

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
October 10-October 17, 2011**

Monday, October 10

Design Excellence Task Force Meeting.....3:00 pm
Conference Room-7th Floor Phoenix Building

Tuesday, October 11

General Government Committee Meeting.....10:00 am
Council Chambers-2nd Floor Government Center

Special Committee of the Whole Meeting RE: Council Admin. position discussion..... 12:00 pm
Conference Room-5th Floor Government Center

Economic Development Committee of the Whole Meeting.....1:00 pm
Council Chambers-2nd Floor Government Center

Council Work Session.....3:00 pm
Council Chambers-2nd Floor Government Center

Mayor's Youth Council Meeting.....5:30 pm
Conference Room-5th Floor Government Center

Wednesday, October 12

MPO-Transportation Technical Coordinating Committee (TTCC) Meeting.....9:00 am
Conference Room-7th Floor Phoenix Building

Tree Board Meeting.....10:30 am
Conference Room-5th Floor Government Center

Congestion Management Committee Meeting..... 1:30 pm
Conference Room-7th Floor Phoenix Building

Charles Young Center Task Force Meeting.....5:30 pm
Charles Young Center, 540 E Third St

Thursday, October 13

Council Meeting.....6:00 pm
Council Chambers-2nd Floor Government Center

Friday, October 14

Mayor's Task Force on Health & Wellness Meeting.....10:00 am
Conference Room-5th Floor Government Center

Monday, October 17

No Meetings

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

September 27, 2011

Mayor Gray chaired today's work session meeting, beginning at 3:00 pm. All Council Members were present, except CM Martin.

- I. Public Comment – Issues on Agenda-None
- II. Requested Rezoning / Docket Approval-Yes

A motion by CM Farmer to place on the docket for the September 29, 2011 Council Meeting a resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances section 18-86, to install multiway stop controls at Romany Rd and Providence Ln, seconded by VM Gorton, passed without dissent.

A motion by CM Farmer to place on the docket for the September 29, 2011 Council Meeting a resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances section 18-86, designating the speed limit on Pepperhill Rd between Montavesta Rd to Chinoe Rd as 25 miles per hour and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation, seconded by CM McChord, passed without dissent.

A motion by CM Stinnett to place on the docket for the September 29, 2011 Council Meeting a resolution revoking Resolution No. 262-2010 and replacing it with a resolution granting the one percent occupational license fee incentive to SIS Holding Company, LLC, and its affiliates SIS, LLC and VBS, LLC.

A motion by CM Ellinger to approve the docket as amended, seconded by CM Myers, passed without dissent.

III. Approval of Summary-Yes

A motion by CM Ellinger to approve the summary from the September 20, 2011, seconded by CM Crosbie, passed without dissent.

IV. Budget Amendments-Yes

CM Farmer asked for a correction to be made to journal entry # 55176. Dir. Barrow said that it would be changed.

A motion by VM Gorton to approve the budget amendments as amended, seconded by CM Crosbie, passed without dissent.

V. New Business

- A. Authorization to amend Section 21-5 of the Code of Ordinances by abolishing one position of Administrative Specialist Senior and to amend Section 22-5 of the Code of Ordinances extending the expiration date of one Program Manager Sr. position all within the Department of Environmental Quality and Public Works. (343-11) (Jarvis/Taylor)
- B. Authorization to approve two Partial Release of Easements releasing portions of Sanitary Sewer Easements on property located at 1000 Jouett Creek Drive and 1105 Jouett Creek Drive. (344-11) (Graham)
- C. Authorization to approve a Partial Release of Easement releasing a portion of a Sanitary Sewer Easement on property located at 4161 Victoria Court. (345-11) (Graham)
- D. Authorization to approve a Partial Release of Sanitary Sewer Easement on property located at 122 Somersly Place. (349-11) (Graham)
- E. Authorization to adopt the 2011 Calendar for the annual Urban Services Changes. (350-11) (Wente/Taylor)

- F. Authorization to approve the Floodplain Management Plan for the year 2011. (346-11) (King/Moloney)
- G. Authorization to approve 2011, 1st Quarter street name changes and individual number changes within Districts 1, 2, 3, 4, 10, 11 and 12. (347-11) (Lucas/Mason)
- H. Authorization to allow the issuance by the Kentucky Economic Development Finance Authority of revenue bonds to finance, among other things, cost incurred by the Baptist Healthcare System, Inc. (351-11) (Atkins)
- I. Authorization to submit application to Kentucky American Water Company requesting funds under the Kentucky American Water Firefighting Support Grant. (348-11) (Gooding/Mason)

A motion by CM Beard to approve New Business, A-I, seconded by CM Farmer, passed without dissent.

VI. Continuing Business / Presentations-Yes

A. 7.5.11 Council Planning & Zoning Committee Update

This update was given by Chair CM Farmer. There were no motions to come forward.

B. 9.13.11 Planning & Public Works Committee Update

This update was given by Chair CM Farmer. There were no motions to come forward.

C. 9.20.11 Environmental Quality Committee Update

This update was given by Chair CM Blues. He stated that the items would be rescheduled for the Dec. 6, 2011 meeting.

A motion by CM Blues to assign Valley View Ferry issue (establish a better partnership with Madison & Jessamine Counties) to the Planning & Public Works Committee, seconded by VM Gorton, passed without dissent.

A motion by CM Blues to assign the issue of renegotiating and expanding paving warranties to the Planning & Public Works Committee, seconded by CM Myers, passed without dissent.

A motion by CM Blues to cancel the October 4, 2011 Environmental Quality Committee meeting, seconded by CM Crosbie, passed without dissent.

D. Airport Board Presentation of the Economic Impact of Blue Grass Airport

This presentation was given by Richard Hopgood, Chair and Eric Frankl, Exec. Dir. Several CMs made comments and gave 'thank-you' for the different events that they have allowed at the airport and on the runways.

D. Social Services Presentation of FY12 Partner Agency Salary Increases

This presentation was given by Comm. Mills. Several CMs made statements and asked questions. **CM Stinnett asked how does this fit into the new application process. CM McChord asked CAO Moloney and COS Emmons for information on the other 2 agencies that were not included in this presentation but were given funds and provided raises to their employees. CM Lane asked if the information could be given to Council in advance.**

A motion by CM Myers to place into the Social Services & Community Development Committee the discussion on creating a policy recommendation to the full Council around how we fund Partner Agencies specifically with respect to those who want to give raise to their employees, seconded by CM Ellinger, passed by a 11-4 vote.

CM Martin is now present. CM Crosbie asked what our Charter says that we provide for.

VII. Council Report

CM Beard-A motion by CM Beard to move into the Planning & Public Works Committee the issue in Chap. 4 of the Code of Ordinances about which animals can be kept in residential

areas, seconded by CM Crosbie, passed without dissent.

CM Blues-Announced the Free Flu Friday on 10/14 from 10-6 pm at the Health Dept. North campus at 805 Newtown Cir-will be able to give up to 2000 shots, also include H1N1; neighborhood meetings: on 10/3 Georgetown Street Area at 6 pm at the O'Rear Center on Douglass Park; on 10/3 at 7pm Green Acres/Hollow Creek/Breckinridge at the community center in Green Acres; and 10/4, Woodward Heights at Community Action building on High St.

VM Gorton-Announced that CMs will be receiving information on the Citizen's Advocate job description; there are 2 surveys coming to them to fill out; Council Administrator interview are on 10/3 t 9-12-CM Ellinger says that all 3 candidates will be here to answer questions and if CMs have questions, please give to him or VM Gorton; also announce grand opening of Hisle Archery Range at 10 am on Saturday.

CM Stinnett-Asked will LFUCG have a Citizen's Advocate after the Current position expires and who will answer phones-VM says we don't know yet; the acting Citizen's Advocate is putting together a recommended plan; asked CAO Moloney if he would give a presentation on current staffing at GTV3 and who is filling in for the roles that we took out of the budget and also for Computer Service and who is filling in for the graphic artist position; announced 2 meetings tonight: Eastland Pkwy NA meeting at 6:30 pm at Christ Ctr. Church and Northpoint Assoc. at 7 pm at Bryan Station High School; also announced that he and Mayor will be in Hamburg on Saturday for the opening of Petsmart.

CM McChord-Reminded everyone that on 10/8 Lexington will welcome 100s of runners for the Bourbon Chase Run and then on 10/9 from 2-6 pm there will be another 2nd Sunday; the writers of the Menshealth article will be here and they will be partnering with PTAs for a 5k.

CM Lawless-Reminded everyone that all of the Farmer's Mkts. are still open; this weekend, National Ave. Artsfest from 9-5 pm;

Thursday Night Live still at 5/3 Pavilion; Wabash & Goodrich NA Fall picnic Saturday at 2 pm; stated that if someone wants to reach her, please call her office and not Facebook; announced that her Legislative Aide, Diana Queen's last day is Friday and her office will be going through transition and juggling things around.

CM Martin-Spoke about his visit this past weekend to Greenville for a wedding-catching up with everyone who went on the leadership visit; stated that the RFP for the transportation study was already put out.

A motion by CM Martin to refer to the Planning & Public Works Committee an examination of the existing tree ordinance and the review of recommendations for increasing the age, quality, and quantity of Lexington's tree stock throughout downtown, seconded by CM Ford, passed without dissent.

CM Henson-Announced the Poverty Forum on 10/3; spoke about whether or not trees will be planted in concrete; and the spay and neuter fund.

A motion by CM Henson to move the Spay & Neutering from the Public Safety Committee to the Budget & Finance Committee, seconded by CM McChord, passed without dissent.

VM Gorton said that Paul Schoninger will speak with Bill O'Mara and Animal Control about the funds.

CM Ford-Carried on conversation about compensation.

A motion by CM Ford to place into the General Government Committee the examination of recent history of the Cost of Living Adjustments and salary increases for LFUCG employees, seconded by CM Ellinger, passed by a 10-3 vote.

Mayor Gray spoke and said that it is important to be specific; Council should exhaust its research resources; clarity on the

scope of questions, with merit, need to be worked on and this is the opportunity for that.

CM Farmer-Jokingly thanked Council for placing the many items into the Planning & Public Works Committee; expressed that the Mayor's comments about the Tiffany's warehouse opening here in Lexington was excellent.

CM Lane-Followed-up on CM Farmer's comments about the Tiffany's opening and they also announced their support for the Arts.

VII. Mayor's Report-Yes

A motion by CM Ellinger to approve the Mayor's Report, seconded by CM Myers, passed without dissent.

IX. Public Comment-Issues not on the agenda-None

X. Adjournment

A motion by CM Ellinger to adjourn, seconded by VM Gorton, passed without dissent.

Work session was adjourned at 5:01 pm.

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

October 11, 2011

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary – Yes, pp. 1-7**
- IV. Budget Amendments – Yes, pp.12-15**
- V. New Business-Yes, pp.16-38**
- VI. Continuing Business / Presentations**
 - A. Presentation Honoring the 2011 Jr. Fire Chief-Mayor Gray**
 - B. 9.13.11 General Government Committee-CM Lane, pp.39-46**
 - C. 9.20.11 Public Safety Committee-CM Lawless,pp.47-48**
 - D. 9.27.11 Budget & Finance Committee-CM Ellinger, pp.49-50**
 - E. 9.27.11 Social Services & Community Development Committee-CM Myer(separate)**
 - F. 10.4.11 Special Committee of the Whole-Redistricting-VM Gorton, pp.51-59**
 - G. Collective Bargaining-Fire Contract Presentation-Comm. Graham/Comm. Mason/Leslie Jarvis-Acting Dir. HR (separate)**
- VII. Council Reports**
- VIII. Mayor's Report –Yes**
- IX. Public Comment – Issues Not on Agenda**
- X. Adjournment**

ADMINISTRATIVE SYNOPSIS

October 11, 2011

New Business Items

- A. Authorization to amend Section 22-5 of the Code of Ordinances abolishing one position of Citizens Advocate and creating one position of Citizens Advocate P/T in the Citizens Advocate office. (358-11) (Jarvis/Graham)
This is a request to amend Section 22-5 of the Code of Ordinances abolishing one (1) position of Citizens Advocate (Grade 118E) and creating one (1) position of Citizens Advocate P/T (Grade 115E) in the Citizens Advocate office. Funds are budgeted.**p.16**
- B. Authorization to execute Change Order No. 1 with Gooch Construction for the Dixie Pump Station and Force Main Upgrade. (362-11) (Martin/Taylor)
This is a request to execute Change Order No. 1 with Gooch Construction that will increase the sum of the contract by \$99,443.00 or 38% and add 100 days to the contract for the Dixie Pump Station and Force Main Upgrade. The change order gives the revised total contract amount of \$354, 443.00.**pp.17-20**
- C. Authorization to approve a Release of Easement releasing a streetlight easement on property located at 2387 Merluna Drive. (361-11) (Graham)
This is a request to approve a Release of Easement releasing a streetlight easement on property located at 2387 Merluna Drive. The Release has been approved by the Divisions of Engineering, Water Quality and Traffic Engineering and the Department of Law. There is no budgetary impact.**pp.21-22**
- D. Authorization to approve Quitclaim Deed and Release of Easement releasing a utility easement on property located at 2010 Harrodsburg Road. (356-11) (Graham)
This is a request to approve a Quitclaim Deed and a Release of Easement releasing a utility easement on property located at 2010 Harrodsburg Road. The Divisions of Engineering, Water Quality and Traffic Engineering and the Department of Law reviewed and approved this release. There is no budgetary impact.**pp.23-24**
- E. Authorization to accept Information Station Specialists, Inc., as a sole source for purchase of AM radio equipment and installation under the Chemical Stockpile Equipment Emergency Preparedness Program (CSEPP). (364-11) (Gooding/Mason)
This is a request to accept Information Station Specialists, Inc., as a sole source for purchase of AM radio equipment and installation, in the amount of \$44,975.00, for the Chemical Stockpile Emergency Preparedness Program. This is an additional AM ALERT station for LFUCG's existing emergency advisory radio system. Sole Source certification of Information

Station Specialist, Inc. is requested on the basis that other vendor's equipment would not be compatible with existing system.**pp.25-28**

- F. Authorization to enter into a Facility Usage Contract between Fayette County Board of Education and the LFUCG for rental of the Norsworthy Auditorium, Saturday, December 17, 2011 for Kiddie Kapers program. (360-11) (Hancock/Moloney)
This is a request to approve a Facility Usage Contract between Fayette County Board of Education and the LFUCG Parks and Recreation for rental of the Norsworthy Auditorium, Saturday, December 17, 2011 for the Kiddie Kapers program, at a cost not to exceed \$1,299.00. Funds are budgeted.**pp.29-30**
- G. Authorization to enter into the Purchase of Service Agreement with the Bluegrass State Games, Inc. for FY12. (366-11) (Emmons)
This is a request to execute a Purchase of Service Agreement in the amount of \$47,250.00 with the Bluegrass State Games, Inc.**p.31**
- H. Authorization to enter an agreement between the Fayette County Cooperative Extension District Board and the LFUCG for acceptance of a building and concession agreement. (355-11) (Hancock/Moloney)
This is a request to approve an agreement for a building donation and lease, which provides for the donation and use of a new Extension Exposition Center, located within the fairgrounds at Masterson Station Park. There is no budgetary impact. The building (14,600 square feet) cost the 4-H and Fayette County Cooperative Extension District Board \$332,060.00 to build.**p.32**
- I. Authorization to approve an agreement with Columbia Gas to install and maintain a natural gas training simulator at the Fire Training Academy on Old Frankfort Pike at no cost to LFUCG. (367-11) (Mattingly/Mason)
This is a request to execute an agreement with Columbia Gas to install and maintain a natural gas training simulator at the Fire Training Academy on Old Frankfort Pike at no cost to LFUCG. The simulator is valued at \$27,500.00 and will be used by Columbia Gas and Division of Fire employees. The budget impact is minimal and estimated to be less than \$50 per month additional cost for the Division's natural gas bill.**p.33**
- J. Authorization to execute an Agreement for flu vaccinations for all LFUCG employees with Kroger Limited Partnership I, Mid South Division, at a cost not to exceed \$18.00 per vaccination. (357-11) (Jarvis/Graham)
This is a request to execute an agreement for flu vaccinations for all LFUCG employees with Kroger Limited Partnership I, Mid South Division. The cost per vaccination is \$18.00. Funds are budgeted.**p.34**

- K. Authorization to execute agreement with the Commonwealth Attorney's Office for provisions of "Fast Track" prosecutor services under the Justice Assistance Grant - FY 2012. (354-11) (Gooding/Mason)
This is a request to execute an agreement with the Commonwealth Attorney's Office for provisions of "Fast Track" prosecutor services under the Justice Assistance Grant - FY 2012. Funds are used to support one full-time assistant prosecutor for one year. The total cost of this element of the project is \$56,200.00. Funds are budgeted.**p.35**
- L. Authorization to accept award of federal funds from the U.S. Department of Justice, under the Cops Hiring Program. (365-11) (Gooding/Mason)
This is a request to accept award in the amount of \$3,942,925.00 from the U.S. Department of Justice, Office of Community Oriented Policing Services for the employment of 25 entry level officers for a period of three years. No local cash match is required under this grant program. LFUCG will be responsible for the costs that include uniform allowances, equipment, education and training incentives, and specialist pay. Acceptance of federal funds also obligates the government to retain officers for a minimum of 12 months after expiration of federal funding.**p.36**
- M. Authorization to accept award of federal funds from the U.S. Department of Justice, Office on Violence Against Women for continuation of the LFUCG Arrest Policies Project and execute sub-recipient agreements with partner agencies. (363-11) (Gooding/Mason)
This is a request to accept the third award in amount of \$400,000.00 from the U.S. Department of Justice, Office on Violence Against Women for the continuation of the LFUCG Arrest Policy Project and authorize sub-recipient agreements with Bluegrass Domestic Violence Program in the amount of \$52,000.00, Bluegrass Rape Crisis Center in the amount of \$8,000.00, Legal Aid of the Bluegrass in the amount of \$5,000.00, Fayette County Sheriff's Office in the amount of \$8,000.00, Fayette County Commonwealth Attorney's Office in the amount of \$42,000.00, and American Probation and Parole Association in the amount of \$5,000.00.**p.37**
- N. Authorization to accept award of federal funds from Kentucky Transportation Cabinet under the Scenic Byways and Highways Program for the Old Frankfort Pike Corridor Management Plan and to execute agreement with Lexington-Frankfort Scenic Corridor, Inc. for management of project. (359-11) (Gooding/Moloney)
This is a request to accept the award in the amount of \$52,000.00 in federal funds from the Kentucky Transportation Cabinet for the Federal Highway Administration's Nation Scenic Byways Program to support the development of 14.541 miles of the Old Frankfort Pike Corridor Management Plan. The Lexington-Frankfort Scenic Corridor, Inc. is providing a 20% match in the amount \$13,000. Total project cost \$65,000.**p.38**

Budget Amendment Request List**12**

JOURNAL	55363	DIVISION	Public Library	Fund Name	General Fund
				Fund Impact	167,140.00
					167,140.00

To adjust FY 2012 allocation to the Lexington Public Library based on certified property values.

JOURNAL	55364	DIVISION	Finance Administration	Fund Name	General Fund
				Fund Impact	14,000.00
					315,000.00CR
					301,000.00CR

To adjust FY 2012 ad valorem revenues based on certified property values and rates approved by Ordinance 109-2011.

JOURNAL	55372	DIVISION	Finance Administration	Fund Name	General Fund
				Fund Impact	2,605.00
					2,605.00CR
					.00

To provide funds for Audit expenses by transferring budget to the funds where expenses will occur.

JOURNAL	55377-78	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	187.68
					187.68CR
					.00

To recognize reimbursement from Lexington Community Land Trust for Park Maintenance overtime for neighborhood block party.

JOURNAL	55404	DIVISION	Social Services Administration	Fund Name	General Fund
				Fund Impact	5,567.44
					5,567.44CR
					.00

To provide funds for professional services by decreasing funds no longer needed for Rent/Lease. Gainesway Empowerment Center employees relocated to LFUCG offices.

JOURNAL	55405-06	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	2,522.11
					2,522.11CR
					.00

To recognize reimbursement for food costs for Credit Union Picnic, Police breakfast and Larry Gilbert provided by Parks and Recreation.

JOURNAL	55539-40	DIVISION	Traffic Engineering	Fund Name	General Fund
				Fund Impact	1,116.52
					1,116.52CR
					.00

To provide funds for cell phone account by recognizing revenue from sale of scrap metal and signs.

JOURNAL	55590-91	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	11,525.68
					11,525.68CR
					.00

To recognize reimbursement from the Downtown Lexington Corporation for personnel expenses incurred by the Division of Parks and Recreation.

JOURNAL	55401-02	DIVISION	Family Services	Fund Name	Donation Fund
				Fund Impact	30.00
					30.00CR
					.00

To recognize contribution for Family Care Center supplies and expenses.

JOURNAL	55364B	DIVISION	Finance Administration	Fund Name	Urban Fund
				Fund Impact	7,000.00
					409,000.00CR
					402,000.00CR

To adjust FY 2012 ad valorem revenues based on certified property values and rates approved by Ordinance 109-2011.

JOURNAL	55366-67	DIVISION	Finance Administration	Fund Name	Urban Fund
				Fund Impact	290.00
					290.00CR
					.00

To provide funds for Audit expenses by recognizing a transfer from the General Fund.

JOURNAL	55536	DIVISION	Traffic Engineering	Fund Name	Misc. Special Revenue
				Fund Impact	10,250.00
					10,250.00CR
					.00

To provide funding for traffic signal equipment by decreasing funds for Professional Development.

JOURNAL	55370-71	DIVISION	Finance Administration	Fund Name Fund Impact	Public Library Corp. 1,080.00 1,080.00CR .00
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To provide funds for Audit expenses by recognizing a transfer from the General Fund.

JOURNAL	55588	DIVISION	Finance Administration	Fund Name Fund Impact	2009 Bond Projects 910,514.46CR 910,514.46CR
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To reduce the budget for 2009 Equipment Package to match what was approved by Council to be bonded as part of the 2010A Bond Issue.

JOURNAL	55586-87	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept Of Transp. 65,000.00 65,000.00CR .00
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To establish grant budget for Scenic Byways-Old Frankfort Pike.

JOURNAL	55336-37	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept Of HHS 4,274.00 4,274.00CR .00
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To reduce expenses and revenue for Senior Citizen 2012 to reflect actual award amount. Reduction is taken from personnel expenses that will not be needed within the grant.

JOURNAL	55376	DIVISION	Finance Administration	Fund Name Fund Impact	Water Quality Fund 78,875.03 78,875.03
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To establish debt service budget for the Street KIA Stormwater SRF Loan for FY 2012.

JOURNAL	55368-69	DIVISION	Finance Administration	Fund Name Fund Impact	Landfill Fund 780.00 780.00CR .00
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To provide funds for Audit expenses by recognizing a transfer from the General Fund.

JOURNAL	55373-74	DIVISION	Finance Administration	Fund Name Fund Impact	Public Parking Corp. 455.00 455.00CR .00
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To provide funds for Audit expenses by recognizing a transfer from the General Fund.

JOURNAL	55585	DIVISION	Community Corrections	Fund Name	Prisoners' Fund
				Fund Impact	80,000.00
					80,000.00

To provide funding for mattresses to be replaced per State Department of Corrections jail inspection report. Funds will be taken from fund balance in Prisoner's Account Fund.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	133,860.00CR
Fund	1103	Donation Fund	.00
Fund	1115	Urban Service District Fund	.00
Fund	1141	Miscellaneous Special Revenue Fund	.00
Fund	1181	Public Library Corporation Fund	.00
Fund	2518	2009 Bond Projects	910,514.46CR
Fund	3160	US Department of Transportation	.00
Fund	3190	US Department of Health and Human Services	.00
Fund	4051	Water Quality Management Fund	78,875.03
Fund	4121	Landfill Fund	.00
Fund	4161	Public Parking Corporation Fund	.00
Fund	4203	Prisoner's Account Fund	80,000.00



358-11
16

Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Richard Moloney, Chief Administrative Officer
Council Members

FROM: *Leslie Jarvis by [signature]*
Leslie Jarvis, Acting Director
Division of Human Resources

DATE: September 20, 2011

SUBJECT: Abolish full time position/Create part time position

The attached action amends Section 22-5 of the Code of Ordinances abolishing one (1) position of Citizens Advocate (Grade 118E) and creating one (1) position of Citizens Advocate P/T (Grade 115E) in the Citizens Advocate office, effective upon passage by Council.

The Council Office requested, and a study was conducted by the Division of Human Resources in accordance to standard procedures using the Position Analysis Questionnaire (PAQ) and position audit. The position was analyzed by staff using the whole job rank and factor comparison methods. As a result, the recommendation was to reallocate this position of Citizen's Advocate (Grade 118E) from full time to Citizen's Advocate P/T (Grade 115E) in the Citizens Advocate office.

This part time position was included in the FY 12 adopted budget.

If you have questions or need additional information, please contact Daniel H. Fischer at 258-3030.

Attachment

Log # 12-0015



362-11

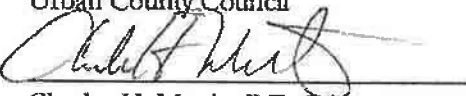
17

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Jim Gray
Mayor

Cheryl Taylor
Commissioner

To: Mayor Jim Gray
Urban County Council

From: 
Charles H. Martin, P.E., Director
Division of Water Quality

Date: September 21, 2011

Subject: Change Order # 1 for Dixie Pump Station and Force Main Upgrade
CONSENT DECREE

The Division of Water Quality requests approval of Change Order #1 with Gooch Construction for the Dixie Pump Station and Force Main Upgrade. The original amount of this project was \$258,000.00. Change Order #1 is for \$99,443.00 and adding 100 days to the contract giving a revised completion date of November, 30 2011. Change Order #1 gives a revised total contract amount of \$357,443.00. The sum of this Change Order amounts to 39% of the original contract amount.

Description of Change Order

Demobilization, remobilization, maintain site and erosion and sediment control during delay period.	\$6,000.00
Fencing	\$500.00
Concrete	1560.00
Pump Upgrade / add 3 rd Pump	\$33,584.00
Modify original electrical and controls to accommodate changes in the original pumps and to add 3 rd pump.	\$10,705.00
Additional piping material for the 3 rd pump and increase size of force main	\$8,965.00
Add and install new valve vault.	\$3,840.00
Core additional holes in existing manholes.	\$2,000.00
Additional labor and equipment.	\$16,800.00
Bond @ 3%	\$2,519.00
Overhead and profit	\$12,970.00
TOTAL	\$99,443.00



362-11
18

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Gray
Mayor

Cheryl Taylor
Commissioner

CONTRACT HISTORY FORM

Contractor: Gooch Construction

Project Name: Dixie Pump Station and Force Main Upgrade

Contract Number and Date: # 600-2010

Responsible LFUCG Division: Division of Water Quality

CHANGE ORDER DETAILS

Summary of previous Change Orders to Date

Dollar Amount

A. Original Contract Amount: \$258,000.00

B. Cumulative Amount of Previous Change Orders: \$0

C. Total Contract Amount Prior to this Change Order: \$258,000.00

Current Change Order

D. Amount of this Change Order: \$99,443.00

E. New Contract Amount Including this Change Order: \$357,443.00

SIGNATURE LINES

Project Manager: [Signature]

Reviewed By: [Signature]

Division Director: [Signature] 9-26-11

362-11

19


CONTRACT HISTORY FORMContractor: Gooch ConstructionProject Name: Dixie Pump StationContract Number and Date: #600 - 2010Responsible LFUCG Division: Water Quality**CHANGE ORDER DETAILS****Summary of Previous Change
Orders To Date****Dollar Amount****Percent Change to
Original Contract**A. Original Contract Amount: \$ 258,000.00B. Cumulative Amount of
Previous Change Orders: \$ 0.000% %
(Line B / Line A)C. Total Contract Amount
Prior to this Change Order: \$ 258,000.00**Current Change Order**D. Amount of This Change Order: \$ 99,443.0039% %
(Line D / Line A)E. New Contract Amount
Including this Change Order: \$ 357,443.00139% %
(Line E / Line A)**SIGNATURE LINES**

Project Manager: _____

Date: _____

Reviewed by: _____

Date: _____

Division Director: Date: 9/20/11

**362-11****20**

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Gray
Mayor

Cheryl Taylor
Commissioner

Change Order Summary

Change Order No.1
Dixie Pump Station and Force Main Upgrade
Lexington Fayette-Urban County Government
Division of Water Quality

Owner: Lexington Fayette-Urban County Government
200 East Main Street
Lexington KY, 40507

Contractor: Gooch Construction
Po Box 910524
Lexington KY, 40591-0524

SUMMARY OF INFORMATION

Date of Change Order:	September 21, 2011
Date of Contract:	11/18/2010
Date of Notice to Proceed:	02/15/2011
Date of Contract Completion:	11/30/2011
Change in Contract Time (Calendar Days):	100
Original Contract Amount:	\$258,000.00
Previous Change Order Total:	\$0
Current Contract Amount:	\$258,000.00
Change Order # 1 Amount:	\$99,443.00
New Contract Amount Including Change Orders:	\$357,443.00
Percent of Change from Original Contract Amount:	39%



361-11
21

Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

TO: Jim Gray, Mayor
Members, Urban County Council

FROM: Department of Law

DATE: September 29, 2011

RE: Release of Easement
2387 Merluna Drive

This memo is to request a Resolution authorizing the Mayor to sign a Release of Easement releasing a streetlight easement on property located at 2387 Merluna Drive.

The proposed Release has been reviewed and approved by the Divisions of Engineering, Water Quality, and Traffic Engineering and the Department of Law. This action has no budgetary implication for LFUCG.

Edward W. Gardner
Attorney Sr.

Enclosure

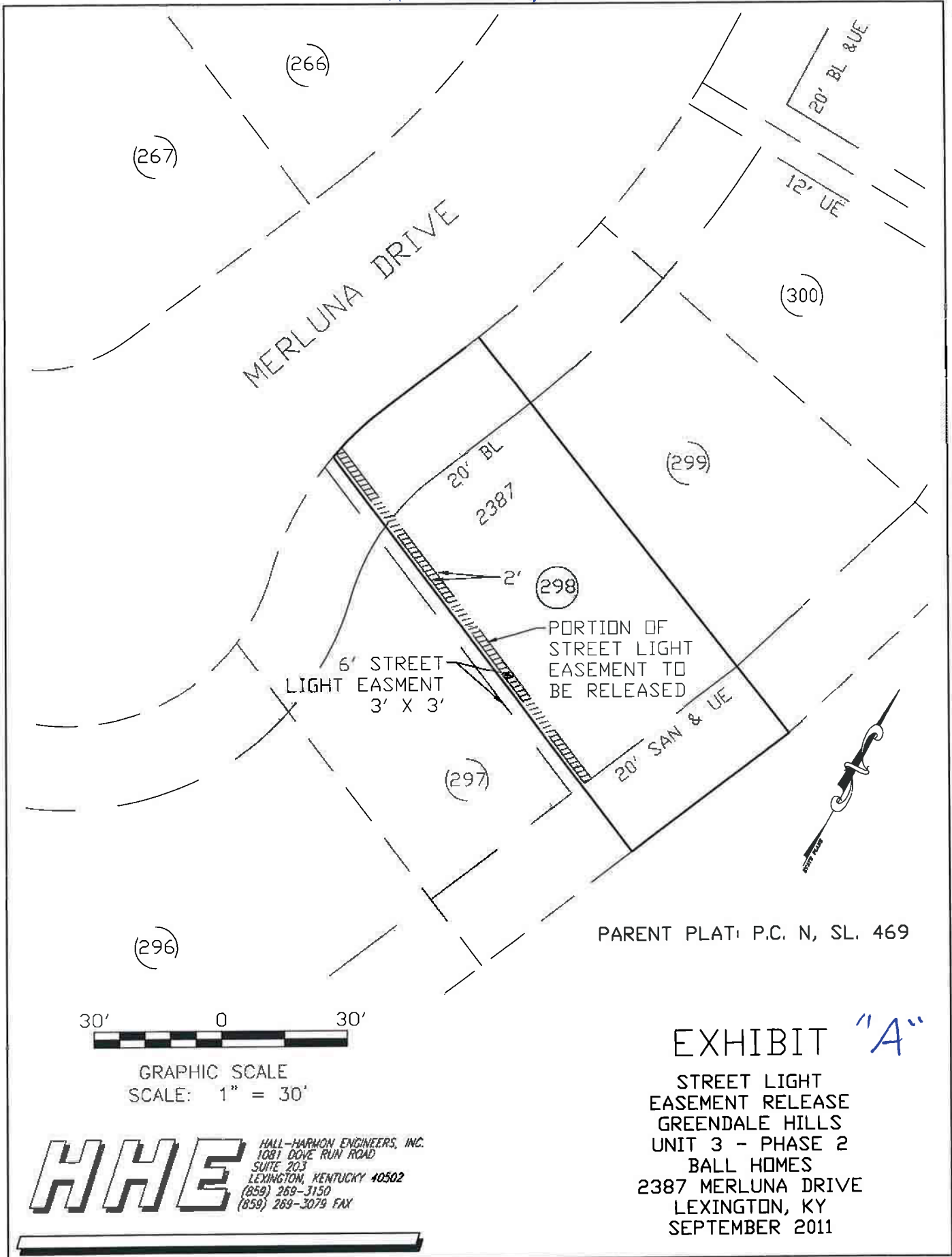
cc: Richard Moloney, CAO
Council Office

X:\C:\2011\WATER-AIR\11-CG0081\COR\00817145.DOC

EXHIBIT "A"

361-11

22





356-11

23

Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

TO: Jim Gray, Mayor
Members, Urban County Council

FROM: Department of Law

DATE: September 27, 2011

RE: Release of Easement
2010 Harrodsburg Road

This memo is to request a Resolution authorizing the Mayor to sign a Quitclaim Deed and Release of Easement releasing a utility easement on property located at 2010 Harrodsburg Road.

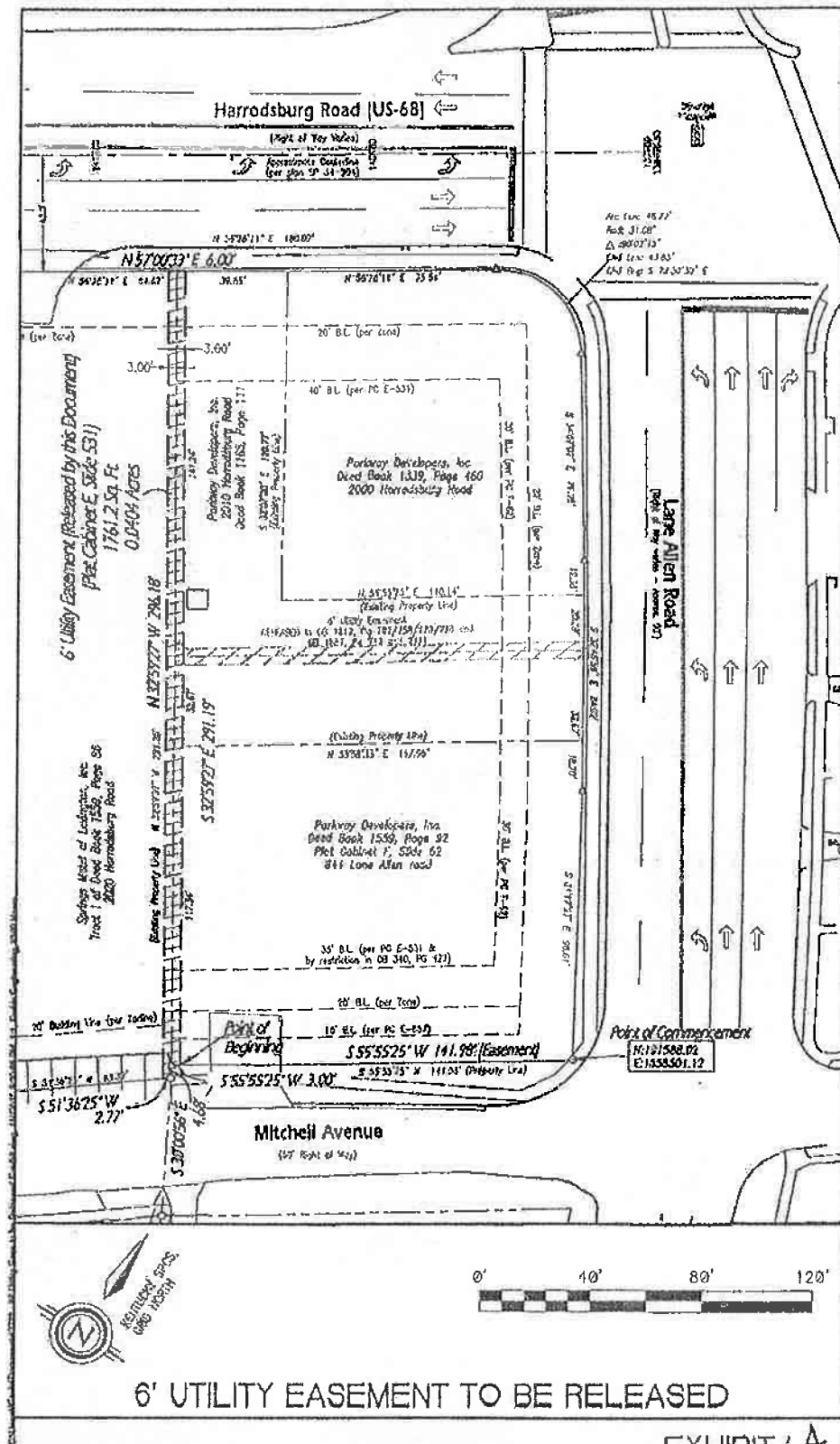
The proposed Release has been reviewed and approved by the Divisions of Engineering, Water Quality, and Traffic Engineering and the Department of Law. This action has no budgetary implication for LFUCG.

Edward W. Gardner
Attorney Sr.

Enclosure

cc: Richard Moloney, CAO
Council Office

X:\Cases\WATER\AFM11-000611\006116745.DOC





**364-11
25**

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

**TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL**

**FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: OCTOBER 1, 2011

**SUBJECT: AUTHORIZATION TO ACCEPT INFORMATION STATION SPECIALISTS,
INC., AS A SOLE SOURCE FOR PURCHASE OF AM RADIO EQUIPMENT
AND INSTALLATION IN THE AMOUNT OF \$44,975 UNDER THE
CHEMICAL STOCKPILE EQUIPMENT PREPAREDNESS PROGRAM (CSEPP)**


The Lexington-Fayette Urban County Government has received federal funds Kentucky Department of Military Affairs, Division of Emergency Management, for the Chemical Stockpile Emergency Preparedness Program. CSEPP funds are used to support emergency preparedness activities in a nine county area that surrounds the Blue Grass Army Depot in Richmond, the site of a stockpile of chemical weapons.

An approved purchase is an additional AM ALERT station for the LFUCG's existing emergency advisory radio system. The additional station will be located close to Keeneland, allowing the AM signal to reach this area. Information Station Specialists, Inc., (ISS, Inc.) was the vendor for the existing system, which was purchased in 2009. Sole source certification is requested on the basis that other vendors' equipment would not be compatible with the existing system. The cost of the equipment is \$44,975.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF	AMOUNT
3200	505201	0001	76101	CSEPP 2009	KY-FAY-454	2009	\$1,720.90
3200	505201	0001	96468	CSEPP 2010	KY-FAY-457	2010	\$794.51
3200	505201	0001	96468	CSEPP 2011	KY-FAY-457	2011	\$42,459.59

Council authorization to approve Information Station Specialists, Inc., as sole source provider and to approve purchase of radio equipment in the amount of \$44,975 is hereby requested.


Irene Gooding, Director

Xc: Clay Mason, Commissioner of the Department of Public Safety

HORSE CAPITAL OF THE WORLD

**JUSTIFICATION FOR SOLE SOURCE CERTIFICATION**

Sole Source Purchases are defined clearly, based upon a legitimate need, and are limited to a single supplier. Sole source purchases are normally not allowed except when based upon strong technological grounds such as operational compatibility with existing equipment and related parts or upon a clearly unique and/or cost effective feature requirement. The use of sole source purchases must be justified and shall be limited only to those specific instances in which compatibility or technical performance needs are being satisfied.

Sole Source Services are defined as a service provider providing technical expertise of such a unique nature that the service provider is clearly and justifiably the only practicable source available to provide the service. The justification shall be based on the uniqueness of the service, sole availability at the location required, or warranty or defect correction service obligations of the service provider.

This form must be filled out for the request to purchase any good or non-professional service that requires a competitive procurement process (informal quotes (\$1001-\$10,000), formal quotes (\$10,001 - \$19,999.99), or formal bid (\$20,000 or more) as defined in the LFUCG's Purchasing Manual. This form must be completed in its entirety and attached to the purchase requisition.

Note: Sole Source Purchase requests for goods exceeding \$20,000 will require approval by the Urban County Council by submitting an Administrative Review Form. A copy of this form must be signed off by Central Purchasing and attached to the Administrative Review Form.

Requesting Division

Name Stephen Jackson Division/Dept Emergency Mgt/Public Safety

Phone 859-258-3784 Email sjackson@lexingtonky.gov

Type of Purchase: (X) Goods/Materials/Equipment () Services

Cost: \$44,975.00

Sole Source Request for the Purchase of: AM Radio Equipment and installation

X One Time Purchase

To Establish Sole Source Provider Contract

(subject to annual review and approval by Central Purchasing and/or Urban County Council)

Vendor Information

Business Name Information Station Specialists, Inc.

Contact Name William Baker

Address 3368 88th Ave. Zeeland, MI 49464-0051

Phone 616-772-2300 Email bill@theRadiosource.com

STATEMENT OF NEED: (Add additional pages as needed)



JUSTIFICATION FOR SOLE SOURCE CERTIFICATION

My division/department's recommendation for sole source is based upon an objective review of the product/service required and appears to be in the best interest of the LFUCG. I know of no conflict of interest on my part, and I have no personal involvement in any way with this request. No gratuities, favors, or compromising actions have taken place. Neither has my personal familiarity with particular brands, types of equipment, materials, persons or firms been a deciding influence on my request to sole source this purchase when there are other known suppliers to exist.

1. Describe the product or service and list the necessary features this product provides that are not available from any other option.

This equipment will expand our existing AM Alert radio system here in Lexington-Fayette County. This equipment will establish the fourth node for our existing emergency advisory radio system. Attached is a sheet that lists the exclusive characteristics offered by ISS, Inc.

2. Below are eligible reasons for sole source. Check one and describe.

☐ Licensed or patented product or service. No other vendor provides this. Warranty or defect correction service obligations to the consultant. Describe why it is mandatory to use this licensed or patented product or service.

☒ Existing LFUCG equipment, inventory, custom-built information system, custom-built data inventory system, or similar products or programs. Describe. If product is off-the-shelf, list efforts to find other vendors (i.e. web site search, contacting the manufacturer to see if other dealers are available to service this region, etc.)

Our existing AM radio Information Station on 1620 AM here in Fayette County is comprised and controlled by a software and related equipment installed at Police headquarters and includes three (3) remote nodes out in the county. All components of this system were manufactured and purchased from (ISS) Information Station Specialists, Inc.

☐ Uniqueness of the service. Describe.

☐ The LFUCG has established a standard for this manufacturer, supplier, or provider and there is only one vendor. Attach documentation from manufacturer to confirm that only one dealer provides the product.

☐ Factory-authorized warranty service available only from this single dealer. Sole availability at the location required. Describe.

☐ Used item with bargain price (describe what a new item would cost). Describe.

☐ Other – The above reasons are the most common and established causes for an eligible sole source. If you have a different reason, please describe:



JUSTIFICATION FOR SOLE SOURCE CERTIFICATION

3. Describe efforts to find other vendors or consultants (i.e. phone inquiries, web site search, contacting the manufacturer to see if other dealers are available to service region, etc.).

ISS, Inc. is the sole source provider of the AM Emergency Advisory Radio System. Other systems would not be compatible with our existing equipment and system.

4. How was the price offered determined to be fair and reasonable?

(Explain what the basis was for comparison and include cost analyses as applicable.)

This is the only vendor that provides the capability for using AM as a community Public Safety/emergency information system where the end user controls all content and has National Weather Service capability. See attached information sheet.

5. Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier.

It is difficult to put a price on human welfare and safety. Once this system is established, maintenance is minimal. There are few emergency notification and information systems that provide the capability of the system that is important to the public safety of Lexington-Fayette.



**360-11
29**

Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Richard Moloney
Chief Administrative Officer

MEMORANDUM

To: Jim Gray, Mayor
Urban County Council Members

FROM: 
Jerry Hancock

RE: Facility Usage Contract

DATE: October 03, 2011

This is a request for Council approval of a Facility Usage Contract between the Fayette County Board of Education and the LFUCG Parks and Recreation, Kiddie Kapers Program

This Facility Usage Contract is for the purpose of using FCPS facilities for our Kiddie Kapers program for rental of the Norsworthy Auditorium for Saturday December 17, 2011.

Please contact me if there are any questions.

CC: Richard Moloney, CAO

JEH/bac

**EXHIBIT A****THIS IS NOT A BILL -- INVOICE TO FOLLOW****DESIGNATION OF FACILITY/GROUNDS, PERSONNEL AND EQUIPMENT**
APPLICANT: Lexington-Fayette Urban County Government
(Parks & Recreation)
USAGE FEE:**\$1,299.00**
FACILITY: IAKSS -- Norsworthy Auditorium

DATE(S): Saturday, December 17, 2011

TIME(S): 9:00 am - 6:00 pm

AREA(S) TO BE USED	NO. AREAS	NO. HOURS PER AREA	TOTAL NO. HOURS	HOURLY UTILITY / MAINTENANCE FEE	TOTAL UTILITY / MAINTENANCE COST
Library	0	0	0	\$21.95	\$0.00
Auditorium	1	9	9	\$45.75	\$411.75
Cafeteria	0	0	0	\$45.75	\$0.00
Kitchen	0	0	0	\$24.10	\$0.00
Gymnasium	0	0	0	\$64.20	\$0.00
Football Field	0	0	0	\$131.90	\$0.00
Running Track	0	0	0	\$55.10	\$0.00
Baseball Field	0	0	0	\$35.05	\$0.00
Softball Field	0	0	0	\$35.05	\$0.00
Other:	0	0	0	\$18.45	\$0.00
Subtotal	-----	-----	-----	-----	\$411.75
DISTRICT EMPLOYEES (If Applicable)	NO. EMPLOYEES	NO. HOURS PER EMPLOYEE	TOTAL NO. HOURS	HOURLY PERSONNEL FEE	TOTAL PERSONNEL COST
Custodian(s)	2	10.5	21	\$42.25	\$887.25
Food Service Manager(s) II	0	0	0	\$44.10	\$0.00
Technical Support Staff	0	0	0	\$47.35	\$0.00
Law Enforcement Officer(s)	0	0	0	\$55.40	\$0.00
Other:	0	0	0	\$0.00	\$0.00
Subtotal	-----	-----	-----	-----	\$887.25
Total	-----	-----	-----	-----	\$1,299.00
ADDITIONAL RENTAL FEES (If Applicable)					
	0	0	0	\$0.00	\$0.00
Grand Total	-----	-----	-----	-----	\$1,299.00

COMMENTS:

Provide use of sound system and lights.



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

MEMORANDUM

TO: Jim Gray, Mayor

FROM: Jamie Emmons, Chief of Staff
Mayor's Office

DATE: October 4, 2011

SUBJECT: Council authorization to enter into purchase of service
Agreement with Bluegrass State Games, Inc.

Please find enclosed a Purchase of Service Agreement between Lexington-Fayette Urban County Government and the Bluegrass State Games is the result of a longstanding partnership between the organization and LFUCG.

Funds in the amount \$47,250.00 were approved in the FY2012 budget.

Council authorization is requested to enter into the agreement with the Bluegrass State Games, Inc.

FOLLOW MAYOR GRAY:

www.facebook.com/MayorJimGray

www.twitter.com/JimGrayLexKY



355-11
32


Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Richard Moloney
Chief Administrative Officer

MEMORANDUM

TO: Jim Gray, Mayor
Urban County Council Members

FROM: 
Jerry Hancock, Director of Parks and Recreation

RE: Concession/Donation Agreement
Fayette County Cooperative Extension EXPO Center at Masterson Station

Date: September 23, 2011

This is a request for the Urban County Council to approve a building donation and lease (referred to by the US Department of the Interior as a Concession Agreement) between the LFUCG and the Fayette County Cooperative Extension District Board. The agreement provides for the donation and use of a new Extension Exposition Center located within the fairgrounds at Masterson Station Park. This facility has already been constructed and the concession/donation agreement addresses operational issues as well as liability and revenue sharing guidelines. The agreement has been reviewed by the Law Department.

There is no budgetary impact to this agreement. This document has been reviewed by the LFUCG Department of Law. The Cooperative Extension is donating an agricultural exposition building of 14,600 ft² which cost the 4-H/Fayette County Cooperative Extension \$332,060 to build. The agreement will run for 11 years and can be renewed for four (4) additional five (5) year terms.

The Division of Parks and Recreation looks forward to working with the Cooperative Extension Office to provide the most rewarding experience possible for the citizens of Fayette County.

Please contact me if there are any questions.

cc: Richard Moloney, Chief Administrative Officer



367-11
33

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Fire and Emergency Services

Preparedness and Prevention

Office of Fire Marshal

Keith Jackson, Interim Fire Chief

David B. Mattingly, Assistant Chief

Memorandum

To: Jim Gray, Mayor
Richard Maloney, CAO
Council Members

From: 
David B. Mattingly, Asst. Chief
Division of Fire & Emergency Services

Date: October 3, 2011

Re: Council approval of agreement with Columbia Gas of Ky, Inc.

The Division of fire is requesting council approval of an agreement with Columbia Gas to install and maintain a natural gas training simulator at the Fire Training Academy on Old Frankfort Pike at no cost to LFUCG. The simulator would be used jointly by Columbia Gas employees and Division of Fire employees and provide a much needed improvement to the Fire Academy. There is currently no such training facility in this area. The simulator is valued at \$27,500.

The budget impact is minimal and estimated to be less than \$50 per month additional cost for the Division's natural gas bill.

If approved, the project should be completed and operational by the end of the year.

HORSE CAPITAL OF THE WORLD

219 East Third Street Lexington, KY 40508 (859)231-5602 mattingd@lexingtonky.gov



**357-11
34**

Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Richard Moloney, Chief Administrative Officer
Council Members

FROM: *Leslie Jarvis by J. Malters*
Leslie Jarvis, Acting Director
Division of Human Resources

DATE: September 30, 2011

SUBJECT: Contract for Flu vaccinations for all LFUCG Employees

Attached please find a contract for flu vaccinations for all LFUCG employees with Kroger Limited Partnership I, Mid South Division. Kroger has agreed to supply flu vaccine and administer vaccinations to all eligible LFUCG employees.

Vaccines will be offered at scheduled on-site clinics during the month of October and November 2011. The cost per vaccination is \$18.00 for service for 1,000 or more employees. Funds are budgeted.

If you have any questions, please call Daniel H. Fischer at 258-3030.

Log # 12-0020



354-11
35

Mayor Jim Gray

LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, ACTING DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: SEPTEMBER 27, 2011

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AGREEMENT WITH THE COMMONWEALTH ATTORNEY'S
OFFICE FOR PROVISION OF "FAST TRACK" PROSECUTOR
SERVICES UNDER THE JUSTICE ASSISTANCE GRANT-FY 2012

The Urban County Council has accepted award from the U.S. Department of Justice under the Edward Byrne Memorial Justice Assistance Grant Program a grant for continuation of the Street Sales Drug Enforcement project.

The Street Sales Enforcement project includes funds to offset the cost of the "Fast Track" prosecution program and the Major Violator (Repeat Offender) prosecution program in the Commonwealth Attorney's Office, as part of a drug task force. Funds are used to support one full-time assistant prosecutor for a one-year period.

The total cost of this element of the project is \$56,200. Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	BUD REF	ACTIVITY	PROJECT
3140	112006	0001	71101	2012	FED_GRANT	JUST_ASST_2012

Council authorization to execute the agreement is hereby requested.

Irene Gooding, Acting Director

Xc: Clay Mason, Commissioner, Department of Public Safety

HORSE CAPITAL OF THE WORLD



**365-11
36**

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

**TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL**

**FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: OCTOBER 5, 2011

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF
FEDERAL FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE,
OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, UNDER
THE COPS HIRING PROGRAM**

On June 9, 2011 (Resolution No. 238-2011), Council approved the submission of an application to the U.S. Department of Justice -Office of Community Oriented Policing Services (COPS) requesting federal funds for the hiring of police officers. The U.S. Department of Justice has approved an award in the amount of \$3,942,925 for the employment of 25 entry level officers for a period of three years. The purpose of this program is to address the full-time sworn officer needs of state, local and tribal law enforcement agencies nationwide and to increase their capacity to participate in community policing. The COPS Office statutory nonsupplanting requirement mandates that these funds be used to supplement (increase) funds that would have been dedicated toward sworn officer positions if federal funding had not been awarded. Grant funds must not be used to supplant (replace) local funds that agencies otherwise would have devoted to sworn officer hiring. The hiring of officers under COPS Hiring Program must be in addition to, and not in lieu of, officers who otherwise would have been hired or rehired with local funds.

There is no local cash match requirement under this grant program; however, the LFUCG will be responsible for costs that include uniform allowances, equipment, education and training incentives, and specialist pay. Acceptance of federal funds also obligates the government to retaining officers for a minimum of 12 months after expiration of federal funding.

Council authorization to accept the award is hereby requested.

Irene Gooding, Director

Xc: Clay Mason, Commissioner, Department of Public Safety

HORSE CAPITAL OF THE WORLD

**363-11****37**

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Grants and Special Programs

**TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL**

**FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: OCTOBER 3, 2011


SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF FEDERAL FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE/OFFICE ON VIOLENCE AGAINST WOMEN FOR CONTINUATION OF THE LFUCG ARREST POLICIES PROJECT AND TO EXECUTE SUBRECIPIENT AGREEMENTS WITH PARTNER AGENCIES

On February 17, 2011 (Resolution No. 57,2011), Council approved submission of a grant application prepared by the LFUCG Division of Police, in collaboration with community partners serving the victims of domestic violence, to the U.S. Department of Justice/Office on Violence Against Women requesting \$400,000 in federal funds from the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program to continue the Arrest Policies project in Lexington..

An Arrest Policies grant was first approved in the amount of \$400,000 by the Office on Violence Against Women (OVW) on July 1, 2006. These funds were used to provide additional training on domestic violence for police recruits and for patrol officers, overtime for patrol officers for the purpose of providing additional hours in apprehending violators and building cases for prosecution, and the creation of two victim advocate positions in the Division of Police. Funding for victim services was also included. The purpose of the project is to hold offenders of domestic violence accountable for their actions through investigation, arrest, and prosecution. U.S. Department of Justice approved a second award of 400,000 on September 16, 2009.

The U.S. Department of Justice has now approved a third award in the amount of \$400,000. These funds will be used to continue the employment of the two victim advocates, support required OVW training, police overtime for purposes of apprehending violators, and victim services through community partners. A new part-time position will be created in the Fayette Commonwealth Attorney's Office to develop and maintain a high risk response team. No matching funds are required.

Council authorization to accept the award and to authorize execution of the following subrecipient agreements is hereby requested. Subrecipients are: Bluegrass Domestic Violence Program in the amount of \$52,000; Bluegrass Rape Crisis Center in the amount of \$8,000; Legal Aid of the Bluegrass in the amount of \$5,000; Fayette County Sheriff's Office in the amount of \$8,000; Fayette County Commonwealth Attorney's Office in the amount of \$42,000; and American Probation and Parole Association in the amount of \$5,000,


Irene Gooding, Director

Xc: Clay Mason, Commissioner of the Department of Public Safety

HORSE CAPITAL OF THE WORLD



359-11
38

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: SEPTEMBER 30, 2011

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF
FEDERAL FUNDS FROM KENTUCKY TRANSPORTATION CABINET
UNDER THE SCENIC BYWAYS AND HIGHWAYS PROGRAM FOR
THE OLD FRANKFORT PIKE CORRIDOR MANAGEMENT PLAN
AND TO EXECUTE AGREEMENT WITH LEXINGTON-FRANKFORT
SCENIC CORRIDOR, INC., FOR MANAGEMENT OF PROJECT

On March 25, 2010 (Resolution No. 156-2010), Council approved submission of an application to the Kentucky Transportation Cabinet requesting federal funding under the Federal Highway Administration's National Scenic Byways Program to support the cost of development of the Old Frankfort Pike Corridor Management Plan. Kentucky Transportation Cabinet has approved award in the amount of \$52,000 in federal funding for this project. A 20% match in the amount of \$13,000 will be provided by the Lexington-Frankfort Scenic Corridor, Inc. Total project cost is \$65,000.

An agreement will be entered into with Lexington-Frankfort Scenic Corridor, Inc., for management of the project. The corridor management plan will encompass the entire 14.541 miles of the byway and will be developed, adopted and implemented in a manner that specifies actions, procedures, controls, operational practices, and strategies to maintain the archaeological, cultural, historic, natural, recreational, and scenic qualities that support the byway's designation.

Council authorization to accept the award and to execute agreement with Lexington-Frankfort Scenic Corridor, Inc., is hereby requested.

Irene Gooding, Director

Xc: Richard Moloney, Chief Administrative Officer

HORSE CAPITAL OF THE WORLD

General Government Committee
September 13, 2011
Summary & Motions

CM Ed Lane chaired the meeting and called it to order a 10:03 am. Committee members present were McChord, Gorton, Kay, Blues, Beard, Crosbie, Myers and Martin. CM Stinnett attended as a nonvoting member.

General Services Link Recommendations to General Government Committee

Director of Facilities and Fleet Management, Department of General Services (GS) Jamshid Baradaran provided an update on the items that were discussed at the August 16, 2011 meeting of the General Government Committee. (see attachment). He first spoke about maintenance and capital improvement projects (CIP) (Items 1, 2, 7 & 9). At present, the five year deferred maintenance project list is estimated to cost more than \$27 million. This is comprised mostly of non life-safety items such as roofing, HVAC, electrical, plumbing, handicap elevators etc. He is working with Finance Commissioner Jane Driskell and hopes to have an updated and prioritized list of CIP in about a month and a complete CIP plan by FY 2014 for all of LFUCG.

For FY 2012 there is \$750,000 budgeted for repairs and maintenance in the budget. GS is in the process of prioritizing needs and exploring financing options. One option is the sale of surplus assets such as unused property and real estate facilities. Proceeds from surplus sales could be used to pay for repairs and maintenance costs.

With regard to facilities software (Item 3), Jamshid stated that GS is currently reviewing two software systems and has spoken to the state of Kentucky about their system. Also, more options are entering the market in the form of web based programs that may prove to be much less expensive. CM Beard asked if this item has been budgeted for this fiscal year and what is the estimated cost. Jamshid replied that there is no budget this fiscal year and a cost estimate has not been established. GS continues to speak with vendors and other municipalities and estimates the entire process of selection, testing, implementation and training will take approximately 18 months.

The next topic discussed is the proposed Facilities Use Policy. Jamshid reviewed the process schematic and the draft facility occupancy questionnaire for all existing and future tenants in LFUCG properties. This process would standardize the policy for leasing facilities and require each tenant and its lease terms to be approved by council after a review and recommendation by the appropriate city department or division. CM Myers pointed out that this proposal was developed through the partner agency oversight committee and is long overdue.

VM Gorton asked if this policy would cover subleases. Jamshid stated that the policy would cover all aspects relating to the use of LFUCG property. CM Stinnett stated that it is important to put an economic value on services LFUCG provides nonprofits (such as free rent and operating costs). In-kind contributions are actual costs to the government. He asked that GS prepare prior to the budget process a list of what premises each agency actually receives. Jamshid said they will prepare a list of all facilities, tenants, payments from tenants, fair market value of the premises and the difference between the fair market value and what is paid.

CM Kay asked where the rent monies were deposited. Jamshid said they presently go into the General Fund but GS is discussing with the Department of Finance the possibility of having revolving funds for each facility in order to provide funds to cover repairs, renovations etc.

CM Lane asked how many square feet of city property are occupied by non-LFUCG tenants. Jamshid said they do not have accurate figures at this time, but CM Stinnett's earlier request will answer this question. He estimates that the percentage of LFUCG buildings occupied by non-LFUCG tenants is approximately 35 percent. CM Lane further asked if there are monthly rent reports available and if so to provide a copy of each report for the period 1/1/11 – YTD to the GS Committee. Jamshid said he will provide them.

CM Lane further requested that Jamshid request the law department to draft a ordinance for review at the next GS committee meeting. The draft ordinance would, in general, provide the council with the authority to review and approve all leases, (including rents and subleases) and authorize GS to manage and lease the properties.

CM Blues asked about the time line for new leases. Jamshid said that after council approves the process GS will notify the tenants of the Facilities Use Policy and inform them it will be effective July 1, 2012. He said that several commissioners were already aware that the process is underway and have been supportive.

CM Martin stated that he believes an ordinance is needed (rather than a resolution) and all tenants should pay rent even though LFUCG may subsidize that payment. CM Myers agreed with CM Martin and added that the leases and determinations of support levels should be done annually in the budget process.

CM Kay stated that the lease terms and grant processes need to be separate; and, at the end of three years, all LFUCG property should be at fair market value. CM Martin added that all tenants should have a lease.

CM Lane reiterated that Jamshid should work with Law to draft an ordinance to bring back to the committee at its next meeting. That ordinance should also require each tenant will pay its operating expenses (utilities, insurance, maintenance, janitorial, repairs, etc.) and CM Lane wants the tenants notified of their fee by January 1, 2012. CM Stinnett asked that all leases be on the same schedule and duration. CM Myers suggested that rent subsidies (grants) need to be part of the budget process so there will be full disclosure of contributions LFUCG makes to agencies.

Director of Parks and Recreation Jerry Hancock addressed the committee next. With regard to the Parks Acquisition Fund (Item 6), a review of the program will be presented in to the General Government Committee in November with a full explanation of the fund and how it has been used and possible modification of the language of the document to permit the fund to be used for maintenance instead of just land acquisition.

The fund has about \$1.3M and collects between \$200K-\$400K /yr. The last purchase was a large tract of land at Raven Run about five years ago.

CM Myers asked if Mr. Hancock could find a written record on a one-time use of the fund for maintenance with the stipulation that it would not be used again for that purpose. CM Stinnett stated he believed that the better use would be for capital improvements projects (CIP) and not regular maintenance. Mr. Hancock agreed and said that was what he had in mind.

Item 7 is related to items I & 2 above. However Mr. Hancock believes that the actual cost to Parks & Rec. for maintenance and CIP could be over \$100 million. Environmental Quality is addressing the issue of trails and streetscape including acquisition and maintenance.

CM Lane requested a report that lists the deferred maintenance and CIP items including costs and priorities. CM Martin stressed that the most critical issue is to maintain what we have.

The Aquatic Plan (Item 8) will be presented in December 2011 and will include local/national trends, citizen survey and peer city comparisons as part of a ten year plan.

Item 9 included in items 1 & 2 above.

Mr. Hancock gave an update on the issue of a Parks Conservancy (Item 10) and recommends a non-governmental entity of prominent citizens. He will come back to council later in the fall to provide more detail.

The Parks Expansion Fund (Item 11) is scheduled to be explained to council in February, 2012 by the Division of Planning.

Mr. Hancock plans to present the Parks' Golf Master Plan (Item 12) with the aforementioned Aquatic Plan in December, 2011.

CM Kay suggested that perhaps the Park's Conservancy needs a high profile group (like the Arena, Arts and Entertainment Task Force and BEAM) appointed by the Mayor.

CM Myers asked Mr. Hancock to have information on the cost of running each golf course at the December presentation. Myers would also like to see information on establishing ball fields as enterprises for tournaments.

VM Gorton suggested that CM Kay may be correct in how the Park Conservancy should be established and noted the Park Advisory Board is already involved in the issue and should continue to be. In that vein, CM Myers requested that council receive periodic reports on the activities of the Park Advisory Board.

CM Lane repeated a request he made at a previous meeting for Mr. Hancock to prepare an executive summary of the Park Master Plan.

CM Lane next called Jamshid back to the podium to discuss Item 5 –vegetable oil pilot program. Jamshid said at this time LFUCG can not meet the standards required by the KY Dept. of Agriculture

Graffiti/Trash Abatement in Parks

Mr. Hancock stated that there was some confusion and he thought this presentation was scheduled for the Work Session at 3:00 pm. After some discussion about elements of graffiti abatement it was decided that Mr. Moloney would arrange a presentation on these issues at a later work session and would also include the Sheriff.

Resolutions to Amend Section 3.101 of the Council Rules

Managing Attorney Glenda George provided an overview of the provisions enumerated in the two resolutions. Several members expressed concerns about various provisions including monetary limits, action on change orders, government transparency, executing contracts and record keeping. It was also noted that there is a procurement task force that is looking at many of these issues. (Note: At the end of the meeting, in response to a question from CM Kay about the

status of this item, Chair Lane said he would bring it back to committee after modifications had been made and input from the Procurement Task Force had been received).

Items Referred to Committee

CM Blues made a motion to remove Review of Citizens' Advocate Position from the committee. Seconded by Beard.

CM Myers asked for an update on the hiring of the citizens' advocate. VM Gorton stated that the job description was recently revised and the appointed Ad Hoc committee members, as required by the Charter, are ready to serve so the process is underway and will eventually come to Council.

The motion was approved unanimously.

The meeting was adjourned at 11:49 am

Item	Category	Information	Recommendation	Summary Update	Provided By
1	Facilities - annual maintenance	The city has historically acquired property without budgeting appropriate maintenance for this property.	Matter should be referred to General Government Committee to develop a plan to include funding for building maintenance in the FY 2013 budget	Attached are the initiatives currently under consideration and discussions internally. These proposed initiative are to address such issues as CIP process/procedures, funding for deferred maintenance projects and proposing BMPs regarding the preventive maintenance of all LFUCG structures/systems.	Jamshid Baradaran
2	Facilities - capital improvements	Many of LFUCG buildings are in desperate need of repair and renovation.	Matter should be referred to General Government Committee to develop a plan to include funding for repair and renovation in the FY 2013 budget	Currently under review are two software systems for potential purchase/lease and implementation by mid FY2013. The IT group will need to review and approve the proposed software as to eliminate any potential issues with the current system/network. The anticipated timeframe for the selection, advertisement, award/purchasing, implementation, testing and training is approximately 18 months.	Jamshid Baradaran
3	Facilities - software	The database of LFUCG property is currently being maintained on an excel spreadsheet. It would greatly benefit property management to have real estate software.	Matter should be referred to General Government Committee; Commissioner should present a proposal for acquisition of real estate management software by December 1, 2011	Attached is a copy of the proposed processed map as well as pertinent forms. The DGS proposed that the Council review and approve a resolution/ordinance which would enact the proposed policy.	Jamshid Baradaran
4	Facility - usage	LFUCG does not have a good policy in place to evaluate the best and highest use of its property.	Matter should be referred to General Government Committee to develop policy. Policy should be reviewed once a year before the budget process.	The biodiesel currently used in our heavy fleet contains either soy beans or french fry oil that has gone through a transesterification process or blending. By statute (KRS 363.904), all motor fuels sold in the Commonwealth must meet American Society for Testing and Materials (ASTM) standards for that grade of fuel. The B-5 blend currently used falls under the D-7467 standard for biodiesel blends due to ASTM test method reproducibility allowances. Smaller amounts blended below 5% would be discounted because of the very limited effect on the fuels quality. The Kentucky Department of Agriculture is responsible for testing fuel for compliance with the ASTM standards. Any blend between 20 and 100 percent is illegal per those standards.	Jamshid Baradaran
5	Fleet - vegetable oil pilot program	Many vehicles are now using vegetable oil, which is free, as fuel.	Matter should be referred to General Government Committee to determine the efficacy of such a pilot program		
6	Parks - Acquisition Fund	There is a Parks Acquisition Fund funded by a fee on building permits in the original USB. There is approximately \$1 million in this fund.	Matter should be referred to General Government Committee to determine how money is being and should be used, possibly in conjunction with a Parks Conservancy.	Review of program will be presented in November 2011, along with recommendations.	Jerry Hancock

7	Parks - annual maintenance	The city has historically acquired property without budgeting appropriate maintenance for this property. For instance, it will take @ \$40,000 to maintain the Legacy Trail.	Matter should be referred to General Government Committee to develop a plan to include funding for park maintenance in the FY 2013 budget	The maintenance of green ways and trails and streetscape being addressed by Environmental Quality Committee on 9/20/11, which will address greenway acquisition and maintenance. Building/Facility maintenance part of # 1 and #2 above.	Jerry Hancock
8	Parks - aquatic plan	The city does not have a plan for evaluation of the use of the pools, what pool upgrades are needed, and how to utilize the property to benefit the community if the pool is closed.	Matter should be referred to General Government Committee; Parks should present an aquatic plan by December 1, 2011	Aquatic Master Plan Update of Council approved 1994 Aquatic Plan is planned for December 2011. It will include local/national trends, citizen survey and peer city comparisons and 10 year plan	Jerry Hancock
9	Parks - capital improvements	Parks needs money for repair and renovation.	Matter should be referred to General Government Committee to develop a plan to include funding for repair and renovation in the FY 2013 budget	Parks repairs budget was reduced by \$250,000 in FY 12. Ongoing maintenance of structures should be included in Capital Maintenance recommendations with Facilities and Fleet presentation in #1 and #2 above in Facilities and Fleet recommendation.	Jerry Hancock
10	Parks - Conservancy	Parks need money for renovation and maintenance. Many cities have a Parks Conservancy which is a public/private partnership.	Matter should be referred to General Government Committee; Parks should present a plan for a Parks Conservancy by December 1, 2011 possibly including use of the County Clerk money.	Parks Advisory Board along with Council Parks Funding Sub Committee has discussed idea at length and recommends a separate non-government entity. Steering Committee being formed, which will present its governance and by-laws to Council for information.	Jerry Hancock
11	Parks - Expansion Fund	There is an Expansion Fund funded by money generated by fees in the expanded USB. Part of this money is used for park acquisition.	Matter should be referred to General Government Committee to determine how money is being and should be used, possibly in conjunction with a Parks Conservancy.	There is an Exaction Fee program, managed by Div of Planning, that provides funds for purchase of park land in selected areas in conjunction with sub-division development. An explanation of the program will be provided in February 2012 with Div of Planning.	Jerry Hancock
12	Parks - Golf Course Mgmt	The golf courses show a significant decrease in use in the winter months. There is an opportunity for efficiency in evaluating closing those courses during the winter months or on certain days. There are also revenue opportunities that are being underutilized.	Matter should be referred to General Government Committee; Parks should present a plan for golf course management by December 1, 2011	Presentation of Parks' Golf Master Plan is planned for December 2011. Parks does not currently have a golf master plan. It will include a financial and historical summary, peer city review, survey data, operations improvement plan	Jerry Hancock

URBAN COUNTY COUNCIL

Special Public Safety & Public Works Development Committee

Meeting Summary/ Table of Motions

September 20, 2011

Committee members Ellinger, Lawless, Farmer, Crosbie, Martin, McChord, Stinnett, and Henson present. Vice Mayor Gorton and Councilmember Myers in attendance.

Chairperson Lawless called the meeting to order and discussed the agenda items for the meeting.

I. Fireworks Ordinance

Councilmember Stinnett discussed the perimeters of the new draft ordinance and its goals.

Mr. David Barberie, Department of Law, gave a presentation discussing the ordinance.

Council Members discussed the complaints received in their Districts and complimented the work of Mr. Stinnett and the Committee regarding the draft ordinance. Council Members discussed permit process, group and neighborhood displays, fine schedules, safety issues, and the possibility of totally banning fireworks in the community with Mr. Barberie, Department of Law.

Councilmember Stinnett stated he would not make a motion at this time to move this forward to the full council but would keep it in Committee for another 30 days.

Chairperson Lawless agreed to his recommendation.

II. Taxicab Ordinance

Mr. Rick Curtis of Department of Public Safety, gave a presentation and updated the Committee on his progress and interactions with all the current taxicab companies and interested citizens.

Chairperson Lawless and Councilmember Stinnett both addressed the issue of insurance coverage and if it was researched and now included in the new ordinance.

Councilmember Stinnett and Crosbie inquired about the current number of Taxicabs operating in Fayette County today. Mr. Curtis stated he would provide those numbers at the next Committee meeting.

Councilmember Stinnett inquired about the market need for additional taxicabs.

Chairperson Lawless stated no other start-up business is under any regulation by Government to determine a market need before going into business. It is left up to the individual or company to make this decision.

Chairperson Lawless recognized public comment from two citizens in the community. Mr. Will McGuiness and Ms. Carmen Davis both gave presentations to the committee.

Chairperson Lawless stated the item will remain in Committee and she will consider having a work group or will convene a Special Public Safety Committee meeting in the near future to address this topic.

III. Corrections Best System of Management

Mr. Ray Sabbatine, Division of Community Corrections, gave a presentation regarding management models for the jail.

Councilmember Stinnett stated he was not sure if the presentation today really addressed the initial request to the Committee regarding the examination of the jail.

Council Members discussed the goal of the Committee on this issue and suggested the committee's focus should evolve around funding, management, state statutes, best practices, revisions of any current ordinances, and macro issues related to the jail.

No action was taken and the committee adjourned at 3:00 PM

Budget & Finance Committee
September 27, 2011
Summary

CM Ellinger chaired the meeting calling it to order at 1:00 pm. All committee members present except CM Myers.

Monthly Budget Report

Bill O'Mara gave a power point overview of the monthly budget report for August 2011.

CM Lane asked if it's possible to provide last year and current year numbers on the Economic Indicator slide to see longer trend line. Mr. O'Mara stated they could provide that information.

CM Stinnett asked about expense report. Commissioner Driskell stated they are still closing fiscal year 2011. She stated they are still a month out from looking at the year end. CM Stinnett stated we are one quarter into the fiscal year and based on email asking for reductions in expenses it would be nice for Council to see where we are spending money and where we aren't. Commissioner Driskell stated they will get the information to Council once the quarter is closed out. CM Stinnett asked for information showing macro level of expenses vs. revenue.

Vice Mayor Gorton asked if partner agency audits are complete. Commissioner Driskell stated she can get a status on those. Phyllis Cooper, Director of Accounting, stated they have received 3 audits and should have others October 1st.

Commissioner Driskell went over: Realization of Budget Assumptions, Capital Needs, Addressing Emergency Reserves, and Police & Fire Pension. CM Stinnett asked going forward if Council could receive information of where we stand on budget assumptions. Commissioner Driskell stated they can provide an update.

CM Stinnett asked if the draft Debt Management Plan needs to be brought forward to be adopted. Commissioner Driskell stated they have an outline of a Capital Plan. The goal is to bring something forward the first of the year.

CM Lane asked if the budgeted \$50K is still going into the Economic Contingency Fund monthly. Commissioner Driskell stated it is. CM Lane asked the cash position of LFUCG at this time. Commissioner Driskell stated she can get that information.

Administration's FY12 Budget Reduction Exercise

Commissioner Driskell did an overview of the budget reduction exercise. Administration asked for a 5% and 10% reduction plan. She stated it was asked for all funds.

Vice Mayor Gorton stated Council wasn't asked to provide a reduction plan but is on the list. Commissioner Driskell stated they will work with Council if they need to propose a plan.

CM Stinnett asked about the street light fund. Commissioner Driskell stated they are looking at it extensively. She stated this is listed as one of the top priorities.

CM Lane asked would it be wise to do cuts now. Commissioner Driskell stated once they get the data in they will be looking at that.

Items Referred to Committee

Vice Mayor Gorton asked about having a joint workshop before the budget is started. She stated this would be more of a give and take.

CM Ellinger stated this should be a small group with Council, Mayor and Administration.

Commissioner Driskell stated they can get Dr. Troske involved with overall economic indicators.

CM Kay stated the agenda should be jointly constructed.

CM Beard stated there are other places to have the meeting than Phoenix Building. He stated the last time we did this it was held at the Tates Creek Country Club.

CM Ellinger stated he will work with Vice Mayor and Administration on getting this scheduled.

No motions came forward.

Meeting adjourned at 1:45 pm

Summary

Committee of the Whole: Redistricting

October 4, 2011

Council Members in Attendance: Vice Mayor Linda Gorton, Steve Kay, Tom Blues, Julian Beard, Bill Farmer, Ed Lane, Jay McChord, Doug Martin, Chris Ford, Chuck Ellinger, Kevin Stinnett, K.C. Crosbie, Diane Lawless

Others in Attendance: Don Blevins, Jr., Keith Horn, Chris Doerge, Dustin Baker, Billie Mallory, Beverly Fortune, Paul Schoninger, Kitty Ware, Chris King, Jim Duncan, Tiffany Tatum, Jessica Gies, Jason Nehmer, Jenifer Benningfield, Phillip Steifel

Vice Mayor Gorton called the meeting to order at 10:02am. She welcomed the Council Members and introduced guests. She told the group that the plan will become effective upon passage. She suggested that if a Council Member was going to lose a neighborhood, they could invite the new Council Member to their next neighborhood meeting for introductions.

VM Gorton reminded the Council Members that beginning on November 9th, candidates for the election can start obtaining signatures.

VM Gorton asked for any revisions to the summary. Martin asked to strike "they are a declining neighborhood and need assistance."

Beard made a **MOTION** to approve the summary as amended. McChord **SECONDED** the motion.

Motion **PASSED** unanimously.

Doerge projected the draft Redistricting Committee map onto the screens. VM Gorton asked Council Members if there were any suggested changes.

Ford said that he had concerns about the deviation being greater than 10% but was ok with it if the Law Department was.

Horn said that it would be better if the deviation was under 10% but he thinks the 10.7% is permissible. Deviations under 10% are considered by the Supreme Court to be diminimus. He said it is a case by case basis, but if the deviation is under 10% it is the better position to be in. Horn said because of the guidelines that were adopted by the Redistricting Committee, they kept districts contiguous and considered minority populations and socio-economic factors as they worked through the process. VM Gorton agreed that the process gave their scenario strength.

Horn said the Redistricting Committee also looked at growth patterns and gave consideration to how each District was projected to grow.

Ellinger asked if there were legal cases that supported the deviation being over 10%. Horn answered that yes, there were. Horn said again, however, that it would be better if they could get the deviation under 10%. He said the average deviation is 2.2% for the individual Districts.

Ford said that he really appreciated the hard work the Committee did. He said that there are 2 Districts that are not within the suggested deviation: D1 and D12. He asked if there was a common change they could make to fall back into their suggested deviation.

Ford asked Mr. Horn to explain the process if someone were to challenge the plan. Horn said that they could try to get an injunction where they ask the court to prevent its implementation. Horn said that the court could say the redistricting is on hold and leave the Districts as they currently are for the upcoming election.

Ford said again that he would like the Council Members to try to get the deviation under 10%. Horn reminded Ford that getting under the 10% deviation does not prevent a challenge from an entity.

Ford asked Doerge to move Shandon Park back to D12 from D1. Doerge demonstrated this on the GIS software. The deviation of D12 became -2.29 and D1 became 2.29. Total deviation became 8.0%.

Gorton said that the move puts D12 over its optimal population (23,428). It puts it over by approximately 600 people.

Lane asked to put Shandon Park back into D1. He suggested giving Market Garden to D6. This change, however, put D12's population too low. Lane withdrew his suggestion.

Ford said that he suggested moving Shandon Park because it would be a clean swap. He said if Shandon Park would go to D6, he is not sure that it would solve the deviation problem. It would put D6 over its optimal growth numbers. (1300 people over). This change would put the total deviation at 9.8%.

Gorton told the Council Members that the Redistricting Committee paid a lot of attention to growth throughout their deliberations. D6 is going to grow and she would not recommend putting anymore population into it.

Ford said they are going to have to reconcile growth again after the next census. He reminded the Council Members that they are dealing with 2010 census data. If D6 took Shandon Park, it would put the total deviation under 10%. It would also put the neighborhood back under one Council District.

Lane asked Doerge to move Woodfield into D12 from D8. This made the total deviation 9.2%. It put D8 slightly under its optimal population.

Stinnett asked Gorton if the Redistricting Committee looked at Hartland. Gorton answered yes; they were trying to get it together. Lane said that his suggested change would be consistent with their work then.

Horn reminded the Council Members that most challenges are based on the total deviation. Horn said you can also look at average deviation. D1 and D12 are the greatest deviations in the proposed redistricting plan.

Lane said that his suggestion would fix the Hartland situation. Lane was asked if Hartland was one neighborhood association and he answered no.

Ford said that he is very concerned that D1 was beyond the recommended deviation. Horn said that Ford had the least amount of growth but may have growth in the future.

Horn said that he thinks moving Woodfield makes a lot of sense when dealing with Hartland. This change would also put the Council in their best position because it would put them under the 10% deviation.

Lane made a **MOTION** to move Woodfield into D12 and out of D8. Stinnett **SECONDED** the motion.

Crosbie said they should wait for CM Myers to arrive to take the vote since the change would impact his District. Ford agreed.

Ellinger stepped out of the room to contact Myers. He re-entered the room and told the Council Members that Myers was agreeable with the change.

Ford made an **AMENDMENT** to the motion to move Shandon Park into D6 from D1. Martin **SECONDED** the amended motion.

Gorton said that the amendment would take D6 over its optimal population but would make the overall deviation 7.1%.

Stinnett asked Horn if it really mattered what the deviation was as long as it was under 10%. Horn said no. Stinnett said he was concerned that he would be losing Blue Acres (a precinct he already represents) and gaining Shandon Park. He said that the change would make no sense.

Kay told the Council Members he would vote against the amendment. He suggested voting on each issue separately.

Blues said that moving Woodfield into D12 would address Ford's concern by getting them under the 10% deviation. He said he would not support the amended motion.

Ford said he would consider withdrawing his amendment, although he thinks it is a valid amendment. The Council would get the plan under the 10% deviation and would get D1 and D12 within the 5% deviation. The problem would be solved and Shandon Park would go back to where it was 10 years ago.

Beard said he was very confused why Ford made the amended motion. Martin **WITHDREW** his second. Ford **WITHDREW** his motion.

Lane said that Woodfield was his precinct until the Redistricting Committee proposed taking it away. He thinks it makes perfect sense to leave it in D12.

The motion **PASSED**. (11-2) Stinnett and Crosbie voted no.

Horn said with this change the total deviation is 9.2%.

Crosbie said that she did not have any changes, but she asked Horn if they considered natural boundaries and neighborhood associations. Horn said that he was not comfortable speaking on behalf of the Redistricting Committee, but believes that they did take both into consideration.

Blues said that it cannot ever be perfect. D2 crosses many main arterials. Blues said that since redistricting is by precinct and not by neighborhood, there are neighborhood associations that he shares with other Council Members.

Ford said that he is glad that this motion put them under the 10% deviation but is still concerned that D1 is over the 5% deviation.

Ford made a **MOTION** to move Shandon Park into D6 from D1. Martin **SECONDED** the motion. Horn said this will make the total deviation 7.1%. D1 will be at 2.3% and D6 at 3.2%.

Stinnett said that the process is not about individual deviations. Stinnett said that Ford may not want to go across the interstate, but D6 should not take Shandon Park and give up Blue Acres. Stinnett said that Hamburg is going to grow and D6 should be losing precincts because of it. Stinnett said that the Redistricting Committee voted to take Blue Acres. He said that Ford is not arguing about numbers but because he does not want to move across I-75. Stinnett said he would be opposing the motion.

Ford disagreed with Stinnett and said it is all about the numbers. D2 and D12 had to lose population. D1 had to gain and they have, but now they are above the 5%. D1 needs to lose a precinct. Ford asked if Shandon Park, Kingston, and Mary Todd were the neighborhood association that the Redistricting Committee split years ago. There was not an answer provided.

Lane said that he did not support moving Shandon Park into D6.

Blues reminded the Council Members that just because two Council Members may share a neighborhood does not mean that the neighborhood is divided. He said it is workable. Blues told the group that he has driven across I-75 several times each year for many years to attend neighborhood meetings and it is very doable.

Kay said that he believes the most compelling argument is future growth. He said if they know about growth, they should use that data. D1 is going to continue to need additional population. The deviation does not bother him.

Ford said that he wants to represent the same number of people as the other Council Members. His citizens would be equally represented with his proposal.

Martin said he seconded the motion so they could hear Ford's concerns. Martin said that he is sensitive to Hamburg's growth potential. Martin said that although he is not going to support the motion, he thought the Council Members should hear Ford's proposal.

Martin said that he is disappointed how spread out everything is. He lost Garden Springs to D9.

Motion **FAILED**. (1-12) Ford voted yes.

Ellinger made a **MOTION** to approve the revised plan as the final plan and to move it to the next Work Session. Lane **SECONDED** the motion.

Martin made a **MOTION** to table the revised plan until all Council Members could review it. McChord **SECONDED** the motion.

Motion **FAILED**. (3-10) McChord, Stinnett, Martin voted yes.

McChord said that he and Martin had been waiting to speak but had a proposal to bring forward.

Ellinger **WITHDREW** his motion. Lane **WITHDREW** his second.

Lane reminded the Council Members that since the meeting was a Committee of the Whole, the motions would not be binding.

Martin began a discussion about Clemens Heights. He reminded the Council Members that he had sent them an email correcting his statement that Clemens Heights was not accessible from his district.

McChord told the Council Members that Clemens Heights was only 4 blocks from his home. Doerge moved Clemens Heights with the software and it put D10 below its optimal numbers and D9 above its optimal numbers.

McChord made a **MOTION** to move Clemens Heights into D9. Martin **SECONDED** the motion.

Horn said that the total deviation would now be 9.2%. Gorton said that this would put D10 quite a bit below its optimal population.

Martin said he clearly understood what the change does to the numbers. However, he is losing half of Garden Springs to D11 because some Districts did not want to lose their favorite neighborhoods. The suggested change would only affect D9 and D10. If his population is too low, it is because he is losing Garden Springs.

McChord made a **MOTION** to call the question. Martin **SECONDED** the motion.

Motion to call the question **PASSED**. (13-0)

Main motion **FAILED**. (6-7) Kay, Lawless, McChord, Martin, Henson, Ford voted yes.

Horn said that he can bluesheet the proposed redistricting plan but Gorton could also report it out at the Work Session on October 11th, 2011.

Ford made a **MOTION** to approve the revised redistricting plan as the final plan to move it to Work Session report out. Beard **SECONDED** the motion.

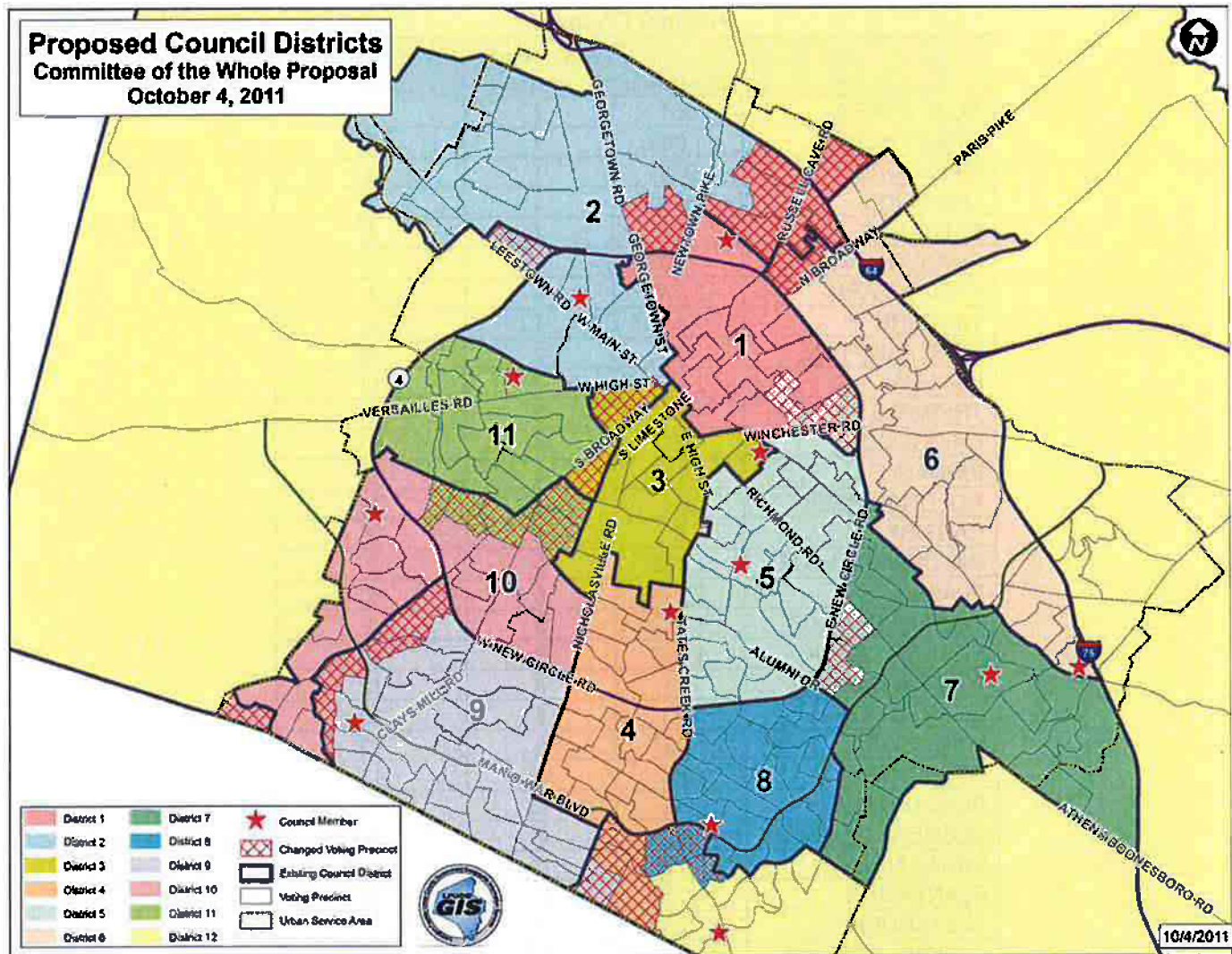
Motion **PASSED**. (12-1) Martin voted no.

Ellinger made a **MOTION** to adjourn. Crosbie **SECONDED** the motion.

Motion **PASSED**. (13-0)

Meeting adjourned at 11:20am.

Respectfully Submitted by Jenifer Benningfield, Legislative Aide to Vice Mayor Linda Gorton



District	Population	Deviation from Median	Percent Deviation	Black or African American Population	Hispanic Population	Potential Growth	Platted Growth	Optimal Population
1	25,976	1,326	5.38%	41.54%	15.66%	2,870	223	24,650 - 25,143
2	23,700	-950	-3.85%	29.80%	7.89%	10,764	2,882	23,418
3	24,652	2	0.01%	7.29%	2.35%	203	0	25,390 - 25,883
4	25,153	503	2.04%	9.73%	6.63%	1,251	0	24,896 - 25,390
5	25,033	383	1.55%	8.04%	4.03%	198	22	25,390 - 25,883
6	24,693	43	0.17%	15.06%	6.63%	10,186	1,496	23,910 - 24,157
7	24,451	-199	-0.81%	15.95%	5.45%	4,052	1,018	23,910 - 24,157
8	25,082	432	1.75%	17.77%	4.13%	181	38	25,390 - 25,883
9	24,176	-474	-1.92%	4.41%	2.90%	1,791	523	24,650
10	24,528	-122	-0.49%	2.94%	3.18%	680	324	24,650 - 25,390
11	24,375	-275	-1.12%	12.32%	19.69%	147	16	25,390 - 25,883
12	23,986	-664	-2.69%	8.31%	4.14%	17,855	1,929	23,418

Precinct Changes

Name	Population	New Council District	Original Council District
BLUE ACRES	831	1	6
GREEN ACRES	1,068	1	2
MARLBORO	970	1	2
OAKWOOD	570	1	2
RADCLIFFE	737	1	2
SHANDON PARK	760	1	2
VALLEY FARM	2,075	1	2
WINBURN	1,545	1	2
WESTHAMPTON	0	2	12
IMPERIAL	2,433	3	11
TRIANGLE PARK	1,648	3	2
BRIDGEMONT	962	4	12
PINNACLE	1,118	4	12
ROLLING CREEK	914	4	12
CASSIDY	0	5	3
PATCHEN VILLAGE	1,092	5	7
PLAINVIEW	1,339	5	7
WARFIELD PLACE	1,437	5	1
FIDDLER CREEK	1,550	8	12
FOUR WYNDS	711	8	12
HEARTWOOD	533	8	12
WINDSTAR	1,057	9	12
ASHBROOKE	888	10	12
BLACKHORSE	649	10	9
CLEMENS HEIGHTS	910	10	9
INDIAN HILLS	1,156	10	9
PLANTATION	1,020	10	9
ALEXANDRIA	726	11	10
GARDEN SPRINGS	1,305	11	10
LAFAYETTE	933	11	10
PERSHING	663	11	10
PICADOME	843	11	10

MOTION

I move to place on the docket for the Thursday, October 13, 2011, meeting an Ordinance redistricting the districts of the members of the Lexington-Fayette Urban County Council.

Council Member

Note: Motion to be made during Work Session on October 11.

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