

CITY OF _____, KENTUCKY

ORDINANCE # _____

AN ORDINANCE ADOPTING AN INCENTIVE PROGRAM FOR CITY OFFICIALS TO OBTAIN TRAINING RELATED TO CITY GOVERNMENT

WHEREAS, the General Assembly passed House Bill 119 in the 2011 Regular Session of the Kentucky General Assembly and the bill was signed by the Governor of the Commonwealth to become effective on June 8, 2011;

WHEREAS, House Bill 119 authorizes the city governments of Kentucky to adopt training incentive programs to encourage city officials to obtain education and training related to the operation of city government;

WHEREAS, the City of _____ recognizes and values the importance of its city officials remaining informed and educated on topics related to city governments and the powers, duties, and responsibilities of city officials; and

WHEREAS, the City of _____ acknowledges that educated, informed, and well-trained city officials will provide a direct public benefit by fostering a deeper understanding of laws, regulations, and by promoting exploration of diversified practices, programs, and delivery of services to the citizens of the City of _____.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF _____, KENTUCKY:

SECTION 1: Definitions

As used in this ordinance, the terms below shall have the following meanings:

- (1) “Training unit” means fifteen (15) clock hours of attendance or participation in qualifying courses during a calendar year.
- (2) “Excess hours” means credit hours earned beyond fifteen (15) during a single calendar year.
- (3) “Administrator” shall mean the Kentucky League of Cities City Officials Training Center.
- (4) “Qualifying course” shall mean any training, seminar, educational or learning event that provides instruction or information that is relevant to the duties and functions of city government and city officials and that has been approved by the administrator.

SECTION 2: Adoption of a City Officials Training Program; Application.

In accordance with House Bill 119 of the 2011 General Assembly, as codified in KRS Chapter 64, the City of _____ hereby adopts and establishes a City Officials Training Program to make available incentive payments as specified by this ordinance to the elected city officials, including the mayor and all members of the city council. *[optional to include city clerk, city administrator, or city manager, or other specified non-elected city officials created under KRS 83A.080]* for obtaining education and training as required under the provisions of this ordinance.

SECTION 3: Incentive Payment Amount; Required Training Participation

- (1) Each city official eligible for participation in the City Officials Training Program shall receive training incentive payments of \$300 *[city may designate an amount between \$100 and \$500]* for completion of each training unit during his or her continuous service as a city official within the city. The city official shall only receive training incentive payments for a maximum of four (4) training units. The city official shall not be awarded more than one (1) training unit per calendar year.
- (2) The city official may continue to receive training incentive payments for four (4) training units in each calendar year following the fourth year, provided that the officer continues to earn a training unit each subsequent calendar year.
- (3) The failure of a city official to obtain a training unit during any calendar year shall disqualify the officer from receiving any training incentive payments for the calendar year and the city official shall lose any previously accumulated training units earned during previous calendar years.
- (4) Any city official earning excess hours during a calendar year shall be permitted to carry forward a maximum of ten (10) hours to apply to the earning of a training unit in the following calendar year.
- (5) Training incentive payments shall be made to a city official presenting proof of completion of a training unit for a calendar year within sixty (60) days of the conclusion of the calendar year.

SECTION 4: Policy regarding payment or Reimbursement for training courses

Subject to the constraints and the appropriations established by the city's annual budget, the city shall consider paying the cost of attendance or participation in advance of a city official's attendance or participation in the qualifying course if proper application is made to the mayor (or other designated official responsible for budget administration). Alternatively, and subject the constraints and appropriations established by the city's annual budget, the city shall consider reimbursing a city official for the cost of attendance or participation in a qualifying course upon

presentation of proof to the mayor (or other designated official responsible for budget administration) that the official has received credit for the course.

NOTE: The law requires the city to establish a policy regarding reimbursement or payment for the attendance or participation in training. It does not specify what the policy has to be. This is an example. It is recommended that in order to maintain some order with regard to this policy, that the city consider establishing specific line item amounts for each separate city official in its annual budget ordinance. This way each city official will know the total amount the city is willing to spend on his or her individual training.

SECTION 5: Administration of City Officials Training Program

- (1) The City Officials Training Program for the City of _____ shall be administered by the Kentucky League of Cities City Officials Training Center, which shall be responsible for approving courses as qualifying under the terms of this ordinance, shall maintain records of attendance and participation, and shall notify the city when a city official earns a training unit and the number of training units earned by a city official during his or her continuous service as a city official within the city.
- (2) The administrator shall evaluate and approve courses as qualifying for credit based on the relation of the course to the operation of city government. In addition to other courses which may be approved as qualifying courses by the administrator, courses that provide instruction on the statutory duties of cities and city officials, intergovernmental relationships, municipal finance and budgeting, municipal taxation, ethics, open records, open meetings, economic development, or municipal police powers shall be approved as qualifying courses under this ordinance. The administrator shall require the submission of the course or conference agenda, curriculum, name of the provider, and other course materials to determine whether a course should be approved as a qualifying course.
- (3) A city official shall submit proof of attendance or participation in a qualifying course to the administrator. A city official shall submit the course name, date, location, name of the instructor or provider, and sufficient proof of attendance or participation in the qualifying course before the administrator shall award credit. The administrator shall not award credit to a city official for attendance or participation in a qualifying course that is not, in the administrator's opinion, substantially different from another course the city official attended or participated in during the same calendar year.
- (4) The administrator shall maintain records that reflect each of the courses and hours completed by the city official and shall provide it to each city official upon request. The administrator shall, within thirty (30) days of the close of the calendar year, provide written or electronic certification to each participating city official of completed courses and hours, and shall, if applicable, certify the completion of a training unit and total number of accumulated training units. Upon receipt, a city official shall present a copy of the certification of the completion of the training unit and the total accumulated training units to the city in order to receive his or her training incentive payments.

SECTION 6: Status of Incentive Payments

- (1) Training incentive payments do not constitute wages under KRS Chapter 337, creditable compensation under the County Employees Retirement System under KRS Chapter 78, or compensation for the purposes of setting maximum compensation or modification of compensation under KRS Chapter 83A, and may be repealed or modified by the city at any time.
- (2) The training incentive payment amount established in the ordinance shall not be adjusted by any index reporting changes to consumer prices or any other method to account for inflation.

SECTION 7: Severability

Each section and each provision of each section of this ordinance is severable, and if any provision, section, paragraph, sentence or part thereof, or the application thereof to any person licensee, class or group, is held by a court of law to be unconstitutional or invalid for any reason, such holding shall not affect or impair the remainder of this ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence and part thereof, separately and independently of the rest.