



**TO: MAYOR LINDA GORTON  
URBAN COUNTY COUNCIL**

**FROM: Amy Glasscock  
Director of Business Engagement**

**DATE: May 24, 2024**

**SUBJECT: AMENDMENTS TO JOBS FUND ORDINANCE AND JOBS FUND POLICY GUIDELINES**

**REQUEST:**

Authorization to amend Ordinance No. 153-2013, as amended by Ordinance No. 187-2016, and update the recommended Lexington Jobs Fund Policies and Guidelines. The Economic Development Investment Board (EDIB) unanimously approved the recommended changes at their May 7<sup>th</sup>, 2024, EDIB board meeting.

**REASON FOR REQUEST:**

As part of the EDIB's periodic review of the Jobs Fund Policies and Guidelines ("Policies"), the Board is recommending the following updates:

- Eligibility clarification as it relates to remote work.
- The option under the Forgivable Loan Agreements to be paid annually instead of quarterly if negotiated up front.
- Compliance Reports will be required bi-annually instead of annually.
- Update the penalty formula.
- The requirement for all Job Funds payments to be made by the LFUCG digital bill payment system.
- Update the requirement in the event of a merger of a business to include:
  - Provide notification of intent to merge to LFUCG Chief Development Officer no less than 30 days prior to merger.
  - Obtain a new personal guarantee, unless each current guarantor provides written assurances, to the satisfaction of LFUCG, that it remains bound by the existing personal guarantee (including by signing a reaffirmation agreement).
  - Merger must be approved by the EDIB and the LFUCG City Council prior to merger.
  - Failure to follow the above-mentioned requirements shall be considered default and require payment in full including penalties at that time.



**WHAT IS THE COST IN THIS BUDGET YEAR AND FUTURE BUDGET YEARS?**

The cost for this FY is: N/A

The cost for future FY is: N/A

**ARE THE FUNDS BUDGETED?** N/A

**DIRECTOR/COMMISSIONER:** Amy Glasscock/Kevin Atkins

