shall have signatory authority only, per existing Finance Department policy.

Travel within this code is for council member, council staff and legislative assistants only. Receipts must be kept for all meals where costs exceed per diem allowance. All travel expenses shall be documented with receipts. Elected officials have the option of receiving per diem, or actual reimbursement, but not both. If receiving per diem, and meal exceeds allowance, there is no additional reimbursement.

PRE-APPROVED TRAVEL
KLC Annual Convention, NLC Congress of Cities/Congressional Conference, Kentucky Labor Management Conference, KLC or NLC Committees, Urban Workshop, IEDC, Public Relations Society of America, Southern Women in Leadership, KBC-LEO, Municipal Clerks Association, NACO (National Association of Counties) and LUCC (Large Urban County Caucus), International Institute of Municipal Clerks, and Ky. Public Human Resources Association.

ALL OTHER TRAVEL REQUESTS
Council member fills out a Travel Authorization Report and submits it to the appropriations committee as designated by the President for review. Council Legal Counsel or the County Attorney staff shall be in attendance at the committee meeting to offer opinion on public purpose. In the event of an emergency, or when the committee cannot meet in a timely fashion, travel must be approved by the President or the chair of the committee. All travel requests coming before the committee must be approved by the committee chair, or the President. After committee review, the committee chair and President will sign the Purchase Verification.

POST TRAVEL REPORTING
Final travel expense report must be submitted to Finance 10 days after travel per policy. The Finance Department will notify an employee by letter if travel is not reconciled in a timely manner. If not submitted after 20 days, the Council Business Office shall notify the Appropriations Committee Chair and the matter will be forwarded to the Appropriations Committee for review.

No new Travel Authorizations will be processed if Travel Reconciliation from previous trip if overdue and still outstanding. Advances may be withheld from future paychecks if reconciliation is not submitted as required. A written report must be submitted to the Clerk of the Council as a public record upon completion of "Other Travel" by all staff, and an oral report shall be presented to council office staff at appropriate staff meeting.

521352 PUBLIC RELATIONS

All costs associated with the promotion of goodwill in the community.

Examples include but are not limited to: Banquet tickets limited to 2 per event, certificates, framing of certificates, plaques, etc.

Council members interested in getting a Kroger card for use for providing refreshments for district meetings should fax a memo to Kroger Customer Service on government stationery. Actual receipts must be attached to the invoice for payment. The monthly statement is mailed directly to the Business Office by the vendor. The Business Office determines if all invoices have been paid or in the process of being paid. All employees authorized to expend cost center funds signs an acknowledgement form recognizing their responsibility to comply with the Council's credit card policy. Each credit card will have a spending limit of no more than $1,000/month and no one transaction will exceed $500.

The Kroger card can only be used for the procurement of goods that are for the operating costs of the district office and shall never be used for personal expense items even if they are expected to be reimbursed.

521353 PUBLIC MEETING EXPENSES

All costs of having a public meeting; such as meeting room rental, public address system, taping, refreshments, and costs of promotion of goodwill.

No in-town mileage, alcoholic beverages, advertising (billboards, programs, etc.).

No partisan activities allowed. Public purpose must be documented on purchase verification form.

521301 PROFESSIONAL SERVICES/STUDIES

The rendering of time and effort rather than the furnishing of a product.

The Council may contract with attorneys to provide legal services. Signed contracts must be on file in the Clerk's office in order to process payment to legal counsel. The contracts must be approved by the Contracts committee and signed for approval by the Council President.

Like any other object code, 521301 may be adjusted during the fiscal year to accommodate the needs of individual council members.

524403 TELEPHONE SERVICES

Includes cellular, pager, telephone and fax machine expenses. The Metro Government shall be reimbursed for any personal long distance calls made from the office.

531201/531202 OFFICE SUPPLIES/OFFICE EQUIPMENT

Office equipment and supplies under $1,500, including but not limited to stationery, pens, pencils, desk supply items, filing supplies, typing supplies, calculators, tape recorders, clocks, organizational items, and similar items.

All typical office supplies are ordered by the legislative assistant and received by office staff. No personal items, such as portfolios, office furnishings, pictures, etc. can be charged to this object code.

All supplies purchased are Government property and should remain in the office at the end of the council member’s term. The Metro Council staff shall engrave and inventory all public property.

521105 PRINTING & REPRODUCTION SUPPLIES

Includes envelopes with the council member's return address, paper for newsletter printing, mailing labels from Frankfort, LOJIC, etc.

544102 COMPUTER HARDWARE

Data Processing equipment including support devices used to process input and output.

In order to have Data Processing compatibility, all equipment in Metro Council offices and data processing purchases over $1,500 shall be approved by the President of the Council.

Once an item is approved for one council member, it can be put on an approved list maintained by the Business Office and other requests for the same items need not go through the Committee on Committees approval.

Each Council office has the option of having two computers, any additional computer purchase must be paid for from this object code.

560117 COPY CHARGES - IN HOUSE/POSTAL CHARGE – IN HOUSE

Used by Print Shop/Mail Room for billing and in budget preparation and adjustment.

Any printing for district mailings greater than 200 pieces shall have the signature of a Council attorney or the Jefferson County Attorney's Office for public purpose review.

The legislative assistant must fill out Print Shop Job Ticket and submit it to the print shop with a copy of what is to be printed. Copy of material to be printed must be attached to job ticket.

No outside printing can be charged under this object code, but under object code 521105.

This object code includes printing of council stationery, envelopes, note cards, business cards, etc.

Any mailings to more than 200 residences into a council members district within 90 days prior to an election, must be reviewed by the Jefferson County Attorney for recommendation prior to printing or distribution of any such material.

Section 7. PURCHASE APPROVAL

All expenditures from cost centers shall be from approved vendors and require authorization and approval. Prior approval that the expenditure is in accordance with Metro Council policy may be granted by the Business Office upon submission by a member of a Purchase Approval Form. A purchase approval form for expenditures greater than $250 must be submitted to the Business Office for their review prior to the District Office incurring the expenditure except for items on an approved list.

If the Business Office is uncertain whether or not to grant approval, she or he shall consult with the President of the Council, who shall either grant approval or refer the request to the Committee on Committees of the Council. At any meeting of the Committee on Committees at which a quorum is present, authorization or denial of authorization of a request for expenditure shall be determined by a majority vote of the members present. The requesting member may vote on the request, abstain as he or she sees fit, but may be counted for the purpose of constituting a quorum even if he or she does abstain.

The grounds upon which a request for approval may be denied are as follows:

1. a determination that there are not sufficient funds in the Metro Council budget or in the council member's cost center to cover the anticipated expenditure;

2. a determination that the proposed expenditure lacks the requisite public purpose; or

3. a determination that the proposed expenditure fails to fall within the expenditures included within one or more of the object codes listed above or that the proposed expenditure is not sufficiently associated with the member's district and/or council member duties.

The Purchase Approval form is a necessary but not sufficient part of the audit trail necessary for the payment of a council member's expenses. The council member must submit a signed bill, receipt or canceled check for the expenditure in order for a check paying the expenditure to be generated. Purchase Approval forms are completed by the council and assistants, but not staff. Council staff purchases over $500.00 must be approved by the Chief of Staff. Any purchase of furniture or office equipment over $500.00 must be approved in advance of purchase either by the Chief of Staff or the Business Office.

Any bill submitted without a purchase approval form, or not signed by a council member or legislative assistant will not be paid.

Travel not on the approved list must be approved by the Committee on Committees.

The purchasing policy for the end of a fiscal year is to only pay for goods received and services rendered no later than June 30.

PROCEDURES FOR GETTING A BILL PAID

A completed Purchase Approval form must be submitted to the Business Office for their signature and authorization.

When the invoice arrives, it should be signed by the council member or legislative assistant, attached to the purchase approval form and submitted to the Business Office. Only invoices are accepted for payment, not statements.

The Business Office will keep the white copy. The pink copy should be maintained by the Council Member, and the yellow copy along with the invoice will be given to the Council's business manager for processing payment.

Requests for reimbursement should be at least $10.00 and accompanied by a memo requesting the reimbursement, the receipt, and providing reason for the purchase and its public purpose.

Bills/invoices should be submitted for payment to Council Business Office within 15 days of receipt in order to avoid any late charges.

Section 8. COUNCIL ATTORNEYS

Pursuant to Metro Council Rules adopted January 6, 2003, the Metro Council is authorized to enter into a professional service contract with an attorney or attorneys approved by the Council to provide such legal services as the Council deems necessary to assist in legislative activities.

Any such professional service contract shall be in the standard form, which shall be made available by the Council. A PSC number shall be assigned by the Finance Department.

The President of the Council with concurrence with the chairman of the committee reviewing zoning matters shall recommend to the Council an attorney to advise on zoning matters for an amount not to exceed $12,000, unless otherwise provided by Council action.

Nothing in the Rules or Policies or in any contract entered into by the Council shall limit the right of any council member to request legal assistance from the Jefferson County Attorney.

Each council member is responsible for ensuring that the services for which an attorney has been utilized serves a public purpose. To that extent it is the council member's duty to review, modify and authorize payment for all legal services performed.

No council member shall request an outside attorney to perform legal services without a duly executed contract on file, with the exception of pro bono work.

GENERAL

Payment to a contracted attorney shall be made within 30 days pursuant to a detailed invoice presented monthly to the Council Members and President, which shall indicate a descriptive daily accounting of the hours expended, to the tenth (1/10) of an hour, in service under the contract, the particular nature of such services and all out-of-pocket expenses. No payment will be processed without an explicit detailed accounting of services provided.

The billing statement should be signed by the council member requesting the services and then the President authorizing such payment to be submitted to the Council's Business Office for processing.

SERVICES

Council attorneys are permitted to review, for legality purposes only, any written material, including letters and newsletters, that may be presented or distributed by the council member.

Council attorneys may review mailings over 200 pieces to determine if the requisite public purpose has been satisfied.

Council attorneys may research, prepare, draft and amend any new or existing ordinance or resolution. Their work must be done in Microsoft Word and adhere to all deadlines for the Metro Council Agenda.

Council attorneys shall be permitted to attend committee and Council meetings.

PRESIDENTIAL APPROVAL

Council attorneys may be contracted to assist the President of the Council in the administration of any Presidential duties.

The committee attorney shall be appointed by the President with the concurrence of the chair of the committee reviewing zoning matters.

Council attorneys may be contracted to provide assistance in the involvement of any personnel issue.

PUBLIC AVAILABILITY OF COUNCIL ATTORNEY BILLING STATEMENTS

A copy of all billing statements shall be kept by the contracting council member with the original given to the Business Manager. All billing statements shall be made available for inspection by the public.

Any council member may state an exemption to the release of a billing statement because of the confidential nature of any issue that is still in a developmental stage until such time as the work is completed.

Section 9. CELLULAR PHONES

PURPOSE

Each council member, legislative assistant and staff may be provided with a cellular telephone, at Metro Government expense, to be used for municipal purposes upon the approval of their immediate supervisor or Chief of Staff who shall review monthly bills. Municipal purposes include: being accessible in case of an emergency; being accessible to other council members, staff and officials in Metro Government government; making better use of the council member's and employees time in transit and in situations where a telephone may not be conveniently accessible.

It is permissible for any council member, legislative assistant or staff member to choose to obtain cellular service from a company other than one which is presently under contract with the Metro Government upon the approval of the council president. But they may not have the same services, upgrades or maintenance as those who are on the Metro Government contract.

CHARGES
Any replacement of equipment due to loss or theft will be charged to the District cost center. Monthly charges will be billed to the District cost center.

Section 10. SUPPLEMENTAL STAFFING

STAFF HELPER
Staff helpers may work up to 25 hours per week in order to comply with the Commonwealth of Kentucky Wage and Hours laws. Council members determine the need for a staff helper and may request that a position be created and funded from their own cost center. A job requisition is forwarded to the Council Business Office. Applicants are directed to the Council Business Office to fill out an application and various other forms in the "Staff Helper" file.

This is a temporary, part-time position and the employee may work no more than 99 hours per month. (Any hours over 100 per month entitles the employee to benefits.) Starting pay ranges from Metro's living wage to $15.00 per hour. Working hours are determined by the council member or legislative assistant.

VOLUNTEERS
Volunteers may work in a council member's office, utilizing the office equipment of a particular district. Volunteers are required to follow Risk Management policies and procedures for volunteers.

ADMINISTRATIVE CLERK
Administrative Clerk, a non-exempt position, works no less than 25 hours per week and may work up to 40 hours per week in order to comply with the Commonwealth of Kentucky Wage and Hours laws. This is a regular, part-time position. Council members determine the need for an administrative clerk and may request a position be created. The related wages and benefits are funded from the requesting council member's cost center. A job requisition is forwarded to council Business Office. Applicants are directed to council Business Office to fill out an application and various other forms in the "Administrative Clerk" file.

Starting pay ranges from Metro's living wage to $15.00 per hour.

Section 11. MEDIA POLICY

PURPOSES

1. To improve relations between the Council and the media, while ensuring that accurate, appropriate and timely information is released to the news media;

2. To enhance the image of the Metro Government and the Council while communicating to the public the scope and value of our work;

3. To inform the citizens about services and actions taken on their behalf and about how their tax dollars are being spent; and

4. To work with the media to bring their attention to legislative issues affecting the community.

INQUIRIES FROM MEDIA

Inquiries from the news media should be given a high priority and responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released to them is accurate.

The business conducted by the Council is a matter of public record and, therefore, questions from the media as well as the general public should receive a response. However, there are specific instances when inquiries should be forwarded to other departments. Inquiries regarding pending litigation should be referred to the Jefferson County Attorney's Office. Personnel-related matters should be referred to Human Resources. All open records requests from members of the media will be processed through the Council staff . (See Appendix G-Open Records Policy)

Legislative assistants should have an agreement with their council member as to whether they can speak on behalf of that council member, be quoted as a source themselves, or provide background information.

Council members can make any statement as an individual council member at any time. They should, however, refrain from using "the Council" or "the Metro Government," as they only have the right to speak for themselves. The only person authorized to make a statement on behalf of the Council is the President or his or her designee. Minority and Majority Caucus chairs are designated as spokespersons for their caucuses.

Council members should refrain from holding press conferences, media events and other events in a district other than their own. Council staff and facilities shall not be made available to a council member conducting business in a district not his/her own, unless prior approval is given by the council member of the district where business is being conducted.

The Council staff will coordinate media relations and media training for the Metro Council. All general press inquiries should be forwarded to the Council staff, and they will find the appropriate person to respond.

The Council staff will keep on file a biographical sketch and photograph of each Council Member, as well as a list of Council office and home numbers and addresses. These will be made available to the media upon request. Other work numbers will be given out only with the consent of the council member.

All media requests involving Metro Government procedures should be referred to the appropriate department, or if in doubt, to the Mayor's Press Office.

GLTV/ VIDEOTAPING OF MEETINGS

In order to provide the public full access to the work and deliberations of the Metro Council, committee and regular meetings of the Metro Council are routinely televised and videotaped by Greater Louisville Television, the Metro government cable channel. Meetings will be taped gavel-to-gavel, with no editing. Portions of meetings closed for executive session will not be taped. Although the tapes are not the official record of the meeting, copies are available for a nominal charge. Tapes are usually available for at least three months before being recycled. Contact GLTV's channel manager for more information.

Section 12. LEGISLATIVE ASSISTANTS

Legislative assistants are assigned to work for one council member.
Legislative assistants are hired by and serve at the pleasure of their council member.

Section 13. POLITICAL ACTIVITIES

There are no statutes or ordinances that prohibit Council staff from fully participating in the whole spectrum of political activity. However, there is potential for conflict if and when Council employees participate in political activities when they are actually on "government time," as reflected by their time sheets or other records.

"Government time" is defined as "those hours or sub-divisions of hours for which the employee requests remuneration from the government."

Political activity is defined as "any action, work or absence, directly or in-directly related to the advancement of a candidate for public office, when not in performance of legitimate governmental business."

Personnel policies and procedures allow for dismissal for cause, if an employee is found to have engaged in ***any*** non-government related or unauthorized activity, while allocating that time to their time sheets for the purposes of remuneration.

Prohibited political activity could trigger criminal prosecution. KRS 514.040, relating to theft by deception, is used to prosecute individuals who falsify their time sheets, as well as those who suborn the falsification, i.e., those who knowingly sign falsified time sheets.

Metro Council personnel should refrain from involvement in any political activity, unless on ***personal time***. That would include "comp time," vacation time and lunch hours as well as off-duty time.

No mass mailings of 200 pieces or more into a district within 90 days of an election in which the council member is a candidate, unless prior review by the Jefferson County Attorney's Office to determine the governmental public purpose prior to printing any such mailing.

Section 14. TRAINING/ OUT OF TOWN TRAVEL

Training opportunities are available and approved for conferences and seminars sponsored by the National League of Cities, Kentucky League of Cities, KBC-LEO, Southern Women in Leadership, IEDC, IIMC, KHPRA, Municipal Clerks Association, Urban Workshop, Public Relations Society of America, NACO (National Association of Counties) and LUCC (Large Urban County Caucus) and any Federal Board and Commission that a council member is a member of. Requests for travel to conferences and seminars other than these must receive approval from the Committee on Committees. Once a conference or seminar has been approved, it is added to the pre-approved list.

Once the Committee on Committees approves travel for a conference or seminar, it shall be added to the pre-approved travel list and will not need further advance approval by the committee.

Additionally, the Department of Human Resources and the Information Services Department offer regular training programs throughout the year, available to all Metro Government employees. Council members may approve in town training for their legislative assistants at cost center expense.

The Council follows the Metro Government's current policies and procedures for out of town travel.

The Council staff will develop and implement a training schedule annually for Council Members and legislative assistants, to be approved by the President or a committee designated by the President.

Section 15. OFFICE EQUIPMENT

The Metro Council has general office equipment available to use for public business by Council Members, assistants and staff. Equipment includes but is not limited to: TV, VCR, tripod, coffee makers, overhead projector, podium, slide projector, copier, sound system, fax machines, tape recorders, digital cameras, and laptop computers.

Coffee and coffee supplies are available for Council sponsored meetings. Individuals should ensure that they know everything about the equipment and have everything that might be needed in order to operate the equipment properly.

Section 16. SCHEDULING A MEETING ROOM

There are two meeting rooms located on the Third Floor of City Hall that are accessible to the council members: the Caucus Room and the Chambers. There are also two meeting rooms on the First Floor. These rooms shall be used only for meetings of the Council, committees thereof or meetings sponsored by an individual council member or staff, except where the council by vote authorizes its use by persons other than government officials. The Clerk, with the written approval of the President of the Council, may permit other government officials to use these rooms on public business only, when it is not in use by the Council or its committees.

At the receptionist's desk is the master calendar for these meeting rooms. When preparing to schedule a meeting for the Caucus Room or the Chambers, please check this calendar before finalizing the meeting plans. Each room shall have a column in the calendar book that is solely for the use of that room.

If the time slot is available, the receptionist will 'box' that time slot in the calendar and indicate the date the reservation was made and the telephone exchange of the person requesting the room. If reservations are being made for another group, the person making the reservations should provide the appropriate information to the receptionist. This is helpful in case the room schedules need to be adjusted.

Council members and outside groups should adhere to the following guidelines when using the Chambers or the Caucus Room.

1. Since the Chambers are more than 100 years old, do not move any of the furniture around while occupying the Chambers.
2. There is absolutely no eating or smoking in the Chambers.
3. For outside groups needing to use a telephone, there is a pay telephone located on the First and Ground Floors of City Hall.

If the sound system in the Chambers will be used, check with the Clerk of the Council or GLTV staff to make arrangements for a professional sound engineer.

If these rooms are booked up, check the first floor availability of the large conference and small conference rooms. If a public meeting is being held in one of these rooms, let the receptionist know so that people can be directed to the proper meeting room.

After the meeting is over, the room should be clear of paper (ordinances and agendas in the case of committee meetings) and trash should be disposed of properly. Persons reserving the room or holding the meeting should be aware of other meetings that may be scheduled, in case one meeting is running late. Maximum occupancy shall not exceed that which is posted.

Cell phones, beepers, and pagers should be turned off or put on vibrate during committee and council meetings.

Section 17. RESEARCH

Legal research assistance is available to council members and legislative assistants on a first come, first served basis by the Jefferson County Attorney's Office.

Legal and legislative research will be performed as requested, by council staff, the Jefferson County Attorney's Office, or the Research Ordinance Commission. Special research projects will be assigned as requested.

In order to expedite and formalize requests for Ordinances, Resolutions, contracts, legal opinions or general information in an efficient manner, the Research Ordinance Commission has established the following set of policies and procedures. The ROC requests up to 10 days to process requests.

1) All requests shall be in writing. If received by phone, ROC will verify by relegating request in writing (confirming via e-mail to requesting individual is acceptable). Further, all pertinent information relative to any request shall be denoted in writing;
2) ROC will assign each request to a staff member/attorney who will work directly with the sponsor or requesting individual;
3) Concerning confidentiality, coordinated input and duplicative requests;
    a. ROC will treat all requests with utmost confidentiality unless authorized by sponsor/requestor in order to gather resource information nationally or locally i.e. agency representative, field experts, etc.
    b. ROC encourages more input from the onset, particularly from metro government and other professionals in the subject area, in developing proposed legislation thereby creating the best possible product prior to any given proposal's first official reading and/or committee assignments.
    c. If two separate individuals make a duplicate request, ROC will continue to maintain confidentiality of both requests.
4) In order to process all requests in the most efficient and timely manner, all requests should include the following.
    a. Subject matter;
    b. Deadline sponsor requests project completion, i.e. for upcoming or future Council meeting.
    c. If available, any supporting documentation, reference material, i.e. article, etc.
    d. Authorization to communicate or confer with anyone other than requestor or sponsor (should be specific);
5) Requesting individuals should be cognizant of the deadline prescribed in the Rules of the Council, i.e submission of legislation to the Clerk for upcoming meeting agendas. Depending on the complexity of the issue or request, ROC reserves up to ten (10) working days to complete a request. Any such delays will be communicated by ROC as the process evolves;
6) A ROC attorney shall attach his/her initials "as to form and legality" of the proposed legislation prior to submitting to the requesting individual. Upon receipt

and approval by the requesting individual, the draft document will receive the signature of designated representatives of the JCAO;

7) ROC will forward the signed final draft document (w/an electronic copy) to the requesting individual or sponsor;
8) Unless otherwise stated, it will be the sponsor(s') responsibility to deliver the document(s) to the Clerk for placement on the agenda, (Refer to Council's Rule 6.02 and 7.01);
9) All proposed legislation shall require the signature of the County Attorney or his designee prior to introduction to the Council.

Section 18. VISITOR'S POLICY

All visitors to the Metro Council Offices are asked to sign in at the guard station on the first floor of City Hall or a guest book on the floor they are visiting. A council member may sign his or her name on behalf of any guest.

All council members, staff, staff interns, and helpers shall receive a photo I.D.

Section 19. PARKING

Parking is available in the lots north of City Hall, as designated by the Public Works Department, on an assigned basis by district number for council members, legislative assistants and full-time staff ONLY.

All others will be ticketed and towed.

The parking policy may be modified by the Public Works Director and the President of the Council, provided all council members are notified of the change and there is no objection.

Full-time staff members have been assigned spots in the lot. Other than Metro Council meeting days, if spaces are vacant after 5 p.m. and up to 6 a.m. on weekdays, anytime on weekends, then all staff, council visitors or council members may park in these designated spots on a first-come, first-serve basis.

The cost of replacement lot openers for the council members parking lot will be charged to the appropriate council member cost center.

Section 20. REGISTERED MAIL

Registered mail for members of the Council shall be accepted only by the addressee, the Clerk of the Council, or the Council staff.

If a member of the Council wishes to authorize his or her legislative assistant to accept the registered mail, the member must so state, in written memo, to the Clerk of the Council.

The person accepting registered mail is responsible for seeing it delivered properly.

If there is no one available to accept registered mail, it will be returned to the post office. IN NO CASE SHALL THE RECEPTIONIST OR ANY PERSON ACTING AS RECEPTIONIST AND NOT OTHERWISE AUTHORIZED, BE AUTHORIZED TO ACCEPT REGISTERED MAIL, UNLESS WRITTEN PERMISSION HAS BEEN AUTHORIZED.

Section 21. GENERAL OFFICE PROCEDURES

Office hours are 8:00 a.m. - 5:00 p.m. Monday through Friday. Voice mail is activated for calls when the switchboard is not open.

A sign-in sheet is located on the third floor at the receptionist desk for Legislative Assistants and council staff. They are requested to log or, sign-in and out so that the receptionist can more efficiently handle incoming calls and visitors.

Absences using compensatory or vacation time of one day or less should be approved in advance by the immediate supervisor and the receptionist notified. Absences over one day should be approved by the immediate supervisor, or Chief of Staff and/or the President of the Council.

Absences due to illness or a death in the family should be reported to the immediate supervisor and the receptionist and Chief of Staff as soon as possible prior to the beginning of the work day.

All staff are required to complete timesheets verifying hours worked. Hours should be totaled and 40 hours per week accounted for. Each employee is required to sign timesheets and forward to the Business Office by Friday 12:00 p.m. every other week, unless otherwise notified by the Council Business Office.

All council members will sign their legislative assistant's time sheet. The Business Office will process time sheets for any legislative assistant that is not signed by their council member, but is not authorized to give credit for compensatory hours earned. All compensatory hours earned will be credited only when approved through a signature by the appropriate supervisor or Chief of Staff. The Chief of Staff will sign time sheets for council office staff.

All legislative assistants turning in timesheets must list on the back of the timesheet what duties were performed to earn the compensatory hours.

All Human Resources policies and procedures shall apply to employees of the Council.

STAFF SUPPORT FOR ABSENCES
For long-term absences, such as vacation or extended illness, arrangements can be made for a common council office staff person to assist in the office.

Section 22. FACILITIES MANAGEMENT

PAINTING
When an area is requested to be painted, Facilities Management requests that all personal items in that area be removed by the occupant. This includes any paintings, portraits, plaques, etc. on the walls. Council office colors are limited to those provided by Facilities Management. Only authorized personnel may paint an office.

COUNCIL OFFICES
Facilities Management is responsible to provide access to all areas of City Hall, including Council offices. Access must be provided for custodial, fire and other services.

Facilities Management is also frequently called upon to allow access by Council staff who may have misplaced their keys.

A set of keys to all offices should be given to Facilities Management. Any keys in the possession of Public Properties are securely maintained.

ID badges must be worn by all personnel entering City Hall after hours or on weekends.

KEY LOT
Keys requested for the key parking lot require a formal request to the Director of Public Works by the Clerk. To have keys made, facilities management is required to provide to the vendor a statement signed by the Public Works Director.

MOVING FURNITURE, ETC.
The Department of Public Works is responsible for moving furniture, hanging pictures, plaques, etc. on office walls. All desks and file cabinets shall be empty before Public Works staff moves the furniture. A work order must be completed and sent to the Department of Public Works requesting assistance.

Section 23. TELEPHONES, CABLE TV AND FAXES

Telephone bills should be signed by the individual responsible for the charges, including long distance faxes. Fax machines may be purchased for individual council offices, home or satellite offices and paid by cost center funds.

If a purchase is not under contract with Metro Government, the council member will be responsible for maintenance and upgrade agreements that Metro Government may have. Additional lines are fees and expenditures connected with the telephone bills.

It is Council policy for the responsible party to sign or initial phone bills, and to return the bill along with any reimbursements to the Council Business Office for payment.

Council offices may be wired for cable at council expense. Any monthly billing associated shall be charged to the council members cost center.

Section 24. SMOKING POLICY

Smoking is prohibited by employees while providing direct constituent service, unless constituent is a smoker and has asked if he/she can smoke, in private offices only.

Smoking will not be allowed in the Council reception area, nor in the Chambers, Caucus Room, Media/Conference Rooms, bathrooms, lobby, hallways, stairwells, store rooms, elevators, etc.

In accordance with state law, smoking will be allowed in publicly designated areas in City Hall.

Smoking may be permitted in private offices at the discretion of each council member/assistant/staff person. Those who smoke within their offices must close all entryway doors.

In private offices where smoking is allowed, a council member/assistant/staff person may purchase equipment that lessens the effect of smoke in buildings.

Enforcement of this policy will fall exclusively under the supervision of the President of the Council.

Section 25. PROCUREMENT OF CONTRACTUAL SERVICES

The Council functions as an operating department of the Louisville Metro Government for all internal matters such as payroll, budget, purchasing, etc. As such, purchases for the Council are handled in the same manner as purchases for any other operating department with a couple of exceptions.

Prior to a contract being drafted, a memo or form detailing the following should be given to the President of the Council: the service, cost, manner of payment, contractor, whether or not the services are for the entire Council or for one or more council members and identifying the available funds either in the Council's budget or the council member's individual cost center.

The President of the Council shall present such requests to the Committee on Committees and shall request the authority to process the request according to the applicable

procurement regulations. The Committee on Committees action can be either at a meeting of the committee or by agreement of the committee members.

Section 26. COMMUNITY MUSIC PARTNERSHIP

The Community Music Partnership is a joint effort by contract of the Metro Council and the Louisville Federation of Musicians to provide music to neighborhood organizations, block watch clubs, Council sponsored events and senior citizen clubs within the community. Outside requests for music may be made in writing to the council member of the district. A completed Community Music Partnership Request Form should be forwarded to the Council staff. Only the council staff designee can coordinate music requests that are to be paid from this partnership. No payment for services will be made for music that is not coordinated through the Council staff. If the price of services exceeds allowable amount per event, any difference will be paid from the council member's public relations cost center or Neighborhood Development Fund.

The music provided by the community partnership will not be used for political activities or church religious activities, nor for the benefit of for-profit organizations.

Each district will have the same amount to spend on this program. The Council staff will review expenditures and maintain a total for expenses of each district. Council members expending their total may request to borrow funds from another council member. Requests of this nature must be in writing, signed by both council member, and forwarded to the Council staff. At no time shall expenditures exceed contract amount.

Any request for the use of money shall be forwarded to the Council staff. The President or designee shall approve requests.

Section 27. DESKTOP PUBLISHING POLICY

The Council staff will provide assistance for desktop publishing projects, including design and layout of newsletters, brochures and fliers; certificates; invitations; citizens guides; and other projects that require desktop publishing.

Requests for newsletters should be submitted to the Council staff at least four weeks prior to the needed date. The Council staff will schedule a meeting with the council member and/or legislative assistant to discuss stories, photos, graphics, design, priority of stories, etc. ***All copy*** to appear in the newsletter will be provided to the Council staff. The Council staff will have editorial license to edit copy, but council members will have final approval over the newsletter.

A draft copy will be provided to the council member/legislative assistant. Council members will sign off on proof.

Council members are responsible for the printing and mailing of newsletters and other desktop projects. The Council staff will provide assistance as requested. Any mailings over 200 pieces must have prior legal approval as to public purpose and must adhere to policies guiding mailings with respect to election dates.

CERTIFICATES OF RECOGNITION

The Council staff will print **Certificate of Recognition** awards provided the recipient's name is typed or printed legibly, and submitted to the Council staff with the date to appear on the certificate.

Recipients' names will be archived by this office so council members will know who has been awarded what certificates, and when.

GUIDELINES FOR CERTIFICATES OF RECOGNITION

The Certificate of **Recognition** is the highest honor bestowed upon a citizen, visitor or group by the Metro Council. Certain guidelines should apply when considering giving this certificate, so as to protect the value of the award:

1. Has the individual or group achieved a high or rare honor above normal achievements, that reflect positively on the Metro Government?
2. Has the individual or group performed services that improve the quality of life for others?
3. Has the individual or group risked its own health or life for the health or life of others?

BROCHURES

Brochures, flyers, and other community affairs publications are regularly published by the Council . This information is generally available to the public. Any mailing costs are the responsibility of the individual council members.

SECTION 28. OFFICE SELECTION

The initial selection of offices for the first Metro Council was determined by lot. Seniority for the first Metro Council will be determined by lot. Following each biennial election, members of the council will be allowed to draw for the offices vacated by exiting members of the council. Selection shall be based on seniority (years of service to the merged government.) Those persons interested in participating in the selection process will notify the clerk of their interest, so that they can be part of the drawing Those participating will not give up their offices unless they choose to move into one of the vacant offices.

The only exception to the order of selection will be for those persons representing council leadership positions. The president, majority and minority leaders will each be given right to accept an office designated for each position.

Persons who are elected to leadership positions within the council will forfeit their assigned office selection/ space, and will assume the office locations designated by the council. Offices vacated by those in leadership will be made available by allowing the next person in line to move or not.

If a person who served as council president is not re-elected to another term as president, he or she will be required to vacate the designated president's office within a reasonable time of the leadership vote. If the outgoing council president is no longer a member of council leadership, he or she will be given first selection of all vacant offices. Majority and minority leaders who are not re-elected to their positions will resume office selection in their order of seniority.

Replacing a councilperson's office space if the member resigns, is removed or dies
Any non-leadership office space vacated in the middle of a council term due to resignation, removal or death shall remain the office for the person chosen to represent the District for the remainder of that councilperson's term.

A person appointed to fill an un-expired term as councilperson will be given seniority over newly elected individuals if he/ she is elected to serve a new term.

DESIGNATING SENIORITY
Council members who are elected to the same term shall establish seniority among themselves by a drawing. As example, if three council members are newly elected to the council during the same election, those three shall determine by a drawing of numbers who shall be 24th, 25th and 26th in seniority. The Clerk shall maintain the seniority list.

Any councilperson who leaves office and returns will keep the total seniority for all years served. Thus, if a person served eight years, was defeated, then returns to office four years later, he or she would have a total of eight years seniority with respect to office selection.

Section 29. CODE OF CONDUCT

Members of the Council shall respect the district boundaries of their colleagues and shall not sponsor any activities in another council member's district without prior notification.

No council member shall personally attack, malign, or impugn the character or integrity of citizens who come before the Council nor of any fellow Council member. Any member engaging in such conduct shall be declared out of order by the President or presiding member and directed to cease such conduct. Should the member persist, the presiding officer shall again declare such member to be out of order, and such member shall immediately yield the floor. This policy also applies to Legislative Assistants, council office staff, or visitors.

The confidentiality of matters discussed in executive session shall not be violated by any council member nor anyone else in attendance, including but not limited to attorneys, the Clerk or any staff members.

ATTACHMENTS

ATTACHMENT A

Kentucky Open Meetings Law

The formation of public policy is public business, and Kentucky's Open Meetings Law seeks to prevent the public's business from being conducted in private. As elected public officials, councilmen are subject to the open meetings law. This tipsheet should help familiarize you with applicable sections of the law.

Public Meetings. In general, all meetings at which a quorum of the members of the public agency, at which any public business is discussed, is considered a public meeting. A gathering of any kind that includes a quorum of the members of a particular committee is a public meeting, if public business is discussed This is regardless of whether or not the gathering is during a regular or special meeting, or just a casual gathering.

(The law specifically notes that a series of meetings where less than a quorum is present, but whose collective total constitute at least a quorum, in order to circumvent the law, are still subject to the provisions of the Open Meetings Law.)

Every county and city governing body is subject to the open meetings law, as is any committee, commission, sub committee, ad hoc committee, and/or advisory committee. Community meetings and task forces set up by an individual councilman or councilwoman are not subject to the open meetings provisions.

Under the law, all meetings must be held at a specific time and place, which is convenient to the public, and each agency shall make the schedule of those meetings available to the public. Agendas are not a requirement of regular meetings, and items may be added to an agenda during a regular meeting. (See special meetings)

Minutes of action taken at meetings, including a record of votes, must be recorded and made available for public inspection.

Special Meetings. The presiding officer or a majority of the members of the public agency may call a special meeting. Written notice must be provided, with the time, date, place and items to be discussed. Discussion and action at the special meeting is limited to the items listed on the agenda. Notice shall be sent out at least 24 hours in advance of the meeting. The notice shall also be posted in a conspicuous place where the meeting will take place.

In an emergency situation, which prevents 24-hour notification of a special meeting, the public agency shall make every reasonable effort to notify the members of the media and others who have requested notification of the meeting. At the start of the special meeting, the chairman shall briefly describe the emergency circumstances for the record.

Closed Sessions. The law strongly discourages closed meetings, but does provide for public officials to deliberate in closed session for limited purposes, with specific requirements:

- Notice shall be given in open meeting of the general nature of the business to be discussed in closed session, and the specific provision of the law authorizing the closed session must be announced.
- A motion and vote is required to go into closed session.
- No matters other than those publicly stated may be discussed during closed session.
- No final action may be taken in closed session.

Council members are strongly encouraged to consult the County Attorney prior to closing any public meeting.

The following matters may be discussed in closed session:

- Discussions of proposed or pending litigation against or behalf of the public agency;
- Collective bargaining negotiations between public employers and their employees or their representatives;
- Discussions of hearings which might lead to the appointment, discipline, or dismissal of an individual employee, without restricting that employee's right to a public hearing if requested. This exception shall not be interpreted to permit discussion of general personnel matters in secret.
- Discussions between a public agency and a representative of a business entity and discussions concerning a specific proposal, if open discussions would jeopardize the siting, retention, expansion or upgrading of the business.
- Deliberations on the future acquisition or sale of real property where publicity would likely affect the value of the property.

Penalty. If a public agency is found to have conducted business in violation of the open meetings law, the action taken in violation of the law may be voided and the agency may have to pay to the person who originally complained, his/her attorney's fees and other costs.

ATTACHMENT B

AGENDA ORDER

1. Call to order by the chair. Announce the name of the committee, the date and time of the meeting.

2. Announce all council members present who are members, and add those council members attending but may not vote, except in the zoning committee where the zoning issue resides in their district.

3. Read each piece of legislation by title into the record. The chair usually asks who is present to speak to that item and council members ask questions or explain the item if they are sponsoring it. Always ask if there is any further discussion.

4. After the explanation, the chair calls for a motion. Announces who made the motion and who seconded it by name. For instance, "Councilman Jones made a motion to accept the ordinance as written. Seconded by Councilwoman Smith. The motion carries." (It is not proper to address the legislator by their first name when in an official meeting)

5. Announce the decision of the committee.
    a. "This item will be sent to the Consent Calendar upon unanimous approval of the committee."
    b. "This item will be sent to Old Business due to a vote of 4 in favor and 3 against."
    c. "This item has been amended and will be sent to Old Business."
    d. "This item will be sent to Old Business with a recommendation for defeat."

6. If an item is amended, the amendment must be voted upon and can be done by voice vote. "May I have a motion for the amendment?" Motion made by Councilman Jones. Seconded by Councilman Smith. All those in favor say Aye, Opposed? Announce the results of the vote. Then proceed to vote on the full ordinance or resolution, as amended. Motion made by Councilman Jones. Seconded by Councilman Smith. All those in favor say Aye, Opposed? Announce the results of the vote. ALL AMENDED ITEMS GO TO OLD BUSINESS FOR FULL CONSIDERATION OF THE COUNCIL.

7. After the last item is voted upon, call for a motion to adjourn and note the person giving the motion and the person who seconds the motion. The committee manager will note the time of adjournment in the summary of the committee meeting.

ATTACHMENT C
Neighborhood Development Fund/Capital Infrastructure Fund
City Agency Request

Form removed – see Council shared drive for current version

ATTACHMENT D

Neighborhood Development Fund
Not-for-Profit Transmittal and Approval Form

Form removed – see Council shared drive for current version

ATTACHMENT E (subject to revision by External Agency Task Force)

GRANT AGREEMENT

Form removed – see Council shared drive for current version

ATTACHMENT F

Sample Public Hearing Script:

The following script may be used to welcome citizens to a public hearing:
"Welcome to this public hearing of the Louisville/ Jefferson County Metro Council. As representatives of the community's residents, we are interested in what you have to say about the issue before us. Your opinions will better inform us on the issue and ensure that all the facts of the matter have been considered."

TO SPEAK TONIGHT:

- If you wish to speak tonight, you must sign the sign-in sheet. Please print your name clearly and include your address and phone number. Speakers will be called in the order in which they are signed up. Speakers will be given three minutes to state their opinions. If you are not prepared to speak when your name is called your name will be placed on the bottom of the list.

WHEN YOU ARE CALLED TO SPEAK:

- When you are called to speak, step up to the microphone or podium, if one is available. Take your time to adjust the microphone to a level that is comfortable for you. This hearing is taped for those members of the Metro Council who could not attend, so please speak slowly and clearly.
- Open your testimony by stating your name and address, and stating whether or not you are representing a group or coalition. If for any reason you do not want to give your name or address in public, please be prepared to have it in writing to present to the chair of the meeting. If you have testimony that is of a legal or technical nature, and not easily explained in the allotted time, you are welcome to present it in writing to the chair of the public hearing.

WRITTEN TESTIMONY:

- Written testimony helps the members of the Council gain knowledge on the issue. If you wish to leave written comments, pamphlets or other data, please bring 27 copies for distribution to all members of the Council and the Clerk. The chair of the public hearing will see that it is distributed to those unable to attend the public hearing.

QUESTIONS AND DEBATE:

- Although valuable information is gained, decisions are generally not made by the council members during a public hearing. Internal debate usually continues and decisions are made in the committee process. Council members generally will not respond or answer questions during the hearing.

ATTACHMENT G

OPEN RECORDS

The Council is required under state statute, KRS 61.870 - 61.884, the Kentucky Open Records Act, to provide free and open examination of public records which are in the public interest.

PUBLIC RECORDS DEFINED

Public record is defined as: all books, papers, maps, photographs, cards, tapes, discs, diskettes, recordings or other documentary materials regardless of physical form or characteristics, which are prepared, owned, used, in the possession of or retained by a public agency.

Public record shall not include any records owned or maintained by or for a public agency that are not related to functions, activities, programs, or operations funded by state or local authority.

The principal office of the Metro Council is 601 W. Jefferson Street, City Hall, Louisville, Kentucky 40202.

The custodian of the public records is the Clerk of the Council.

The Open Records Policy of the Council shall be posted in the reception area of the Third Floor of City Hall.

POLICY AND PROCEDURES

The Council is not required to compile information or to create a document that does not already exist in response to an Open Records request.

Application to inspect the records of the Council should be submitted to the Clerk of the Council.

Applications from the media should be submitted to the Council staff of the Council.

> A person may inspect the public records of the Council during the regular office hours, 8:30 a.m. - 5:00 p.m., Monday through Friday; but not on the second and fourth Thursday of the month when the Council meetings are held.

The Council will provide suitable facilities for the exercise of the right of public inspection of public records. Assistance will be provided upon request.

The Council is under a duty to protect public records from damage and disorganization.

The Council is under a duty to prevent excessive disruption of its essential functions.

In some instances, the records are not immediately available, or the staff is otherwise occupied with other duties; in that instance, the Clerk, as the official custodian of the records, may require written application.

The written application form may be provided by the Council, or the applicant can prepare his/her own which must be signed by the applicant with his/her name printed legibly on the application and describe the records to be inspected.

The written application must describe the requested records with enough specificity to allow the Council to locate the records.

The written application shall be hand delivered, mailed or sent via facsimile or e-mail to the Council Clerk.

The application shall state if the records requested are for commercial or non-commercial use.

The Council will ensure efficient and timely action in response to an application for inspection and has three (3) business days to respond to the application.

Inspection may be delayed if the requested record is in archives, or not otherwise available, and the Clerk shall give a detailed explanation of the cause for the delay and the place, time and earliest date on which the public record will be available for inspection.

The council shall mail copies of the public records to a person whose residence or principal place of business is outside Louisville Metro after the Clerk has precisely described the public records which are readily available within the Council.

COPIES OF RECORDS

No person shall remove the original copies of the public records from the offices of the Council without the permission of the Clerk.

The applicant has the right to make abstracts and memoranda of the public records that are inspected.

Photocopies of any public record is $.10 per page. Tape or computer copies of any public record, unless covered by the "commercial purpose" section of the Kentucky Revised Statutes, shall be a basic charge of $2.00 per media unit. The fee for reproduction may be waived for governmental agency requests.

Requests for commercial purposes shall be charged according to the provisions of KRS 61.874 (4):

The public agency from which copies of non-exempt public records are requested for a commercial purpose may require a certified statement from the requester stating the commercial purpose for which they shall be used, and may require the requester to enter into a contract with the agency. The contract shall permit use of the public records for the stated commercial purpose for a specified fee.

If the applicant provides a blank tape there will be no charge for the copy of the tape. The fees for reproduction may be waived for governmental agency requests.

The Clerk may require advance payment of the prescribed fee, including postage where appropriate, when copies are requested.

EXCEPTIONS TO RIGHT OF INSPECTION

The Clerk may refuse to permit inspection of public records, or mail copies thereof, if:

1. The application places an unreasonable burden in producing public records; or

2. The Clerk has reason to believe that repeated requests are intended to disrupt other essential functions of the Council; or

3. The records have been placed under a court order of confidentiality; or

4. The public records contain information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy; or

5. Preliminary drafts, notes, correspondence with private individuals, other than correspondence which is intended to give notice of final action of a public agency; or

6. Preliminary recommendations, and preliminary memoranda in which opinions are expressed or polices formulated or recommended; and

7. Any other exemptions stated in the state Open Records Act, or Federal law or regulation.

OPEN RECORDS REQUESTS

Sometimes a citizen will ask for a copy of some item of public business. Usually they want a copy of an ordinance or resolution passed by the Council. This is a routine request and may be honored immediately by any staff person available to make a copy of the ordinance or resolution. No charge is made for a single copy of a one-page ordinance or resolution. Any request more complicated, detailed or unusual should be handled as an OPEN RECORDS REQUEST. Fees for copies are 10 cents per page, and $2.00 per tape.

There are complicated and technical statutes regarding individual or media requests for public records. All requests for records of the Council should be made in writing to the Clerk. Any requests from the media should be referred to the Council staff. The request shall be responded to within 3 days.

The Clerk may pass any open records request on to the Jefferson County Attorney's Office for review and response. The Jefferson County Attorney's Office will decide if the request is appropriate, available, etc.

If a council member, legislative assistant or staff member receives an open records request, that request must be turned over immediately to the Clerk.

No council member, legislative assistant or staff member should make available any records of the Council without prior notification to the Clerk and legal advice from the Jefferson County Attorney or contract attorney .

A council member will be notified by the Clerk when an open records request has been made of records pertaining to his or her office.

Each council member will receive copies of the Councils response to each records request made of his or her office.