

ORDINANCE NO. 51 -2020

AN ORDINANCE APPROPRIATING THE REVENUES, EXPENDITURES/EXPENSES AND INTERFUND TRANSFERS FOR THE GENERAL SERVICES DISTRICT FUND, THE TENANT RELOCATION FUND, THE FULL URBAN SERVICES DISTRICTS FUND, THE POLICE CONFISCATED FEDERAL FUND, THE POLICE CONFISCATED STATE FUND, THE PUBLIC SAFETY FUND, THE INDUSTRIAL REVENUE BOND FUND, THE MUNICIPAL AID PROGRAM FUND, THE COUNTY ROAD AID PROGRAM FUND, THE MINERAL SEVERANCE FUND, THE COAL SEVERANCE FUND, THE MISCELLANEOUS SPECIAL REVENUE FUND, THE POLICE CONFISCATED – TREASURY FUND, THE LEXINGTON ECONOMIC DEVELOPMENT FUND, THE AFFORDABLE HOUSING AND HOMELESSNESS FUND, THE FY 2021 BOND PROJECTS FUNDS, THE SANITARY SEWER REVENUE AND OPERATING FUND, THE SANITARY SEWER CONSTRUCTION FUND, THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT PUBLIC FACILITIES CORPORATION GENERAL FUND, THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT PUBLIC FACILITIES CORPORATION PARKS PROJECTS FUND, THE WATER QUALITY MANAGEMENT FUND, THE WATER QUALITY MANAGEMENT CONSTRUCTION FUND, THE LANDFILL FUND, THE RIGHT OF WAY PROGRAM FUND, THE EXTENDED SCHOOL PROGRAM FUND, THE ENHANCED 911 FUND, THE CENTRAL KENTUCKY 911 FUND, THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT PUBLIC LIBRARY CORPORATION FUND, THE CITY EMPLOYEES' PENSION FUND, THE POLICE AND FIRE RETIREMENT FUND OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, THE MEDICAL INSURANCE FUND, THE PROPERTY AND CASUALTY CLAIMS FUND, ANY OTHER FUNDS AS PROVIDED IN ATTACHED EXHIBIT "A", AND THE REALLOCATION OF BOND PROJECT FUNDS, ON A DIVISIONAL LEVEL BY FOUR (4) CONTROL LEVELS, FOR THE FISCAL YEAR ENDING JUNE 30, 2021, FOR THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT AND ITS AGENCIES AND INSTRUMENTALITIES; APPROVING AND ADOPTING THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS (FY) 2021 THROUGH (FY) 2026, AS A PORTION OF THE FISCAL YEAR (FY) 2021 ANNUAL CAPITAL IMPROVEMENTS BUDGET; AND APPROVING FUNDING FOR THE LEXINGTON-FAYETTE URBAN COUNTY TOURIST AND CONVENTION COMMISSION FROM THE TRANSIENT ROOM TAX, SAID FUNDING TO EQUAL 99 1/2% OF THE REVENUE FROM THE TAX; SUSPENDING THE OPERATION IN FULL OR IN PART OF CERTAIN ORDINANCES AND RESOLUTIONS RELATED TO FUNDING; PLACING CERTAIN CONTINGENCIES ON THE USE OF THE EXTENDED SOCIAL RESOURCE PROGRAM FUNDS; AND PLACING CERTAIN CONTINGENCIES ON THE USE OF THE LOCAL SMALL BUSINESS ECONOMIC STIMULUS PACKAGE (FUND 1144) FUNDS.

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WHEREAS, the Mayor has prepared and submitted to the Urban County Council annual operating budgets and annual capital improvements budgets for the fiscal year ending June 30, 2021;

WHEREAS, pursuant to Section 8.03 of the Charter of the Urban County Government the Mayor has also presented a detailed summary of the capital improvements program plan for the next five fiscal years, as a part of the annual capital improvements budgets;

WHEREAS, public hearings on the budgets have been held;

WHEREAS, this ordinance and the adoption of the these budgets is in compliance with Ordinance No. 129-2005, which sets forth the procedures for budget adoption;

WHEREAS, the Urban County Council has thoroughly reviewed the proposed budgets and has made certain amendments thereto, which amendments are reflected in the Mayor's Proposed Budget as amended by the Urban County Council, which is attached hereto and incorporated herein by reference as Exhibit "A";

WHEREAS, the Lexington-Fayette Urban County Tourist and Convention Commission has pursuant to KRS 91A.390(1) submitted its budget, which is attached hereto and incorporated herein by reference as Exhibit "B", to the Urban County Council and requested funding for the 12 months fiscal year ending June 30, 2021.

NOW, THEREFORE, on the basis of the said budgets and in accordance with the provisions thereof,

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the Revenues, Interfund Transfers, and Expenditures/Expenses for the General Services District Fund, the Tenant Relocation Fund, the Full Urban Services Districts Fund, the Police Confiscated Federal Fund, the Police Confiscated State Fund, the Public Safety Fund, the Industrial Revenue Bond Fund, the Municipal Aid Program Fund, the County Road Aid Program Fund, the Mineral Severance Fund, the Coal Severance Fund, the Miscellaneous Special Revenue Fund, the Police Confiscated – Treasury Fund, the Lexington Economic Development Fund, the Affordable Housing and Homelessness Fund, the FY 2021 Bond Projects Fund, the Sanitary Sewer Revenue and Operating Fund, the Sanitary Sewer Construction Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation General Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation Parks Projects Fund, the Water Quality Management Fund, the Water Quality Management Construction Fund, the Landfill Fund, the Right of Way Program Fund, the Extended School Program Fund, the Enhanced 911 Fund, the Central Kentucky 911 Fund, the Lexington-Fayette Urban County Government Public Library Corporation Fund, the City Employees' Pension Fund, the Police And Fire Retirement Fund of the Lexington-Fayette Urban County Government, the Medical Insurance Fund, the Property and Casualty Claims Fund, any other Funds as provided in the attached Exhibit "A", and the reallocation of Bond Project Funds, on a divisional level by four (4)

control levels, for the fiscal year ending June 30, 2021, for Lexington-Fayette Urban County Government and its agencies and instrumentalities, are hereby allotted and reappropriated.

Section 2 - Pursuant to Sections 8.03 and 8.05 of the Charter of the Lexington-Fayette Urban County Government, the "Mayor's Proposed Capital Improvement Program", FY 2021-2026, attached hereto and incorporated herein by reference, is hereby accepted, approved and adopted as a portion of the annual capital improvements budget of the Lexington-Fayette Urban County Government for fiscal year 2021; provided, however, the capital improvements program for fiscal year 2022 through fiscal year 2026, adopted herein, shall be used as a planning device and not as a binding commitment for future capital improvement programs of the Urban County Government.

Section 3 - That pursuant to KRS 91A.390(1), the Lexington-Fayette Urban County Tourist and Convention Commission shall receive 99 1/2% of the revenue received from the 4% transient room tax imposed by Section 2-172(a) of the Code of Ordinances. The Lexington-Fayette Urban County Government shall retain 1/2% of said revenue to offset the cost of collecting the same.

Section 4 – That in order to balance the budget the following legislation be and hereby is fully or partially suspended for Fiscal Year 2021 as follows:

a. Notwithstanding Ordinance No. 50-2016 (Contingency Designation Fund Ordinance), the requirement of a \$50,000 a month contribution is suspended and \$20,000,000 from this fund shall be used for general fund purposes;

b. Notwithstanding Resolution No. 447-83, as amended by Resolution No. 178-95 (Parks Acquisition Funding), the requirement that any new incoming fee revenues to be used for parks maintenance and operations is suspended, and \$3,000,000 of existing Parks Acquisition Funds shall be used for park maintenance expenses and operations instead of acquisition, with the intent that the existing funding utilized be returned to this fund within the next ten (10) years;

c. Notwithstanding Ordinance No. 253-2008, \$200,000 from the Tenant Relocation Fund shall be used for general fund purposes; and

d. Notwithstanding Resolution No. 535-2018, there will be no allocation to the Percent for Arts Fund in the FY2021 bond issuance, and funds in the amount of \$189,000 from the arts fund shall be used for other lawful bond expenditures.

Section 5 - Notwithstanding the outstanding Requests for Proposals related to the Extended Social Resource Program (ESR), the use of its funds shall be contingent upon the following: (1) a one year funding cycle, (2) clarification of the COVID-19 impact on the funding recipients, (3) a quarterly review of the programs receiving funding, and (4) an assessment of the program by the Urban County Council in August 2020 or as otherwise scheduled.

Section 6 – That the use of \$2,500,000 in funds provided for the Local Small Business Economic Stimulus Package (Fund 1144) shall be contingent upon the following: (1) at least 50% of the funds shall be allocated to women or other minority owned businesses which are located in Fayette County, (2) the criteria for administering and distributing the funds will be presented to the Council’s Budget, Finance and Economic Development Committee for approval and quarterly reviews.

Section 7 - That the intent of Ordinance No. 103-2014 to provide the Homelessness Fund with funding of at least \$750,000 will be fulfilled in FY 2021 through the funds budgeted herein, as well as the unencumbered FY 2020 funds remaining in these accounts.

Section 8 - That the preamble set forth following the title to this Ordinance is incorporated herein as if set out in full.

Section 9 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

June 11, 2020



MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: