

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, November 13, 2012

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
November 12 – November 19, 2012**

Monday, November 12

No Meetings

Tuesday, November 13

General Government Committee.....11:00 am
Council Chambers – 2nd Floor Government Center

Public Safety Committee.....1:00 pm
Council Chambers – 2nd Floor Government Center

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

Wednesday, November 14

Policemen's & Firefighters' Retirement Board.....9:00 am
Council Chambers – 2nd Floor Government Center

Transportation Technical Coordinating Committee.....9:00 am
Conference Room – 7th Floor Phoenix Building

Infill & Redevelopment Steering Committee.....10:00 am
Conference Room – 3rd Floor Phoenix Building

Traffic Safety Coalition.....10:30 am
Conference Room – 3rd Floor Phoenix Building

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

Thursday, November 15

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

Friday, November 16

No Meetings

Monday, November 19

No Meetings

**URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS
October 23, 2012**

I. Public Comment - Issues on Agenda - None

II. Requested Rezonings/ Docket Approval

A motion by Council Member Lawless to have a public hearing on November 27, 2012 at 6:00pm to discuss ordinance 10, seconded by Council Member Beard, the motion passed without dissent.

A motion by Council Member Martin to approve the docket, seconded by Council Member Lane, the motion passed without dissent.

A motion by Council Member Henson to place on docket for October 25, 2012, a resolution specifying the intention of the Urban County Council to expand and extend partial urban services district number 5 to provide street lighting and garbage and refuse collection services for certain properties on the following street, Malvo Road, seconded by Vice Mayor Gorton, the motion passed without dissent.

A motion by Council Member Beard to place on the docket Oct. 25, 2012 a resolution specifying the intention of the Urban County Council to expand and extend full urban services district number 1 to provide street lighting, street cleaning and garbage and refuse collection services for certain properties on the following streets, Glendover Road and Codell Drive, seconded by Vice Mayor Gorton, the motion passed without dissent.

A motion by Council Member Blues to place on docket for October 25, 2012 under first reading of ordinances, an ordinance amending section 2-465 of the code to add the office of the commissioner of planning, preservation and development or his designee as non-voting members of the corridors commission, seconded by Council Member Beard, the motion passed without dissent.

A motion by Council Member Lawless to add to the docket a resolution amending 303-2012 relating to the establishment of a residential parking permit program for the 1200 block of Castle Road as recommended by the Lexington Parking Authority, seconded by Vice Mayor Gorton, the motion passed without dissent.

III. Approval of Summary

A motion by Vice Mayor Gorton to approve summary, seconded by Council Member Blues, the motion passed without dissent.

IV. Budget Amendments

A motion by Vice Mayor Gorton to approve budget amendments, seconded by Council Member Beard, the motion passed without dissent.

V. New Business

A motion by Vice Mayor Gorton to approve new business, seconded by Council Member Kay, the motion passed without dissent.

VI. Continuing Business/Presentations

A motion by Council Member Ellinger to approve NDF, seconded by Vice Mayor Gorton, the motion passed without dissent.

A motion by Council Member Blues to place on the docket for October 25, 2012 Council Meeting an ordinance creating section 14-205 in the code of ordinances pertaining to creating a civil enforcement system for littering violations and taking other related actions, seconded by Council Member Henson, the motion passed without dissent.

A motion by Council Member Farmer to add a \$13M bond that would be repaid with \$1.5M per year with MAP funds for paving , seconded by Vice Mayor Gorton, the motion passed without dissent.

A motion by Council Member Farmer to approve the initiation of a ZOTA for article 17-7E, seconded by Vice Mayor Gorton, the motion passed without dissent.

VII. Council Reports

A motion by Council Member Lane to place this issue of the procedure for underwriting or sponsoring one of our facilities or parks, how it would be done, how it would be contracted, work up a list of facilities and recommended pricing, including naming rights to the General Government Committee to be discussed after the first of the year, seconded by Council Member Beard, the motion passed without dissent.

VIII. Mayor's Report

A motion by Council Member Lane to approve the Mayor's Report, seconded by Council Member Martin, the motion passed without dissent. CM Martin recused on the item relating to the Explorium Board.

A motion by Vice Mayor Gorton to amend Mayor's report to remove BOA appointment pending confirmation hearing on November 15, 2012, seconded by Council Member Blues, the motion passed without dissent.

IX. Public Comment – Issues Not on Agenda

X. Adjournment

A motion by Vice Mayor Gorton to adjourn, seconded by Council Member Kay, the motion passed without dissent.

**Lexington-Fayette Urban County Government
Work Session Agenda
November 13, 2012**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval – Yes**
- III. Approval of Summary – Yes p. 1 - 3**
- IV. Budget Amendments – Yes p. 11 - 15**
- V. New Business – Yes p. 16 - 46**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds - November 13, 2012 p. 47
 - b** Economic Development COW Summary, October 2012 p. 48 - 51
 - c** Social Services & Community Development Committee Summary, October 2012 p. 52 - 54
 - d** Budget & Finance Committee Summary, October 2012 p. 55 - 59
 - e** Presentation: Sanitary Sewer System Capacity Assurance Program, By: Charlie Martin, Director Division of Water Quality p. 60 - 65
 - f** Presentation: 2012 Infill & Redevelopment Steering Committee Report, By: Steve Kay, Council Member At-Large p. 66 - 72
- VII. Council Reports**
- VIII. Mayor's Report – Yes**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a 1125-12** Authorization to execute an agreement with Earthman, LLC, to provide decorative street lighting for the property they are developing for a new distillery at 420 Cross Street. (L1125-12) (Moloney)
This is a request to execute an agreement with Earthman, LLC, to provide decorative street lighting for the property they are developing for a new distillery at 420 Cross Street. There is no budgetary impact. p. 16
- b 1133-12** Authorization to accept award from the U.S. Department of Justice under the 2012 State Criminal Alien Assistance Program. (L1133-12) (Gooding/Mason)
This is a request to accept award from the U.S. Department of Justice under the 2012 State Criminal Alien Assistance Program for an amount of \$65,503 for services and operating equipment and supplies for the Division of Community Corrections. No matching funds are required. Budget amendment in process. p. 17
- c 1134-12** Authorization to submit application and accept award, if offered, from the Kentucky Justice Cabinet under the Violence Against Women Act Program for the continuation of a S.A.N.E. Program in FY 2013. (L1134-12) (Gooding/Mason)
This is a request to submit application and accept award, if offered, in the amount of \$45,123 from the Kentucky Justice Cabinet under the Violence Against Women Act Program for the continuation of a S.A.N.E. Program in FY 2013. A local match of \$28,150 is required. Funds are budgeted. p. 18 - 19
- d 1137-12** Authorization to execute a Mutual Aid Agreement with Catlettsburg Refining, LLC to provide mutual assistance in the event of a major fire, disaster or other emergency response services. (L1137-12) (Jackson/Clay)
This is a request to execute a Mutual Aid Agreement with Catlettsburg Refining, LLC to provide mutual assistance in the event of a major fire, disaster or other emergency response services. There is no budgetary impact. p. 20
- e 1138-12** Authorization to execute a modification to agreement with the Kentucky Office of Homeland Security for the Bomb Squad Project. (L1138-12) (Gooding/Mason)
This is a request to execute a modification to agreement with the Kentucky Office of Homeland Security for the purchase of explosive storage boxes for the Bomb Squad Project. No additional funds are being provided. p. 21

- f 1140-12** Authorization to establish the “21c Lexington Development Area” for economic development (TIF) purposes and take actions related to the development area, to set up an incremental tax special fund, to approve a local participation agreement and master development agreement, to apply for a section 108 loan and to approve a \$1 million loan to the developer. (L1140-12) (Atkins)
This is a request to establish the “21c Lexington Development Area” for economic development (TIF) purposes and take actions related to the development area, to set up an incremental tax special fund, to approve a local participation agreement and master development agreement, to apply for a section 108 loan and to approve a \$1 million loan to the developer. p. 22
- g 1142-12** Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Code Enforcement Officer Sr., (Grade 114E) and creating one (1) position of Code Enforcement Officer (Grade 113N) in the Division of Grants and Special Programs. (L1142-12) (Maxwell/Moloney)
This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Code Enforcement Officer Sr., (Grade 114E) and creating one (1) position of Code Enforcement Officer (Grade 113N) in the Division of Grants and Special Programs. The impact for FY2013 (14 pay periods) is a cost savings of \$3,084.93. p. 23
- h 1143-12** Authorization to accept a donation of 10 Graco “Pack N Play” cribs and related materials from Safe Kids Fayette County for distribution through the Family Services HANDS Program. (L1143-12) (Mills)
This is a request to accept a donation of 10 Graco “Pack N Play” cribs and related materials valued at \$500 from Safe Kids Fayette County for distribution through the Family Services HANDS Program. There is no budgetary impact. p. 24
- i 1144-12** Authorization to execute amendment to Interlocal Cooperation Agreement with the Jessamine County Sheriff’s Office to provide Lexington Division of Police law enforcement powers for homes recently constructed on properties that cross county border lines. (L1144-12) (Bastin/Mason)
This is a request to execute amendment to Interlocal Cooperation Agreement with the Jessamine County Sheriff’s Office to provide Lexington Division of Police law enforcement powers for homes recently constructed on properties that cross county border lines. There is no budgetary impact. p. 25

- j 1155-12** Authorization to execute Facility Usage Agreements with various youth baseball leagues to provide youth sports by franchise leagues on park facilities. (L1155-12) (Hancock/Hamilton)
This is a request to execute Facility Usage Agreements with various youth baseball leagues to provide youth sports by franchise leagues on park facilities. There is no budgetary impact. p. 26
- k 1157-12** Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Planner, (Grade 113E) and creating one (1) position of Planner Sr. (Grade 117E) in the Division of Planning. (L1157-12) (Maxwell/Paulsen)
This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Planner, (Grade 113E) and creating one (1) position of Planner Sr. (Grade 117E) in the Division of Planning. The fiscal impact for FY2013 (14 pay periods) is an increase of \$10,919.68. p. 27
- l 1158-12** Authorization to renew Service Contract with Applied Digital Solutions for ongoing annual maintenance for logging recording equipment and software for the Enhanced 911 system within the communication centers at Fire and Police Headquarters. (L1158-12) (Lucas/Mason)
This is a request to renew Service Contract with Applied Digital Solutions for a maximum amount of \$25,633 for this FY for ongoing annual maintenance, including upgrades and on-site service and repairs for logging recording equipment and software for the Enhanced 911 system within the communication centers at Fire and Police Headquarters. Funds are budgeted. p. 28
- m 1159-12** Authorization to execute agreement with Friends of Wolf Run for implementation of activities under the Wolf Run Creek Watershed Based Plan. (L1159-12) (Gooding/Moloney)
Authorization to execute agreement with Friends of Wolf Run for implementation of activities under the Wolf Run Creek Watershed Based Plan. Federal funds in the amount of \$16,000 are being provided and Friends of Wolf Run will be responsible for a grant match of \$16,000. Funds are budgeted. p. 29
- n 1161-12** Authorization to enter into an agreement with the Internal Revenue Service for the provision of Volunteer Income Tax Assistance (VITA) through the Central Kentucky Economic Empowerment Project (CKEEP). (L1161-12) (Mills)
This is a request to enter into an agreement with the Internal Revenue Service for the provision of VITA through the CKEEP. There is no budgetary impact. p. 30

- o** **1162-12** Authorization to accept award from the U.S. Department of Justice for the purchase of bulletproof vests for the Fayette County Sheriff's Office. (L1162-12) (Gooding/Mason)
 This is a request to accept award in the amount of \$345.15 from the U.S. Department of Justice for the purchase of bulletproof vests for the Fayette County Sheriff's Office. The Sheriff's Office will provide the 50% required match from its budget. p. 31
- p** **1163-12** Authorization to approve the 2012 Amended Equitable Sharing Agreement and Certification with the Department of Justice and the Department of Treasury. (L1163-12) (Bastin/Mason)
 This is a request to approve the 2012 Amended Equitable Sharing Agreement and Certification with the Department of Justice and the Department of Treasury to make necessary changes and bring the FY2012 Equitable Sharing Agreement current. There is no budgetary impact. p. 32
- q** **1165-12** Authorization to amend the accounting in Resolution #430-2012 that accepted the bid of Smith Contractors, Inc. for Expansion 2-A Wastewater System Improvements. (L1165-12) (Martin/Moloney)
 This is a request to amend the accounting in Resolution #430-2012 that accepted the bid of Smith Contractors, Inc. for Expansion 2-A Wastewater System Improvements. The bid amount was correct, however the amounts charged to each account were incorrect. There is no budgetary impact. p. 33
- r** **1166-12** Authorization to execute an agreement awarding a Class B (Education) Stormwater Quality Projects Incentive Grant to Group CJ, LCC. (L1166-12) (Martin/Moloney)
 This is a request to execute an agreement awarding a Class B (Education) Stormwater Quality Projects Incentive Grant to Group CJ, LCC, at a total cost not to exceed \$35,547.00. A minimum 50% cost share by the grant recipient above the first \$2,500 is required. Funds are budgeted. p. 34
- s** **1168-12** Authorization to execute a Release of Easement releasing a storm sewer easement on property located at 3469 Clays Mill Road. (L1168-12) (Graham)
 This is a request to execute a Release of Easement releasing a storm sewer easement on property located at 3469 Clays Mill Road. There is no budgetary impact. p. 35
- t** **1169-12** Authorization to execute a Release of Easement releasing a utility easement and streetlight easement on property located at 2250 Old Frankfort Pike. (L1169-12) (Graham)
 This is a request to execute a Release of Easement releasing a utility easement and streetlight easement on property located at 2250 Old Frankfort Pike. There is no budgetary impact. p. 36

- u 1170-12** Authorization to execute an agreement awarding a Class B (Education) Stormwater Quality Projects Incentive Grant to the Board of Education of Fayette County, Ky for a project located at Lansdowne Elementary School. (L1170-12) (Martin/Moloney)
This is a request to execute an agreement awarding a Class B (Education) Stormwater Quality Projects Incentive Grant to the Board of Education of Fayette County, Ky for a project located at Lansdowne Elementary School, at a total cost not to exceed \$3,500. A minimum 50% cost share by the grant recipient above the first \$2,500 is required. Funds are budgeted. p. 37
- v 1172-12** Authorization to execute an agreement with Horizon Information Systems to provide maintenance services for Representative Payee Software. (L1172-12) (Mills)
This is a request to execute a one-year agreement with Horizon Information Systems to provide maintenance services for Representative Payee Software within the Division of Adult and Tenant Services for an amount of \$586.50. Funds are budgeted. p. 38
- w 1173-12** Authorization to execute a Paramedic Training Agreement with the University of Kentucky (UK), allowing UK personnel to participate in the Paramedic program offered by LFUCG Department of Fire. (L1173-12) (Jackson/Mason)
This is a request to execute a Paramedic Training Agreement with UK, allowing UK personnel to participate in the Paramedic program offered by LFUCG Department of Fire. There is no budgetary impact. p. 39
- x 1182-12** Authorization to accept the donation of a Vulcan 6 burner range and casters from Seedleaf, Inc. to the Family Care Center for use in the Parent Education Program. (L1182-12) (Mills)
This is a request to accept the donation of a Vulcan 6 burner range and casters valued at \$1,758 from Seedleaf, Inc. to the Family Care Center for use in the Parent Education Program. There is no budgetary impact. p. 40
- y 1184-12** Authorization to execute a Site Lease Agreement with Leroy Dale for lease of space for use as a storage area for radio system equipment. (L1184-12) (Bastin/Mason)
This is a request to execute a Site Lease Agreement with Leroy Dale for lease of space for use as a storage area for radio system equipment. The agreement will be for five (5) years with an automatic renewal for four (4) additional five (5) year terms. The annual rental rate is \$8,000. Funds are budgeted. p. 41

- z 1185-12** Authorization to execute a Rental Agreement with Lexington Center and a Catering Contract with Hyatt Regency for the annual Police Awards Banquet. (L1185-12) (Bastin/Mason)
This is a request to execute Rental Agreement with Lexington Center and Catering Contract with Hyatt Regency for the annual Police Awards Banquet to be held on Tuesday, May 7, 2013. There will be no budgetary impact. The awards banquet will be funded by ticket sales. p. 42
- aa 1186-12** Authorization to execute two leases with AIDS Volunteers, Inc., (AVOL) for properties located at 851 Todds Road and 1807 Dalton Court. (L1186-12) (Gooding/Moloney)
This is a request to execute two leases with AVOL for properties located at 851 Todds Road and 1807 Dalton Court. The term is for one (1) year, renewable for three (3) additional one (1) year periods at a cost to AVOL of \$10.00 per year. p. 43
- bb 1187-12** Authorization to execute an Agreement with the Lexington Downtown Development Authority (LDDA) for the transfer of funds for a Design Excellence Program for Downtown Lexington. (L1187-12) (King/Paulsen)
This is a request to execute an Agreement with the LDDA for the transfer of \$50,000 to be used to secure consulting assistance in preparing draft design guidelines for a Design Excellence Program for Downtown Lexington. Funds are budgeted. p. 44
- cc 1188-12** Authorization to submit application and accept award if offered from the Kentucky Economic Development Finance Authority for the Bingham McCutchen LLP Economic Development Bond Project and to execute agreement with Bingham McCutchen LLP. (L1188-12) (Gooding/Moloney)
This is a request to submit application and accept award if offered from the Kentucky Economic Development Finance Authority for the Bingham McCutchen LLP Economic Development Bond Project in the amount of \$450,000 and to execute agreement with Bingham McCutchen LLP. Budget amendment is in process. p. 45
- dd 1196-12** Authorization to approve agreement with Public Financial Management, Inc. to provide consulting services related to Lexington's Police and Fire Pension. (L1196-12) (Emmons)
This is a request to approve agreement with Public Financial Management, Inc. at a cost not to exceed \$149,089 to provide consulting services related to Lexington's Police and Fire Pension. A budget amendment has been submitted for \$210,000 that includes the cost of the agreement as well as analysis from LFUCG actuaries. p. 46

BUDGET AMENDMENT REQUEST LIST

JOURNAL	64220-21	DIVISION	Parks and Recreation	Fund Name	General Services Fund
				Fund Impact	5,440.00
					5,440.00CR
					.00

To recognize reimbursement to Park Maintenance for overtime incurred during Thursday Night Live events.

JOURNAL	64393	DIVISION	Office Of The Mayor	Fund Name	General Services Fund
				Fund Impact	1,100.00
					1,100.00CR
					.00

To provide funds for professional services in the Sister Cities budget by reducing funds for professional services in the Mayor's Office budget.

JOURNAL	64394-95	DIVISION	Parks and Recreation	Fund Name	General Services Fund
				Fund Impact	5,052.00
					5,052.00CR
					.00

To recognize funds for reimbursement of Park Maintenance Overtime expended during Picnic with the Pops.

JOURNAL	64396-97	DIVISION	Parks and Recreation	Fund Name	General Services Fund
				Fund Impact	647.06
					647.06CR
					.00

To recognize reimbursement for Park Maintenance Overtime expended for Lexington Art League Special Event.

JOURNAL	64401	DIVISION	Family Services	Fund Name	General Services Fund
				Fund Impact	40,000.00
					40,000.00CR
					.00

To provide funds for contracting out transportation of Family Care Center students to Fayette County Public Schools.

JOURNAL	64496	DIVISION	Community Corrections	Fund Name	General Services Fund
				Fund Impact	5,000.00
					5,000.00

To decrease personnel recovery for Division of Community Corrections for Kentucky Pride 2012.

JOURNAL	64662	DIVISION	Police	Fund Name	General Services Fund
				Fund Impact	12,700.00
					12,700.00CR
					.00

To transfer funds from Parks and Recreation Park Maintenance water account to the Division of Police water account to correct an error in account responsibility, which has been corrected.

JOURNAL	64677	DIVISION	Human Resources	Fund Name	General Services Fund
				Fund Impact	24,000.00
					24,000.00CR
					.00

To provide funds for service awards in the correct account by decreasing funds for salaries.

JOURNAL	64678-79	DIVISION	Office Of The Mayor	Fund Name	General Services Fund
				Fund Impact	210,000.00
					80,000.00CR
					130,000.00

To provide funds for Pension Fund consulting services and actuarial analysis by recognizing donations for this purpose and assigned fund balance from FY 2012.

JOURNAL	64681	DIVISION	Environmental Policy	Fund Name	General Services Fund
				Fund Impact	229,808.00
					229,808.00

To provide funds for energy management projects in the General Fund by recognizing half of the total utility savings demonstrated over a 12 month period and assigned to this purpose in the FY 2012 fund balance.

JOURNAL	64222-23	DIVISION	Special Programs	Fund Name	Donation Fund
				Fund Impact	600.00
					600.00CR
					.00

To provide operating expenses by recognizing revenue from the Alzheimer's Association for the installation and removal of Walk To End Alzheimer's street banners.

JOURNAL	64399-00	DIVISION	Environmental Policy	Fund Name	Donation Fund
				Fund Impact	1,500.00
					1,500.00CR
					.00

To provide funds for Keep Lexington Beautiful expenses by recognizing contributions.

JOURNAL	64682	DIVISION	Environmental Policy	Fund Name	Urban Services Fund
				Fund Impact	7,452.00
					7,452.00

To provide funds for energy management projects in the Urban Fund by recognizing half of the total utility savings demonstrated over a 12 month period and assigned to this purpose in the FY 2012 fund balance.

JOURNAL	64388-89	DIVISION	Grants and Special Projects	Fund Name	US Department of Justice
				Fund Impact	94,273.00
					94,273.00CR
					.00

To establish grant budget for 2013 Sexual Assault Nurse Examiner grant (SANE).

JOURNAL	64660-61	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Department of Justice 500.00 500.00CR .00
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To budget interest earned for Justice Assistance 2011.

JOURNAL	64663-64	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Department of Justice 300.00 300.00CR .00
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To budget interest earned for Justice Assistance 2012.

JOURNAL	64665-66	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Department of Justice 900.00 900.00CR .00
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To budget interest earned for Justice Assistance Grant 2010.

JOURNAL	64675-76	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Department of Justice 65,503.00 65,503.00CR .00
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To establish grant budget for State Criminal Alien Assistance Program FY 2013.

JOURNAL	64492	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Dept of Transportation 553,480.00 553,480.00CR .00
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To amend Brighton East grant to provide for contract for contract with Randle-Davies for construction of Brighton East Rail Trail Phase 2.

JOURNAL	64667-68	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Dept of Transportation 51,000.00 51,000.00CR .00
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To correct grant match accounting for Mobility 2013.

JOURNAL	64398	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Department of Energy 3,085.51 3,085.51CR .00
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To amend Energy and Environmental Block Grant to reflect actual expenditures.

JOURNAL	64494	DIVISION	Grants and Special Projects	Fund Name	Grants - State
				Fund Impact	10,000.00
					10,000.00CR
					.00

To amend Kentucky Pride 2012 to provide additional personnel funds for litter pick-up by Waste Management and for Education and Outreach activities by the Division of Environmental Policy.

JOURNAL	64741-42	DIVISION	Grants and Special Projects	Fund Name	Grants - State
				Fund Impact	450,000.00
					450,000.00CR
					.00

To establish grant budget for Economic Development Bingham McCutchen LLP Project by recognizing state revenues.

JOURNAL	64683	DIVISION	Environmental Policy	Fund Name	Sanitary Sewer Fund
				Fund Impact	34,922.00
					34,922.00

To provide funds for energy management projects in the Sanitary Sewer Fund by recognizing half of the total utility savings demonstrated over a 12 month period and assigned to this purpose in the FY 2012 fund balance.

JOURNAL	64684	DIVISION	Environmental Policy	Fund Name	PFC - General Fund
				Fund Impact	26,571.00
					26,571.00

To provide funds for energy management projects in the PFC - General Fund by recognizing half of the total utility savings demonstrated over a 12 month period and assigned to this purpose in the FY 2012 fund balance.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	364,808.00
Fund	1103	Donation Fund	.00
Fund	1115	Urban Services District Fund	7,452.00
Fund	3140	US Department of Justice	.00
Fund	3160	US Department of Transportation	.00
Fund	3210	US Department of Energy	.00
Fund	3400	Grants - State	.00
Fund	4002	Sanitary Sewer Revenue and Operating Fund	34,922.00
Fund	4022	PFC – General Fund	26,571.00

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

If the New Business item listed below is on the Agenda, approval includes approval of the attached Budget Amendment. These Budget Amendments are not voted upon as part of section IV on the Agenda and are for information only.

NEW BUSINESS ITEM	BUDGET JOURNAL	DIVISION	DESCRIPTION OF REQUEST
1142-12	CB00095	Grants and Special Projects	To abolish one position of Code Enforcement Officer Sr., (Grade 114E) and create one position of Code Enforcement Officer (Grade 113N) in the Division of Grants and Special Programs. 1101 0.00 1101 4,690.00CR 4,690.00CR
1157-12	CB00097	Planning	To abolish one position of Planner, (Grade 113E) and create one position of Planner Sr. (Grade 117E) in the Division of Planning. 1101 10,920.00 1101 10,920.00 0.00

EFFECT ON FUND BALANCES

FUND 1101	0.00	NO EFFECT ON	GENERAL SERVICE DISTRICT FUND
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Lexington-Fayette Urban County Government
DEPARTMENT ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Jim Gray
Mayor

Richard Moloney
Acting Commissioner

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: GEORGE S. MILLIGAN, CONSTRUCTION SUPERVISOR
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

DATE: October 18, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AN AGREEMENT
WITH EARTHMAN, LLC, WHEREBY THEY WILL PROVIDE DECORATIVE
STREET LIGHTING FOR THE PROPERTY THEY ARE DEVELOPING FOR A
NEW DISTILLARY AT 420 CROSS STREET

The Department of Environmental Quality and Public Works is requesting the authorization to execute an agreement with Earthman, LLC, whereby they will provide decorative street lighting for the property they are developing for a new distillery at 420 Cross Street, Lexington, KY.

The LFUCG enacted Resolution No. 50-90 that established a policy for the approval of alternative decorative street lighting on February 8, 1990. Earthman, LLC, has agreed to the terms and requirements of all relevant portions of Resolution No. 50-90 and their design has been reviewed and approved by the Division of Traffic Engineering.

Attached for your consideration, is a copy of the agreement along with the street lighting design plan.


George S. Milligan, Construction Supervisor



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 19, 2012

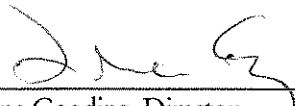
SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD FROM THE U.S.
DEPARTMENT OF JUSTICE UNDER THE 2012 STATE CRIMINAL ALIEN
ASSISTANCE PROGRAM— FY 2013

On July 5, 2012 (Resolution No. 365-2012), Council authorized submission of an application requesting federal funding under the 2012 State Criminal Alien Assistance Program (SCAAP). This federal program is offered by the Bureau of Justice Assistance, a part of the Office of Justice Programs in the U.S. Department of Justice in conjunction with Immigration and Customs Enforcement (ICE). This program is governed by the Immigration and Nationality Act, 8 U.S.C. §1231 (i) as amended, and Title II, Subtitle C. Section 20301, Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322.

SCAAP provides funds to States and localities as reimbursement for costs of incarcerated undocumented criminal aliens who have been in custody for at least four consecutive days, and have been convicted of a felony or two misdemeanor offenses. Reimbursable costs are for foreign-born inmates who have 1) entered the U.S. without inspection, 2) was subject of exclusion or deportation proceedings at the time of being taken into custody, and/or 3) admitted as a nonimmigrant at the time of being taken into custody who has failed to maintain the nonimmigrant status. ICE takes responsibility for ensuring that aliens are properly identified and their status verified before awards to state and local governments are made.

The FY 2012 SCAAP payment amounts were determined using a sampling of actual inmate, cost and facility data for a specified reporting period. SCAAP is not a traditional reimbursement program in which the actual cost, facility and data are collected. SCAAP used prior year's data, from the period of July 1, 2010 through June 30, 2011, to determine applicants' annual relative percentages of available funding. The award for 2012 has been announced as \$65,503. The Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162, Title XI) requires that all SCAAP funds be used for correctional purposes only. The Division of Community Corrections is requesting that funds be used for training/education for offenders, re-entry programming, technology to improve offender management, and training for correctional officers related to offender population management. No matching funds are required.

Council authorization to accept the award is hereby requested.



Irene Gooding, Director

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

HORSE CAPITAL OF THE WORLD



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 16, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION
AND ACCEPT AWARD, IF OFFERED, FROM THE KENTUCKY
JUSTICE CABINET UNDER THE VIOLENCE AGAINST WOMEN ACT
PROGRAM FOR THE CONTINUATION OF A S.A.N.E. PROGRAM IN
FY 2013

The Division of Police has prepared an application for submission to the Kentucky Justice Cabinet requesting federal funds in the amount of \$45,123 from the Violence Against Women Act (VAWA) Program for the continuation of a Sexual Assault Nurse Examiner (S.A.N.E.) program in the Division of Police as a response to sexual assault for females fourteen and above. The Division of Police, the Commonwealth Attorney's Office, the Fayette County Attorney's Office, and the Bluegrass Rape Crisis Center have collaborated on the planning and implementation of this project and have agreed to provide a coordinative response to the victims of sexual assault.

This project was begun in 2000 with the creation and filling of a full-time position of S.A.N.E. Project Director as a civilian employee in the Division of Police. Other S.A.N.E.s have been recruited to serve on-call on a contractual basis. S.A.N.E.s are registered nurses with specific credentials for the examination of rape and other sexual assault victims. The University of Kentucky Medical Center provides private examination and waiting space in its Emergency Room for this program. Dr. Brian Adkins, an attending ER physician, serves as medical director for the project. The purpose of this project is to provide the victims of sexual assault with better examinations for evidence and to give greater care to the chain of evidence with the objective of more successful prosecutions for sexual assault. It is anticipated that more humane treatment of the victim at the time of the examination will increase reporting and increase willingness to testify in prosecutions.

Total project costs for a 12-month period will be \$94,273. Of this total, the request for federal funding is \$45,123. Local match in the amount of \$28,150 is budgeted in the Division of Police's FY 2013 general fund budget. Funds will be used for contractual services, emergency room space, medication costs, cell phones, training and supply and equipment costs. It is projected that during a full project year, as many as 130 sexual assault examinations will be conducted. It is estimated that the S.A.N.E. Coordinator will perform approximately 25 of these exams in the course of her work.

HORSE CAPITAL OF THE WORLD

The remaining 105 exams will be performed by S.A.N.E.s working under contract. It is anticipated that the state's Crime Victims Compensation Fund will pay \$200 for each of these exams, for a total estimated state revenue of \$21,000. The LFUCG pays the nurses at a rate of \$230. The remaining \$30 per exam (\$3,150 total) is included in grant match.

Council authorization to submit the application and accept the award if offered is hereby requested.



Irene Gooding, Director

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



20

1137-12

Lexington-Fayette Urban County Government
DIVISION OF FIRE & EMERGENCY SERVICES

Jim Gray
Mayor

Keith L. Jackson
Fire Chief

To: Mayor Jim Gray
Clay Mason, Public Safety Commissioner
LFUCG Council Members

From: Chief Keith L. Jackson

Date: October 22, 2012

The Division of Fire & Emergency Services is requesting to enter into a mutual aid agreement with Catlettsburg Refining LLC. In the agreement both parties will provide mutual assistance to each other in the case of a major fire, disaster or other emergency response services upon formal request. There is no cost to the Lexington Fire Department (LFUCG) for this service. The contract can be cancelled by either party providing a written notice.



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 22, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
MODIFICATION TO AGREEMENT WITH THE KENTUCKY
OFFICE OF HOMELAND SECURITY FOR THE BOMB SQUAD
PROJECT

On December 1, 2011 (Resolution No. 548-2011), Council approved acceptance of federal funds from the Kentucky Office of Homeland Security under the 2011 Homeland Security Grant Program for the Hazardous Devices Unit. Project included upgrades for the Andros F-6 and Andros HD-1 robots in the Division of Police.

Kentucky Office of Homeland Security has offered a modification to the agreement providing for the purchase of explosive storage boxes. No additional funds are being provided.

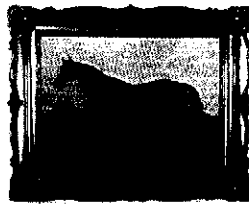
Council authorization to execute the modification to agreement is hereby requested.



Irene Gooding, Director

Xc: Clay Mason, Commissioner, Department of Public Safety

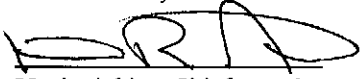
HORSE CAPITAL OF THE WORLD



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Mayor Jim Gray
Urban County Council

From: 
Kevin Atkins, Chief Development Officer

Date: November 2, 2012

Re: To establish the "21c Lexington Development Area" for economic development (TIF) purposes and take actions related to the development area, to set up an incremental tax special fund, to approve a local participation agreement and master development agreement, to apply for a section 108 loan and to approve a \$1 million loan to the developer.

This is a request to approve the 21c Project in its entirety, which includes:

- to acknowledge a development area for economic development purposes to be known as the 21c Lexington Development Area;
- establishing an incremental tax special fund for payment of approved public infrastructure and project costs;
- designating the Lexington DDA, Inc. as the agency responsible for oversight, administration and implementation of the development area;
- authorizing the Mayor and other officials to take such other appropriate actions as are necessary or required in connection with the establishment of the development area;
- approving a \$1,000,000 loan from LFUCG to the project for economic development purposes; approving a substantial amendment to the Consolidated Plan (HUD) and submission of a section 108 loan package to the United States Department of Housing and Urban Development approving the making of a \$6,000,000 loan to 21c Lexington LLC; and
- authorizing the Mayor and other officials to take such other appropriate actions as are necessary to required in connections with section 108 loan and the LFUCG loan.

The 21c Project is projected to cost about \$36.6M, a combination of private financing & equity, federal historic and new market tax credits, state tourism incentives and local participation while bring forth 150 new jobs. The Planning Commission has provided a Certificate of Compliance, stating the proposed TIF District is in compliance with the adopted 2012 Comprehensive Plan Goals and Objectives for LFUCG. Public hearings have been appropriately held for both the creation of the development area and amendment of the Consolidated Plan.

FOLLOW MAYOR GRAY:

www.facebook.com/MayorJimGray

www.twitter.com/JimGrayLexKY



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: _____
John Maxwell, Director
Division of Human Resources

DATE: October 23, 2012

SUBJECT: Abolish/Create position – Division of Grants and Special Programs

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Code Enforcement Officer Sr., (Grade 114E) and creating one (1) position of Code Enforcement Officer (Grade 113N) in the Division of Grants and Special Programs, effective upon passage by Council.

It has been determined that with the filling of the vacancy of Code Enforcement Supervisor, the additional level of supervision is not needed. With the creation of the additional Code Enforcement Officer, the housing rehabilitation code enforcement unit in the Division of Grants and Special Programs will have a total of four staff members, one Code Enforcement Supervisor and three Code Enforcement Officers.

The fiscal impact for FY2013 (14 pay periods) will be a savings of \$3,084.93. All costs include benefits. This amount does not include lapse which has been included in the attached Budget Amendment.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Code Enforcement Officer Sr.	\$42,181.62	\$0	\$(42,181.62)
Vacant	Code Enforcement Officer	\$0	\$37,683.36	\$37,683.36
Total Annual Impact/ Salary and Benefits \$(5,729.16)				

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

Attachment

cc: Irene Gooding, Director – Division of Grants and Special Programs

Log #13-0031



Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Members of the Council

FROM: Beth K. Mills
Beth Mills, Commissioner

DATE: October 23, 2012

SUBJECT: Acceptance of Crib Donation – Safe Kids Fayette County

Request Council approval to accept a donation of 10 Graco “Pack N Play” cribs, and related instructional DVDs and literature valued at \$500 total, from Safe Kids Fayette County for distribution through the Family Services HANDS Program. A letter is attached from the donating organization.

There is no match or other fiscal impact associated with this donation.

**LEXINGTON DIVISION OF POLICE**

150 East Main Street • Lexington, KY 40507 • (859) 258-3600

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: October 17, 2012

RE: Interlocal Cooperation Agreement (Amendment to Resolution 419-2011)

Please find attached amendment to Resolution 419-2011, Interlocal Cooperation Agreement between the Lexington-Fayette Urban County Government and the Jessamine County Sheriff's Office.

This agreement addresses police response and clarifies routing of 911 calls for delineated properties that are located on or near the Fayette/Jessamine County lines, or are properties that the LFUCG has a vested interest in. This amendment is due to recent construction of homes at or near the borders of Fayette and Jessamine County. These have Fayette County addresses and/or access to the homes cross county border lines. This amendment will allow such jurisdiction and law enforcement power to be exercised in Jessamine County by regular full-time sworn Lexington Division of Police Officers who are trained pursuant to KLEFF standards for police officers in Kentucky and shall include the authority to respond to calls, conduct investigations and searches, make arrests, seize property pursuant to applicable law, carry firearms, execute search and arrest warrants, deliver subpoenas and summonses issued under authority of law, and perform other law enforcement duties and activities as directed by the Chief of Police, or his designee. Also attached is a map, which defines the geographic area where this agreement provides Lexington Division of Police with law enforcement powers.

Upon approval and signing, please forward four (4) original agreements to the Chief's Office for distribution to involved agencies. There will be no budgetary impact.

A handwritten signature in cursive script, reading "R. Bastin".

Ronnie Bastin
Chief of Police

RB/rmh

cc: Clay Mason, Commissioner of Public Safety



Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES
Division of Parks and Recreation

Jim Gray
Mayor

Sally Hamilton
Commissioner

MEMORANDUM

To: Jim Gray, Mayor
Urban County Council Members

FROM:



Jerry Hancock

RE: Facility Usage Contract

DATE: October 25, 2012

This is a request for Council approval of Facility Usage Agreements between the Lexington-Fayette Urban County Government and various youth baseball leagues.

These agreements are for the purpose of providing youth sports by Franchise ball leagues on Park facilities. The Agreements are for the fall leagues.

Please contact me if there are any questions.

JEH/bac



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: _____
John Maxwell, Director
Division of Human Resources

DATE: October 25, 2012

SUBJECT: Abolish/Create position – Division of Planning

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Planner, (Grade 113E) and creating one (1) position of Planner Sr. (Grade 117E) in the Division of Planning, effective upon passage by Council.

The Planner Sr. position develops policies including writing and organizing conceptual and detailed planning documents, such as comprehensive plans; small area, neighborhood, and redevelopment plans; and open space plans among others. The Planner Sr. must be able to organize and lead public meetings as a means to convey information and build consensus, make clear and thorough presentations to officials and citizens, and collaborate with other professionals across a variety of disciplines.

The fiscal impact for FY2013 (14 pay periods) will be a cost of \$10,919.68 and will be funded from the divisions Operating Supplies account. All costs include benefits. This amount does not include lapse which has been included in the attached Budget Amendment.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Planner	\$37,334.32	\$0	\$(42,181.62)
Vacant	Planner Sr.	\$0	\$53,266.72	\$37,683.36
Total Annual Impact/ Salary and Benefits \$20,279.41				

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

Attachment

cc: Chris King, Director – Division of Planning
Log #13-0033



Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

October 26, 2012

TO: Mayor Jim Gray and Urban County Council

FROM: David S Lucas, Director of Enhanced 9-1-1

RE: Sole Source procurement for Applied Digital Solutions

VIA: Clay Mason, Commissioner of Public Safety

The Division of Enhanced 9-1-1 is securing software maintenance to continue providing on-site hardware and software services for the logging recorders located at Fire and Police Headquarters. The existing system provides 24/7/365 recording of all radio and telephone communications within the communications centers. The availability of service providers to perform this task on our current systems is very limited, and the only certified provider within our geographic area with proper experience and hardware supplies is Applied Digital based in Louisville, KY.

The total cost for the present fiscal year is a maximum of \$25,633 and is fully budgeted within the Division of Enhanced 911. The 2014 FY maintenance period will not exceed \$30,000 and will extend for one additional year. The requested maintenance, service and related expenses meet all state specifications and are acceptable expenses as outlined by regulations created by the Commonwealth of Kentucky.

The following documents are attached:

1. Administrative review form. (Blue sheet)
2. Applied Digital Solutions Price Quote
3. Sole Source Procurement Certification

Please return completed documents to my attention for final disposition.



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 29, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT
WITH FRIENDS OF WOLF RUN FOR IMPLEMENTATION OF
ACTIVITIES UNDER THE WOLF RUN CREEK WATERSHED BASED
PLAN

On September 28, 2012 (Resolution No. 576-2012), Council approved the acceptance of additional federal funds from the Kentucky Energy and Environment Cabinet/Department for Environmental Protection/Kentucky Division of Water for the Wolf Run Watershed Based Plan. The goal of this project is the implementation of a watershed plan that the LFUCG has developed to reduce nonpoint source pollution in Wolf Run creek. An approved element of the project is public involvement by Friends of Wolf Run, a volunteer organization. The proposed agreement with Friends of Wolf Run provides for the use of federal funds in the amount of \$16,000 for conducting of watershed council meetings and conducting stream walk events. Friends of Wolf Run will also be responsible for documentation of grant match in the amount of \$16,000.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
3170	313201	3091	71299	WOLFRUN 2010	MS GRANT	2010

The source of federal funds is the Environmental Protection Agency's Section 319(h) Nonpoint Source Pollution Control Program.

Council authorization to execute agreement with Friends of Wolf Run is hereby requested.


Irene Gooding, Director

Xc: Richard Moloney, Acting Commissioner of the Department of Environmental Quality and
Public Works

HORSE CAPITAL OF THE WORLD

200 East Main Street 6th Fl Lexington, KY 40507 PH (859)258-3070 FAX (859)258-3081 www.lexingtonky.gov

F:\WP51\HCD\GRANTS\FEDERAL\US ENVIRONMENTAL PROTECTION AGENCY\WOLF RUN\13-004.doc



Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Members of the Council

FROM: Beth K. Mills
Beth Mills, Commissioner of Social Services

DATE: October 29, 2012

SUBJECT: Central Kentucky Economic Empowerment Project (CKEEP)

Request approval to enter into an agreement with the Internal Revenue Service for the provision of Volunteer Income Tax Assistance (VITA) through the CKEEP program in partnership with United Way of the Bluegrass. CKEEP provides free tax preparation to low-income families, and raises awareness of the Earned Income Tax Credit.

The LFUCG Department of Social Services provides program space for CKEEP in several locations throughout the community, and the program is staffed by volunteers. With the exception of incidental supplies, there is no fiscal impact to the LFUCG for the operation of this program.



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

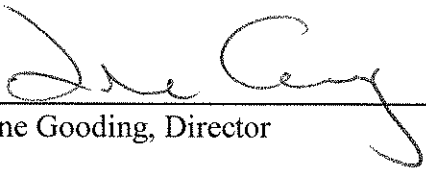
DATE: OCTOBER 29, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
FROM THE U.S. DEPARTMENT OF JUSTICE REQUESTING
FEDERAL FUNDS FOR THE PURCHASE OF BULLETPROOF
VESTS— FY 2013

The purpose of the Bulletproof Vest Partnership Grant Acts of 1998 (Public Law 105-181 and 2000 Public Law 106-517) is to save the lives of law enforcement officers by helping States and units of local governments equip their law enforcement officers with armor vests. The application can only be submitted by the local government. All law enforcement agencies in Fayette County that want to participate in the program must do so in a unified application with the lead entity being the LFUCG. A 50% local match is required. The Fayette County Sheriff requested funds for the purchase of vests.

The U.S. Department of Justice has offered the LFUCG an award of \$345.15 for use by the Fayette County Sheriff's Office. The sheriff will provide a match of 50% from her own budget.

Council authorization to accept the award is hereby requested.


Irene Gooding, Director

Xc: Clay Mason, Commissioner of Public Safety

HORSE CAPITAL OF THE WORLD

200 East Main Street 6th Fl Lexington, KY 40507 PH (859)258-3070 FAX (859)258-3081 www.lexingtonky.gov

**LEXINGTON DIVISION OF POLICE**

150 East Main Street • Lexington, KY 40507 • (859) 258-3600

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: October 29, 2012

RE: Amended 2012 Equitable Sharing Agreement and Certification

Please find attached documentation for the Amended 2012 Equitable Sharing Agreement and Certification with the Department of Justice, The Department of the Treasury and the Lexington-Fayette Urban County Government.

After the close of fiscal year 2012, adjustments were made to the Justice Funds accounting, which changed the ending balance on line 8. The original balance submitted was \$556,957.26, the corrected balance amount should be \$559,208.68. This agreement is being submitted to make amended changes and bring the FY2012 Equitable Sharing Agreement current.

I have attached two (2) original amended agreements requiring the Mayor's signature. There will be no budgetary impact. Upon approval and signing, please forward one original agreement to the Chief's Office.

If you have any question or require additional information, please contact my office.

A handwritten signature in cursive script that reads "R. Bastin".

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Clay Mason, Commissioner of Public Safety

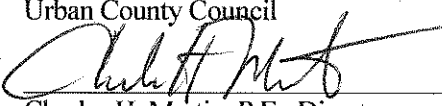


Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Jim Gray
Mayor

Richard Moloney
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

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

Date: October 22, 2012

Re: Accounting Correction to Resolution #430-2012

This request is to amend the accounting in Resolution #430-2012 that accepted the bid of Smith Contractor, Inc. for Expansion 2-A Wastewater System Improvements. Resolution #430-2012 had the correct amount for the bid award, and the account numbers were correct; however, the amounts charged to each account number were not correct.

The corrected amounts should be \$2,469,228.08 from #3400-303401-92811 and \$2,391,771.92 from #4003-303401-92811.

Any questions should be directed to Julie Mantrom, ext. 2402.

Pc: Richard Moloney, Acting Commissioner, Department of Environmental Quality & Public Works
Ed Gardner, Department of Law
Betty Landrum, Division of Central Purchasing
LaJoyce Mullins-Williams, Division of Water Quality



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

Jim Gray
Mayor

Richard Moloney
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

From: 
Charles H. Martin, P.E., Director

Date: October 24, 2012

**Re: Requesting authorization to execute an agreement awarding a Class B (Education)
Stormwater Quality Projects Incentive Grant to Group CJ, LLC, at a total cost not to exceed
\$35,547.00.**

The grant application of Group CJ, LLC was reviewed and recommended by the Water Quality Fees Board at its July 12, 2012 meeting. Funding is provided by revenue from the Water Quality Management Fee and is fully budgeted and available in the Fund 4051 303204 3373 78112. This grant requires a minimum 50% cost share by the grant recipient above the first \$2,500. The Grant Award Agreements require the Mayor's signature.

Grant Project Description

In collaboration with the television stations WKYT-TV and the EKYT-CW, the grantee shall write, produce, and air approximately 30-second and 60-second educational commercial messages for a "Doing the Green Thing" campaign that show people actively performing tasks that reduce stormwater pollution and promote improving water quality. These spots will also be used to directly tie into promoting the Great American Cleanup from March through May 2013.

Questions regarding this agreement should be directed to Susan Plueger at 859-425-2482.

Attachment

Pc: Richard Moloney, Acting Commissioner, Department of Environmental Quality & Public Works
Ed Gardner, Department of Law
Julie Mantrom, Division of Water Quality
Susan Plueger, P.E., Division of Water Quality



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: October 31, 2012

RE: Release of Easement
3469 Clays Mill Road

This memo is to request a Resolution authorizing the Mayor to sign a Release of Easement releasing a storm sewer easement on property located at 3469 Clays Mill 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.

A handwritten signature in black ink, appearing to read "Edward W. Gardner Sr.", is written over a horizontal line.

Edward W. Gardner
Attorney Sr.

Enclosure

cc: Richard Moloney, CAO
Council Office



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: October 30, 2012

RE: Release of Easement
2250 Old Frankfort Pike

This memo is to request a Resolution authorizing the Mayor to sign a Release of Easement releasing a utility easement and streetlight easement on property located at 2250 Old Frankfort Pike.

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.

A handwritten signature in black ink, appearing to read "Edward W. Gardner Sr.", written over a horizontal line.

Edward W. Gardner
Attorney Sr.

Enclosure

cc: Richard Moloney, CAO
Council Office

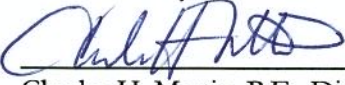


Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Jim Gray
Mayor

Richard Moloney
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

From: 
Charles H. Martin, P.E., Director

Date: October 24, 2012

Re: Requesting authorization to execute an agreement awarding a Class B (Education) Stormwater Quality Projects Incentive Grant to the Board of Education of Fayette County, Kentucky for a project located at Lansdowne Elementary School, at a total cost not to exceed \$3,500.00.

The grant application of the Board of Education of Fayette County was reviewed and recommended by the Water Quality Fees Board at its July 12, 2012 meeting. Funding is provided by revenue from the Water Quality Management Fee and is fully budgeted and available in the Fund **4051 303204 3373 78112**. This grant requires a minimum 50% cost share by the grant recipient above the first \$2,500. The Grant Award Agreements require the Mayor's signature.

Grant Project Description

Design and construct a rain garden on the Lansdowne Elementary School campus. Incorporate the rain garden into the environmental education curriculum and provide community outreach.

Questions regarding this agreement should be directed to Susan Plueger at 859-425-2482.

Attachment

Pc: Richard Moloney, Acting Commissioner, Department of Environmental Quality & Public Works
Ed Gardner, Department of Law
Julie Mantrom, Division of Water Quality
Susan Plueger, P.E., Division of Water Quality



Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

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

THRU: *Beth Mills*
Beth Mills, Commissioner
Department of Social Services

FROM: *Connie Godfrey*
Connie Godfrey, Director
Adult & Tenant Services

DATE: October 30, 2012

RE: Software Maintenance/End User License Agreement with Horizon
Information Systems

This action authorizes the Mayor to execute an agreement with Horizon Information Systems to provide maintenance for Representative Payee Software. The effective date is January 1, 2013 through December 31, 2013, at a cost of \$586.50.




Lexington-Fayette Urban County Government
DIVISION OF FIRE & EMERGENCY SERVICES

Jim Gray
Mayor

Keith L. Jackson
Fire Chief

TO: Mayor Jim Gray
Clay Mason, Public Safety Commissioner
LFUCG Council members

FROM: 
Chief Keith L. Jackson

RE: Paramedic Training Agreement, University of Kentucky

DATE: Thursday, November 01, 2012

This is a request to execute a Paramedic Training agreement between LFUCG Division of Fire and Emergency Services and University of Kentucky (UK). The agreement defines the roles and responsibilities of each agency for providing initial Paramedic training for members of UK.

This agreement will allow UK personnel to participate in the Paramedic program being offered by the LFUCG Division of Fire to include the classroom training, clinical training and field internship. The successful completion of the course is a prerequisite to becoming a Kentucky Licensed Paramedic.

There will be no budgetary impact in this agreement as there are no additional resources required



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1182-12

Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Members of the Council

FROM: Beth K. Mills
Beth Mills, Commissioner of Social Services

DATE: November 2, 2012

SUBJECT: Seedleaf, Inc. donation to Family Care Center

Request approval to accept the donation of a Vulcan 6 burner range and casters valued at \$1,758 from Seedleaf, Inc. to the Family Care Center. This donation is for use in ongoing life skills instruction to students in the Parent Education Program, emphasizing the importance of healthy food preparation.

There is no fiscal impact associated with acceptance of this donation.

**LEXINGTON DIVISION OF POLICE**

150 East Main Street • Lexington, KY 40507 • (859) 258-3600

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: November 1, 2012

RE: Public Safety Radio Infrastructure Land Lease Agreement with Leroy Dale

Please find attached Public Safety Radio Infrastructure Land Lease Agreement with Leroy Dale and the Lexington-Fayette Urban County Government.

This agreement is for a five year site lease agreement with Leroy Dale, 4601 Nicholasville Road, Lexington, KY 40515, for a 20' x 40' parcel of land located at 2501 Brannon Road (KY 1980) Nicholasville, KY 40356. The lease is for \$8,000 annually and is automatically renewable every five (5) years. The site will be used to place a public safety grade shelter that will house the 800 MHz digital trunked radio infrastructure. This agreement was written and reviewed by David Barberie, Department of Law. Funds are budgeted for this project.

Upon approval and signing, please forward two (2) original agreements to the Chief's Office.

A handwritten signature in cursive script that reads "R. Bastin".

Ronnie Bastin
Chief of Police

RB/rmh

cc: Clay Mason, Commissioner of Public Safety

**LEXINGTON DIVISION OF POLICE**

150 East Main Street • Lexington, KY 40507 • (859) 258-3600

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: November 1, 2012

RE: 2013 Police Awards Banquet
Lexington Convention Center Rental Agreement
Hyatt Regency Catering Contract

Please find attached Lexington Center Rental Agreement and Hyatt Regency Catering Contract with the Lexington Fayette Urban County Government for the annual Police Awards Banquet to be held on Tuesday, May 7, 2013.

We are requesting council approval to authorize Mayor Gray to sign the attached agreement/contract. Upon approval and signing, please forward documents to the Chief's Office to acquire additional signatures.

There will be no budgetary impact. The awards banquet will be funded by ticket sales.

If you have any questions or require additional information, please contact my office.

A handwritten signature in cursive script, appearing to read "R. Bastin".

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Clay Mason, Commissioner of Public Safety



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: NOVEMBER 5, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE LEASES
WITH AIDS VOLUNTEERS, INC., FOR PROPERTIES LOCATED AT
851 TODDS ROAD AND 1807 DALTON COURT

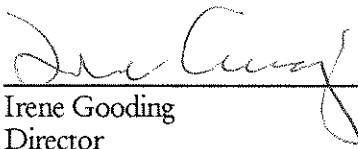
The Lexington-Fayette Urban County Government received federal funds from the U.S. Department of Housing and Urban Development in 1994 for the development of housing facilities for persons with AIDS. The two properties developed with these funds were:

- (1) a community residence, Solomon House, located at 851 Todds Road,, with the purpose of providing housing and support services to low-income persons with severe cases of AIDS.
- (2) an apartment building, located at 1807 Dalton Court, with the purpose of providing housing and support services to homeless and near homeless low-income persons who are HIV positive.

AIDS Volunteers, Inc. (AVOL), a private, nonprofit organization, is the sponsor for this project. The properties were originally leased to AVOL for operation and management in 1996. Since that time, AVOL has complied with all lease requirements and with all federal regulations.

The leases for these facilities are expiring and new leases with AVOL are proposed. The proposed leases make AVOL fully responsible for costs of maintenance and operation of both properties. Federal funds from the U.S. Department of Housing and Urban Development have been awarded for this purpose. The lease is for a period of one year, renewable for three additional 12-month periods, at a cost to AVOL of \$10.00 per year.

Council authorization to execute the leases is hereby requested.


Irene Gooding
Director

Xc: Richard Moloney, Chief Administrative Officer

HORSE CAPITAL OF THE WORLD



LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT
Department of Planning, Preservation & Development
Office of the Commissioner

Jim Gray
Mayor

Derek J. Paulsen, Ph.D.
Commissioner

MEMORANDUM

TO: Mayor Jim Gray; Members, Urban County Council
FROM: Derek J. Paulsen, Ph.D.
Commissioner
DATE: November 5, 2012
RE: Request for approval of MOU and transfer of funds

This memorandum is to request authorization to execute an agreement with the Lexington Downtown Development Authority (LDDA) for the transfer of funds for a Design Excellence Program for Downtown Lexington.

The project involves transfer of \$50,000 in professional services funds from the budget of the Department of Planning, Preservation & Development to the Lexington Downtown Development Authority. The funds are budgeted (1101 162101 1601 71299).

This funding is to be used to secure consulting assistance in preparing draft design guidelines for a Design Excellence Program for Downtown Lexington. The consulting work will be administered under the direction of the DDA subject to the agreement.

This approach will facilitate the project and has been recommended by the Council's Design Excellence Task Force.

Attachment

H O R S E C A P I T A L O F T H E W O R L D



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: NOVEMBER 5, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT
APPLICATION AND ACCEPT AWARD IF OFFERED FROM THE
KENTUCKY ECONOMIC DEVELOPMENT FINANCE
AUTHORITY FOR THE BINGHAM MCCUTCHEN LLP
ECONOMIC DEVELOPMENT BOND PROJECT IN THE
AMOUNT OF \$450,000 AND TO EXECUTE AGREEMENT WITH
BINGHAM MCCUTCHEN LLP

A grant application has been prepared for submission to the Kentucky Economic Development Finance Authority requesting state funds in the amount of \$450,000 for the Bingham McCutcheon LLP Economic Development Bond Project.

The application requests these funds as a component of the total incentive package from the state and the city to help Bingham McCutcheon offset start-up costs. Total project cost is estimated at \$22,589,098. The company will create 250 new full-time jobs at an average hourly wage of \$28.90.

Council authorization to submit the application, accept award if offered, and to execute agreement with Bingham McCutchen LLP.

Irene Gooding, Director

HORSE CAPITAL OF THE WORLD



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Mayor Jim Gray
Urban County Council

From: SA [Signature]
Scott Shapiro, Senior Advisor to Mayor Jim Gray

Date: November 5, 2012

Re: Approve agreement with Public Financial Management, Inc. to provide consulting services related to Lexington's Police and Fire Pension

This memo seeks the approval of a contract between LFUCG and Public Financial Management, Inc. (PFM), a public-finance consultancy based in Philadelphia, to provide consulting services to the Police and Fire Pension Task Force. The Task Force was formed to find consensus between LFUCG and the beneficiaries of the pension with respect to pension reforms.

PFM was selected through LFUCG's RFP process (#25-2012). The proposal selection team was comprised of the benefits subcommittee of the Police and Fire Pension Task Force, which includes police and fire representation, with two additional council members and a member of the Mayor's office.

A separate budget amendment has been submitted for \$210,000. That amendment would cover the cost of PFM – at a not-to-exceed price of \$149,089 – with the balance covering the costs of Cavanaugh & MacDonald, Lexington's actuaries, for their work in generating impact analyses of suggested pension reforms. LFUCG is recovering half of the cost of consultants – up to \$80,000 – from donors outside of LFUCG.

FOLLOW MAYOR GRAY:

www.facebook.com/MayorJimGray

www.twitter.com/JimGrayLexKY

**Neighborhood Development Funds
November 13, 2012
Work Session**

Amount	Recipient	Purpose
\$ 550.00	Quail Run Townhome Association, Inc. 141 Prosperous Place, Suite 21B Lexington, KY 40509 Edwin Gibson	For replacement of trees.
\$ 700.00	Palomar Hills Community Association, Inc. 4025 Palmetto Drive Lexington, KY 40513 Jay Sudkamp	For neighborhood maintenance projects.
\$ 700.00	Garden Springs Neighborhood Association, Inc. 1013 Juniper Drive Lexington, KY 40504 Karl Van Dyke	For tree planting.



LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

ECONOMIC DEVELOPMENT COMMITTEE OF THE WHOLE

SUMMARY

OCTOBER 2ND, 2012

1. Kentucky Horse Park

John Nicholson came to the podium to present the Council Members an update on the Kentucky Horse Park. He said that the economic impact of the Kentucky Horse Park for FY10 was calculated to be \$180MM, including \$17.1MM in generated state tax revenue.

The Alltech FEI World Equestrian Games had a total economic impact of \$201.5MM. Revenues continue to increase. In 2011, state, regional, and national associations headquartered at the National Horse Center sponsored 63 events with 236 event days at the Horse Park. They hope to increase event competition days in the future.

Nicholson said that although they have been steadily increasing their revenues each year, the management team is evaluating the following areas to increase cash flow:

- Reduce expenses
- Seek local financial support
- Develop a site for private-sector hotel operator
- Expand the campground
- Create an annual festival

To protect the park's national and international reputation and enhance its future financial benefits to Kentucky's taxpayers, five key business strategies are essential:

- Make sure a reliable, long term source of revenue is available
- Invest in marketing and public relations to attract more events, competitions, and visitors

- Develop a private-sector hotel in partnership with the park to accommodate tourists, association meetings, and attendees at events and competitions
- Recruit more equine related associations to the National Horse Center and add more competitions to the park's event calendar
- Create an annual arts, cultural and culinary festival to celebrate and promote Kentucky's heritage

Nicholson said that FY07 was a difficult year and then the recession hit in FY08. They then had to build the infrastructure for the Equestrian Games. Last year, the Horse Park requested \$3.5MM. At the very end of the legislative session, they did get the requested funding. The General Assembly then requested a business plan from the Horse Park. They wanted to know how the Kentucky Horse Park would function without any state support.

Ellinger asked Nicholson about the timeline for the hotel. Nicholson said that they are waiting for litigation in the Court of Appeals from the 2008 hotel issue. He said that the concept will be a private sector hotel on a land lease agreement.

2. Commerce Lexington Quarterly Report

Bob Quick presented the Quarterly Commerce Lexington report. He reported that there are 66 new businesses, 18 existing and local entrepreneurial clients, 75 existing business visits and 28 site visits.

Kay requested that reports on employment for businesses receiving incentives include median salary as well as average salary.

Quick spoke about the Q4 FY12 new and expanding business list included in the packet. Amazon.com is planning 550 new jobs, Big Ass Fans is planning 150 new jobs, Toyota Motor Manufacturing Kentucky is planning 86 new jobs and finally, Xact Communications is planning 20 new jobs.

Quick mentioned the A & W Restaurants grand opening as well as the grand opening of Frog Dice. Quick also mentioned the expansions of Bingham McCutchen LLP, Birtley, PremierTox, and Nitto Denko into Fayette County.

Quick spoke briefly about minority business development and said that the Access Loan Program exceeded the \$10MM mark. He also told Council Members about their Entrepreneur Leadership Institute and the Best in the Bluegrass program that placed ten students in internships with the Mayor's Office, UK, Central Baptist Hospital and CustomKYnetics.

Gorton asked Quick about the Bluegrass Station and any efforts that Commerce Lexington makes to recruit Department of Defense industries. Quick said that they work with the Commanders and General to recruit, attract and expand these industries.

Gorton went on to ask Quick about any efforts with Agriculture. Gorton mentioned the UK College of Agriculture. Quick said that we have one of the best research facilities in the world for equine and plant science. He said that Commerce Lexington is always trying to grow that industry.

Martin asked Quick how many acres are available in Fayette County to build a manufacturing facility. Quick said that there are 80 acres. Martin expressed concern that we are not ready to bring in a defense sector jobs or a car manufacturer. Martin said that he does strongly support keeping Lexington is Horse Capital of the World, but encouraged the Council to think about where this type of industry or business would go if there was an opportunity to recruit a new industry or business.

Various Council Members spoke briefly about manufacturing and Quick mentioned the Bluegrass Alliance in response to a question from Lane regarding partnerships with other Kentucky counties.

3. Itinerant Merchant Task Force

Henson began her presentation on the Itinerant Merchant Task Force. She said that there are no regulations for itinerant merchants under the current ordinance. Henson said that early on, neighborhoods had voiced concerns about their entrances. In the draft, an itinerant merchant cannot operate within 100 feet of a residential dwelling. Their hours of operation would be limited to the hours of 7:00am to 11:00pm. If the itinerant merchant is on the property of a business that operates 24 hour a day, they must still close at 4:00am.

Sean Tibbits, the Director of the Food Truck Organization spoke. He placed a flowchart on the overhead illustrating the process to obtain permits for operation. Lane expressed concern about the complexities of the process.

Henson clarified to Council Members that the ordinance does not apply to the LFUCG public parks. She said that they have their own vendors and Barberie added that the vending decisions for the parks are made by the Division of Parks and Recreation.

Chris King said that the average zoning compliance permit takes 15 minutes to obtain. There are no fees associated with that permit. King said that the information on the flowchart is not all accurate. King said that he is committed to make the process simple and also wants to protect neighborhoods. King said that the ordinance may not need to be changed. He could simply make administrative changes within his department.

Farmer said that he was uncomfortable with the restrictive nature of the ordinance as well as the fees that are complicating the issue for the vendors.

Kay said that he would like to keep the issue in committee.

Barberie said that he would like to bring a flowchart to the next meeting illustrating the process. He also told Council Members that the more controversial issue is the pilot food truck program. Barberie said that other cities allow designated public areas for food trucks to operate.

Gorton asked about public parking spaces. Barberie said that the draft does not open up any public land any differently than how the ordinance is written now.

Motion by Gorton to adjourn. Seconded by Crosbie. Motion passed without dissent.

Submitted by Jenifer Benningfield, Council Administrative Specialist

Social Services & Community Development Committee
October 16, 2012
Summary & Motions

Chair Myers called the meeting to order at 1:02 PM. All members were present except CM McChord.

9.18.12 Committee Summary

On a motion by CM Kay, second CM Stinnett the 9.18.12 Social Services & Community Development Committee was approved.

Summer Youth Employment Follow Up

Commissioner Mills introduced the summer youth employment presentation. She introduced Mattie Morton the program coordinator of the summer youth employment program.

Ms. Morton discussed the parameters of the program. She stated that 150 youth were placed and employed by the program this past summer. She stated that the participants come from every Council District in the County but over half (53%) reside in 3 districts; the 1st, 2nd and 8th districts.

Ms. Morton stated that the participants were between 15-18 years old and the majority were 14-15 years old. She stated that the participants come from 18 of the 20 public middle and high schools in the County. Ms. Morton stated that most come from Bryan Station, Lafayette and Henry Clay. She stated that the youth are paid \$ 7.25 per hour.

She stated that 30% of the participants previously participated in the summer youth employment program. The participants were assigned to over 65 work sites. Most of the work sites have been involved in the program for multiple years.

Ms. Morton stated that there were ten (10) types of jobs available including landscaping, animal care, retail sales, warehousing, child care, reception/office, computer technology, maintenance, auto tech and food service. She stated that 76% of the participants were assigned to the office/receptionist and child care categories.

Ms. Morton reviewed the skills that the youth were exposed to and learned at their worksites. She also reviewed program performance measures used to evaluate the participants and the worksites.

Lane discussed income eligibility for the program.

Lawless stated that the program was very well run and it was a good investment for Lexington. She also discussed trans-generational poverty in Lexington.

Ford stated that the community had an opportunity to invest more resources in the program. He stated that the FY 13 budget increased funding to have an additional 75 youth participant in the program this coming summer. He stated that he would like the program to grow to at least 300 youth each summer.

Myers asked about the job types. He asked if school counselors were involved in the program to match the youth with career paths. In response Ms. Morton stated that they were not.

Myers asked whether the sites were ever required or encouraged to pay part of the participants' wages. He discussed varying the job types to make them more appropriate career paths. He also asked about financial literacy workshops.

Kay asked about the recruitment process. He stated that the worksites spend a great deal of time with the youth and acclimate the participants into a work environment. He stated that the summer employment program instills job skills in the participants.

Ford made a motion to increase participation to 300 youth in FY 14. The motion was seconded by Kay.

Crosbie asked about the intent of the motion. In response Mills stated that an increase from 150 to 225 in FY 13 and to 300 participants in FY 14 would mean increased administrative resources would need to be allocated to adequately support the program.

Myers stated that he supported the program but would like to see more employment opportunities for the participants rather than receptionist and child care positions. He stated that employers need a well trained work force to compete in the global economy.

Kay stated that a positive vote would send a message to the Administration to develop methods to increase participation. He stated that the program benefits young people and our community as a whole.

Lane discussed the Junior Achievement program and youth training. Myers followed by comments from Lane and stated that the program should expand opportunities for our youth and include jobs in emerging industries and fields.

Debbie Sharon and Jane Peck spoke on half of work sites in favor of the program. They stated that the youth were motivated to work and had improved job skills during the duration of the program. They both stated that the participants contributed to the work sites.

Ford clarified the motion regarding establishing a baseline of 300 participants for FY 14.

Myers asked if the motion could include a statement that the employers should pay a portion of the youth salaries. In response Ford stated that he wanted the administration to have flexibility in managing the program. He stated that the worksites invest their time

and training in the participants. He stated that it can be challenging to bring teenagers into their work environment.

On a motion by Ford, second Kay the committee approved establishing a baseline of 300 summer youth employment slots by FY 14.

Committee Referrals

On a motion by Lawless second Lane the Senior Citizen Center issue was moved to Work Session. Motion was approved unanimously.

The meeting was adjourned at 12:25PM

PAS 10.22.12

BUDGET & FINANCE COMMITTEE

October 23, 2012

Summary

Ellinger called the meeting to order at 1:00 PM. All committee members present except Lawless.

I. 9.25.12 Committee Meeting Summary

A motion by Beard, seconded by Blues to approve the 8.28.12 Committee summary passed unanimously.

II. Monthly Financial Report

Jane Driskell introduced the monthly financial report. She stated that the audit was on schedule and a detailed report will be provided at the November Budget & Finance Committee.

Bill O'Mara provided the revenue portion of the monthly financial report. He stated that the 3-month trend economic indicators were moving in a positive direction. He stated some of the September monthly indicators, including building permits, business licenses, home sales and foreclosures, were on a negative slope but cautioned against examining the monthly indicators too closely because seasonal changes and timing issues can impact those monthly numbers.

O'Mara discussed the year to date General Fund revenue statement. He stated that while some of the actual revenue categories were flat or in a negative position compared to budgeted revenue, actual revenue was slightly above budgeted revenue by approximately \$ 1.2 million.

In response to a question from Councilmember Lane, O'Mara stated that Franchise Fee revenue was down primarily because of weather conditions.

Lane asked a question about the Services revenue category being higher by over \$ 1 million. In response Ryan Barrow stated that the increase is a timing issue related to medical reimbursement at the Detention Center as well as being a function of higher rents/leases being charged by the Urban County for some building space.

Barrow stated that the increase in the Intergovernmental category was also a timing issue.

Barrow discussed the fiscal year expenditure report. He stated that personnel costs were below projected budget by over \$ 2.5 million. He also stated that operating costs were slightly above the projected budget by approximately \$ 300,000.

Barrow stated that General Fund actual expenditures are below budgeted expenditures by approximately \$ 2.8 million year to date.

No motions came from this item

III. Urban Development Action Grant (UDAG) Balance

Ellinger stated that the current balance in the UDAG Fund was \$ 133,397 after Council approved of the \$ 1,000,000 loan to the 21C Hotel project and the \$ 20,000 allocation for a multi-use field at Shillito Park.

Gorton asked Jane Driskell if the Administration was requesting any of these funds for HOME match. In response Driskell stated no.

Myers spoke about the \$ 80,000 request for the Berry Hill skate park project.

Myers spoke about the \$ 100,000 request for the Gainesway Small Area Plan. He stated that this was the District's highest priority.

A motion by Myers, seconded by Farmer to remove the Gainesway capital project from the UDAG list passed unanimously.

Lane spoke about the roof of the Old Courthouse project.

Gorton stated that the original request was for mold & lead abatement.

Beard stated that the original estimate to rehabilitate the Old Courthouse was \$ 12 million which has now escalated to \$ 18 million.

Jamshid Baradaran discussed plans to address the roof, mold & lead abatement and building structure. He stated that it would take more than \$ 20,000 to address the roofs at the Courthouse.

A motion by Lane, seconded Blues to amend the Old Courthouse request to \$ 20,000 passed on a 7-2 vote (Ellinger, Kay, Farmer, Myers, Beard & Blues-Yes; Gorton & Stinnett- No).

Farmer spoke about the Chevy Chase intersection redesign project. He stated that the Corridors Commission allocated \$ 3,500 to the project.

A motion by Farmer, seconded by Myers to amend the Chevy Chase project request to \$ 31,500 passed unanimously.

Heather Lyons spoke about the Living Arts & Science Center (LASC) request. He stated that their request was reduced to \$ 80,000. She stated that \$ 1.9 million had been raised already for their capital campaign. She stated that \$ 80,000 from the UDAG Fund would be used to match the Lucille Little Fund grant.

Gorton asked a question about the trail match request. In response CAO Moloney stated that the bridge over New Circle would cost \$ 350,000 and an additional \$ 150,000 for the trail.

Ellinger asked if anyone objected to the late item from Blues.

Blues spoke about the \$ 2,122 requested for the engine brake signs.

Myers asked about adding a location for the signs. In response Blues stated that the locations came from Traffic Engineering.

Stinnett asked if the appropriation could come from the Corridors Commission

Kay requested that Scott Shapiro address another late item.

Shapiro requested that \$ 80,000 be added to the request list to retain a consultant to examine the Police & Fire Pension system. He stated that this item was an economic development issue.

On a motion by Kay, second Lane a motion to add \$ 80,000 to the request list to retain a Police & Fire Pension Plan consultant passed 8-1 (Ellinger, Lane, Gorton, Kay, Farmer, Stinnett, Beard & Blues-Yes; Myers- No).

Ellinger stated that that was the end of presentations on the various projects. He stated that it would now be appropriate for motions to allocate up to the balance of the UDAG Fund.

Kay stated that the Living Arts and Science proposal best fits the purpose of UDAG funds.

Ford stated this was a shovel ready project and would be a tremendous opportunity for the entire community.

A motion by Lane, seconded Gorton to allocate \$ 60,000 for the Living Arts & Science Center passed unanimously.

A motion by Farmer, seconded by Lane to approve \$ 31,500 for the Chevy Chase intersection redesign was approved unanimously.

Beard asked Shapiro why the Administration started the consultant procurement process without the funds in place to fund such a study. In response Shapiro stated that the Administration is seeking funds. He also stated the some private funds had been secured for the work.

Driskell stated that they will identify funds before engaging in a contract for the consultant work.

Lane stated that while the pension was a critical issue, it was not appropriate to fund the consultant work with UDAG funds.

Stinnett stated that the Administration should recommend that the fund balance be used to pay for the consultant work. Stinnett also asked about the private donors agreeing to fund the study. In response Shapiro stated that private sources had agreed to partially fund the study but LFUCG had not yet received such funds.

A motion by Gorton, seconded by Beard to approve \$ 2,122 to the brake signage project passed with an 8-1 vote. (Ellinger, Lane, Gorton, Kay, Farmer, Myers, Beard & Blues-Yes; Stinnett-No.)

Gorton discussed the Gainesway Small Area Plan. She stated that the Comprehensive Plan had identified the need for a plan for the area for some time. She stated that these plans were very effective in engaging the community and developing an action strategy to revitalize neighborhoods. She stated that funds had not been allocated in the General Fund for small area plans for several years.

Stinnett stated that if the plans are a priority they should be requested and considered for funding during the normal budget process.

Myers spoke in favor of the small area plan.

Ford suggested that the small area plan and the Living Arts & Science Center split the remaining funds.

A motion by Gorton, seconded by Myers to allocate \$ 39,775 to the Gainesway Small Area Plan passed by a 7-2 vote (Ellinger, Gorton, Kay, Farmer, Myers, Beard & Blues-Yes; Lane & Stinnett- No).

IV. Referred Items

Ellinger stated that the Procurement Task Force would re-convene to consider the outstanding purchasing items.

It was announced that the Waste Management Task Force would meet Thursday Oct 25.


Kay updated the committee on the affordable housing item.

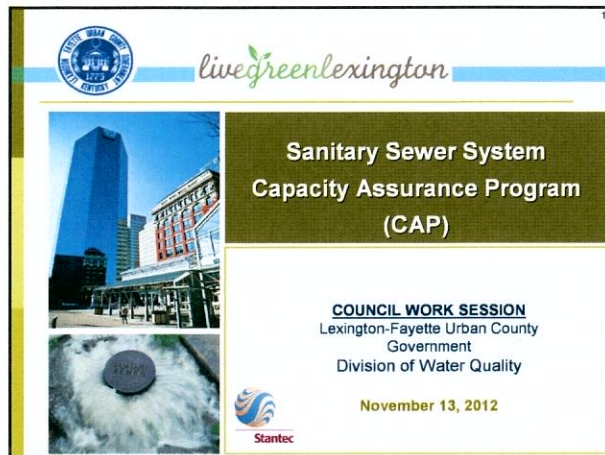
Lane indicated that he was working on the activity based accounting item.

A motion by Farmer, seconded by Beard to allocate \$ 20,000 to the Living Arts & Science Center from the General Fund fund balance passed unanimously.

The meeting was adjourned at 2:40 PM.

PAS 10.29.12


 *livegreenlexington*



**Sanitary Sewer System
Capacity Assurance Program
(CAP)**


COUNCIL WORK SESSION
Lexington-Fayette Urban County
Government
Division of Water Quality

November 13, 2012



AGENDA

- **Recap of October 16 Discussion**
- **Key Task Force Recommendations (cont.)**
 - CAP Entry Point
 - Use of Record
 - Essential Services
 - Schedule
- **Report of Task Force Recommendations**
- **Discussion**



livegreenlexington

INFORMATION ITEM

**Key Recommendations Discussed
October 16, 2012 Work Session**

- ✓ Credit Banks
- ✓ Grandfathering
- ✓ Capacity Allocation Expiration Period
- ✓ Schedule

livegreenlexington

INFORMATION ITEM

**Continued Introduction of
Key Task Force
Recommendations**

livegreenlexington

RECOMMENDATION

CAP Entry Point

- New connections to the sanitary sewer system will require a capacity or credit allocation.
- The **CAP Entry Point** policy refers to when a developer may reserve sewer capacity/credits.
- To meet the requirements of the Consent Decree, a CAP Entry Point no later than tap permit issuance is sufficient.

livegreenlexington

RECOMMENDATION

CAP Entry Point

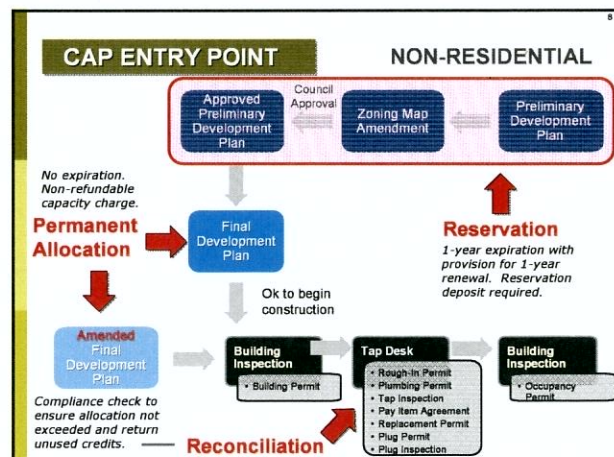
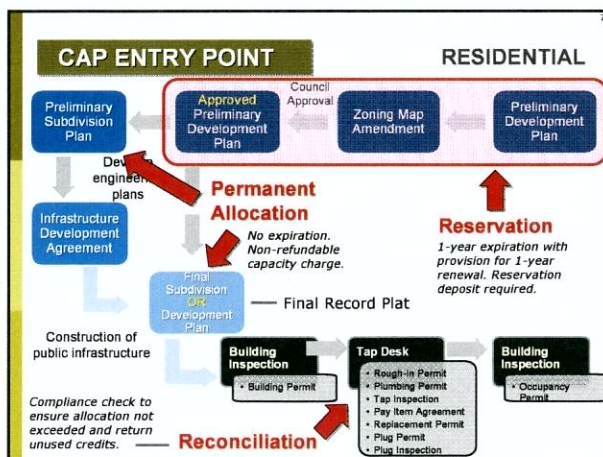
CAP Entry Point

For developments requiring construction of public infrastructure, **Permanent Allocation** of capacity/credits may be requested upon approval of the *Preliminary Subdivision Plan, Final Development Plan, or Amended Final Development Plan*.

For developments **not** requiring construction of public infrastructure, Permanent Allocation of capacity/credits is required prior to issuance of building permit. In either case, a tap permit shall not be issued without certification of adequate capacity or proof of credit allocation.

A capacity/credit **Reservation** may be made anytime after submission of a Preliminary Development Plan. Reservations shall expire after 1-year. A 1-year extension may be requested. After 2 years, re-application will be necessary.

livegreenlexington



RECOMMENDATION

CAP Entry Point

Why?

- ✓ Minimizes risk to development community by allowing sewer capacity to be secured earlier in land development process than tap permit issuance.
- ✓ Complies with Consent Decree requirements.
- ✓ Precedence in other benchmark communities.
- ✓ Approved Preliminary Subdivision Plan, Final Development Plan, and Amended Final Development Plan represents a commitment by LFUCG to allow development to be built.
- ✓ Belief that recommendation has a fairness level that avoids a high administrative cost burden.
- ✓ Avoids potential negative impacts from Permanent Allocations too early in the land development process.

livegreenlexington

RECOMMENDATION

Use of Record

Why?

Refers to the sewage flow from an existing, developed property that is already accounted for in the hydraulic model (baseline condition).
Credits earned from redevelopment to a lesser sewer use will be retained with the property unless released by property owner.

- ✓ Credits earned from a change in property use were earned with private dollars.
- ✓ Loss of unused capacity by the property to the public credit bank could be considered a partial taking.
- ✓ Can be used by property at a future date.
- ✓ In other benchmark communities the unearned capacity is retained with the property.

livegreenlexington



RECOMMENDATION

Essential Services

- Defined in Consent Decree (CD) as:
 - Health care facilities
 - Public safety facilities
 - Public schools
 - Illicit connections (septic tank removals, etc.)
Fayette County Health Dept. approval required.
 - Other facilities as agreed upon in writing by EPA and EPPC.
- New connections from Essential Services are authorized in CD even if no adequate capacity or sufficient banked credits.
- Deduction from credit bank still made.

livegreenlexington

13

RECOMMENDATION

Essential Services

Essential Services

Allow exception in Consent Decree for Essential Services.

Further define public schools and healthcare facilities as follows:

- Public schools must be a registered non-profit in tax code 501(c)(3) or as defined by the State.
- Health care facilities must be licensed by Kentucky Cabinet for Health and Family Services and meet the definition in KRS 216B.015, or be a building or facility that is contiguous to or connected to a licensed hospital and which serves as a medical office building, site for delivery of outpatient healthcare services or is otherwise integral to hospital operations or which building or facility is required to have Certificate of Need under KRS 216B.010, et. seq.

livegreenlexington

14

SCHEDULE

Moving Forward

When does the CAP begin?

Full Implementation of the CAP on **July 3, 2013**

Event	Schedule
Present CAP at Council Work Session	December 4, 2012
Present Draft CAP Plan to Planning Commission	November 29, 2012
Submit CAP Plan to EPA	January 3, 2013
Earliest date EPA could require CAP Implementation to commence	February 3, 2013

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INFORMATION ITEM

Report of Task Force Recommendations

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TASK FORCE REPORT

CAP

- Nineteen (19) recommendations vetted by Stakeholders and approved by Task Force
- Report summarizes the recommendation, other options considered, and why recommendation selected.
- Draft Report was distributed to Task Force members for their review and comment on November 2, 2012.
- Final version of Report to be included on LFUCG's web site (<http://www.lexingtonky.gov/capacityassurance>)

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December 4, 2012

Topics


Next Work Session presentation will discuss:

- ▣ **Conditional Approval**
 - A commitment by LFUCG to create sewer capacity for economic development activities deemed to be in the best interest of Lexington.
- ▣ **Credit Allocation Priority**
 - Protocols for how banked credits will be assigned to sewer capacity requests.
- ▣ **Developer Earned Credit Program**
 - Program to permit private developers to fund public sewer improvements to earn banked credits and avoid the Waiting List.

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DISCUSSION

More information on the CAP is available on LFUCG's website at:
<http://www.lexingtonky.gov/capacityassurance>



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TASK FORCE RECOMMENDATIONS

To be included in implementing ordinance(s)

No.	Recommendation	Description	Decision
1.	Credit Banking Unit	Bank accounts at SSO locations, treatment plants, major pump stations, and capacity-limited trunk sewers.	Plan
2.	Credit Harvest Date	Negotiate with EPA for the date of the baseline condition in hydraulic models (Group 1 = 8/19/2008; Groups 2&3 = 8/1/2009)	Plan
3.	Use of Record	Credits earned from redevelopment to a lesser sewer use will be retained with the property unless released by property owner.	Implement
4.	Essential Services	Allow exception in CD for Essential Services.	Plan
5.	Third-Party Trading	No third-party trading of publicly or privately earned credits.	Implement
6.	Developer-Earned Credit Program (DECP)	Include provision for voluntary DECP. Developer enters contract with LFUCG. LFUCG either does work or has stop-work authority.	Implement
7.	Credit Allocation Priority	A credit amount of 2,500 god will be reserved in each bank for minor connections unless waived approved by Commissioner of Planning. Credit allocations will be made on a "first-in, first-out" basis. Essential Services will be unaffected.	Plan
8.	Expiration Period	No expiration period for permanent allocations.	Implement

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RECOMMENDATIONS

To be included in implementing ordinance(s)

No.	Recommendation	Description	Decision
9.	CAP Entry Point	If construction of public infrastructure or subdivision of property, permanent credit allocation at approval of Preliminary Subdivision Plan (PSP) or Final Development Plan (FDP). If no construction of public infrastructure, then permanent allocation required prior to building permit issuance. Reservation may be made anytime after submission of Preliminary Development Plan and has 1-year expiration (with 1-year renewal upon request).	Plan
10.	Grandfathering	All developments with an approved PSP, FDP, or Amended FDP will receive a permanent credit allocation (grandfathered). All developable property within EAW2 will also be grandfathered, regardless if an approved Plan is on file.	Plan
11.	Essential Services	Established criteria to further define public schools and health care facilities to guide reviewer during CAP implementation. Public schools must document non-profit status in tax code 501(c)(3) or as defined by state. Health care facilities must meet KRS 216B.015 definition and be licensed by the state. Amended to include ancillary buildings adjacent to licensed health care facilities (Companion to Recommendation No. 4.)	Implement

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<div style="display: flex; justify-content: space-between;"> <div>RECOMMENDATIONS</div> <div>To be included in implementing ordinance(s)</div> </div>			
No.	Recommendation	Description	Decision
12.	Administrative Fee	Payment of a non-refundable, administrative/processing fee will be required for capacity/credit requests	Implement
13.	Deposit/Charge for Credit Allocations	A deposit will be assessed for capacity/credit reservations. The reservation deposit will be applied to Capacity Charge. A non-refundable Capacity Charge will be assessed for permanent capacity/credit allocations	Implement
14.	Schedule for Full Implementation	CAP will be fully implemented within 180 days of EPA approval of CAP Plan. LFUCG has set internal target date of July 3, 2013.	Plan
15.	Review Time	Set a goal of 10 days from the date that a completed sewer capacity request is received for a determination letter to be sent to applicant. Average review time will be assessed quarterly.	Implement
16.	Appeals Process	A written appeal may be submitted to Commissioner of Environmental Quality and Public Works. A determination will be made by the Commissioner within 30 days. If appeal based on technical data, then must submit the technical data with appeal.	Implement

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<div style="display: flex; justify-content: space-between;"> <div>RECOMMENDATIONS</div> <div>To be included in implementing ordinance(s)</div> </div>			
No.	Recommendation	Description	Decision
17.	Conditional Approvals	Conditional approval may be granted if approved by both the Commissioner of Finance and Commissioner of Planning. LFUCG to set aside dedicated funding to perform sewer improvements necessary to support conditional approval (i.e. will not re-prioritize/delay other planned neighborhood or RMP projects).	Implement
18.	Public/Stakeholder Access	Maps illustrating bank boundaries, bank balances, transaction history, and waiting lists will be made available to the public via the internet. Quarterly reports to EPA are also publicly available.	Implement
19.	Program Auditing	CAP to be audited after 2 years and every other year after that. Audit to be performed by third party (i.e. not internal audit).	Implement

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2012 Infill and Redevelopment Steering Committee Report

Council Work Session
November 13, 2012
Steve Kay, Co-chair
Councilmember at Large



Mission

To recognize and improve an effective, efficient, and rational process that allows the Infill and Redevelopment Program to address the outstanding infill and redevelopment challenges facing our community by:

- Educating ourselves and others about the infill and redevelopment processes in our community, carefully defining the problems involved, and finding solutions;
- Managing the most efficient use of participants' time, efforts, and resources;
- Producing recommended actions for consideration by the governing bodies involved; and
- Advocating for those recommendations, resulting in their successful implementation.

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History

- Started meeting in 2000 as an ad hoc committee
- Reorganized in 2007 with 3 task forces
- Issued first report in 2008 with over 100 recommendations
- 2010 report outlined accomplishments
- Officially created as Council Committee by the Vice Mayor in 2012



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Present Committee

- Tony Barrett, Barrett Partners, Citizen representative, co-chair
- Steve Kay, Councilmember at Large, co-chair
- Tom Blues, Council member, 2nd District
- Chris Ford, Council member, 1st District
- Derek Paulsen, Comm. of Planning, Preservation, and Development
- Chris King, Director, Division of Planning
- Jimmy Emmons, Infill/Redev Planner Senior
- Barbara Rackers, Admin. Officer, Planning Services
- Kevin Wente, Admin. Officer, Environmental Quality and Public Works
- Dr. David Stevens, Citizen representative
- Joan Whitman, Whitman Realty, Citizen representative
- Jeff Fugate, Downtown Development Authority
- Knox Van Nagell, Fayette Alliance, Citizen representative
- Mike Owens, Planning Commission member
- Renee Jackson, Downtown Lexington Corporation
- Stan Harvey, Urban Collage, Citizen representative
- Bill Johnston, Citizen representative
- David O'Neill, Property Valuation Administrator
- Dennis Anderson, Anderson Communities, Citizen representative



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Currently

- 42 recommendations that are either:
 - being worked on by Planning staff
 - ongoing and require only regular reporting
 - on the Committee's active agenda
- The Committee has placed the recommendations into five categories:
 - Housing
 - Development process
 - Design
 - Environment
 - Public space/art
- The current focus is on the housing category, beginning with discussion of issues in the neighborhoods around UK



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Accomplishments

- Cooperation between PVA & Planning
- Recommendations regarding GIS Development Tracking
- Recommendations regarding Code Enforcement
- Working to invigorate the Vacant Property Review Commission and the Land Bank
- Working to combine the Public Arts Commission with the Urban County Arts Review Board



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GIS Development Tracking

- Committee interested in making data available to the public on-line and in real-time
- Real time development tracking allowing property to be followed from start to finish
- Integrates the permitting function into the GIS system and includes Planning, Engineering, Building Inspections, Code Enforcement and Geo reference
- Important economic development tool
- Money was placed in the 2013 budget for a pilot program which is currently being evaluated by Planning



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Questions

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Infill and Redevelopment Steering Committee 2012 Annual Report

History

After the 2000 Residential Infill Study, a small group of elected and appointed officials, development and neighborhood interests, and staff starting meeting as an ad hoc Infill and Redevelopment Steering Committee. The Committee was reorganized and expanded in 2007 as part of the decision not to enlarge the Urban Service Boundary. Three (3) task forces were created to study and review infill and redevelopment efforts and prepare a comprehensive report. The entire process, which lasted approximately two years, identified, evaluated, and drew consensus on the major issues and opportunities related to infill and redevelopment. The report was issued in 2008 and detailed 104 recommendations to improve the quality of life, quality of place, and quality of process of the Infill & Redevelopment Area.

The report was updated in 2010 to highlight the objectives accomplished regarding zoning ordinance text amendments, the development of small area plans, the development of the Complete Streets recommendations, legislation for the Land Bank and Abandoned Urban Property Tax, operation of the Community Land Trust, review and streamlining of the development review process, and the completion of the Housing Market Study and Non-Residential infill and Redevelopment Study. The report also recommended returning to a large focus group instead of 3 work groups.

Current Status and Focus

The Steering Committee has now been officially appointed as a Council committee by the Vice Mayor and its current members are:

Tony Barrett, Barrett Partners, Citizen representative, co-chair

Steve Kay, Councilmember at Large, co-chair

Tom Blues, Council member, 2nd District

Chris Ford, Council member, 1st District

Derek Paulsen, Commissioner of Planning, Preservation, and Development

Chris King, Director, Division of Planning

Jimmy Emmons, Infill/Redev Planner Senior

Barbara Rackers, Admin. Officer, Planning Services

Kevin Wentz, Admin. Officer, Environmental Quality and Public Works

Dr. David Stevens, Citizen representative

Joan Whitman, Whitman Realty, Citizen representative

Jeff Fugate, Downtown Development Authority
 Knox Van Nagell, Fayette Alliance, Citizen representative
 Mike Owens, Planning Commission member
 Renee Jackson, Downtown Lexington Corporation
 Stan Harvey, Urban Collage, Citizen representative
 Bill Johnston, Citizen representative
 David O'Neill, Property Valuation Administrator
 Dennis Anderson, Anderson communities, Citizen representative

Its initial task was to review the recommendations to determine what had been completed, what was in progress, what the priorities were, what the barriers were, and what the next steps were. It officially added thirteen (13) recommendations and removed items that had been completed. A copy of the Master List is attached as Appendix A. This process left 42 recommendations that needed attention or were in progress. A copy of the Current Focus list is attached as Appendix B.

The Committee recognized that the “low hanging fruit” of the recommendations had been picked leaving the more difficult recommendations remaining. Barriers to implementation include funding, ownership, or staffing capacity. The Committee separated the remaining issues into categories of housing, development process, environment, public space/art, or design with most of the recommendations falling into housing, design, or development process.

Since the last report, the Design Excellence Committee is working to implement design standards; and Planning is working on “Complete Street” standards, Corridor studies, and updating the Comprehensive Plan including small area plans. The Downtown Streetscape Master Plan has been completed.

The Committee is working to invigorate the Land Bank and the Vacant Property Review Commission, and combine the Public Art and Culture Master Plan Committee, and the Urban County Arts Review Board. One of the biggest achievements is the cooperation between Planning and the Property Valuation Administrator regarding vacant and underutilized property.

GIS Development Tracking

A primary focus of the Steering Committee has been to make data available to the public on-line and in real-time, if possible. Most of the discussion has centered on a GIS Development Tracking system for real time development tracking which would allow property to be followed from start to finish. It would integrate the permitting function into the GIS system and include Planning, Engineering, Building Inspections, Code Enforcement and Geo reference. It is an important economic development tool allowing us to find available land for development, pre-certify that land in some capacity, and then solicit investors. It will, however, need technical and integrated software that functions across the government. At the request of the Committee, money was placed in the 2013 budget for a pilot program which is currently being evaluated by Planning.

Code Enforcement

Believing that effective and efficient Code Enforcement plays a pivotal role in the appearance, safety, economic development, and redevelopment of property in the infill area, the Steering Committee initially focused on recommendation #96, “[p]rovide coordinated assistance to property owners with Code Enforcement violations.” It prepared and reviewed a white paper regarding Code Enforcement and made the following recommendations. These recommendations have been referred to the Administration and Council.

I. Code Enforcement

1. Analyze current fine structure to determine if changes should be made regarding increased fines for subsequent offenses on the same property.
2. Review Code to determine if certain provisions are too restrictive.
3. Update the standard operating procedures and have them approved by Council.
4. Post a link to the International Property Maintenance Code on the website.
5. Post a copy of the Standard Operating Procedures on the website.
6. Post a copy of the field inspection form on the website.
7. Make the appropriate portions of the Code Enforcement database available to the public.
8. Redraft the notice and letters sent to violators to make them more informative and user friendly while including all legal requirements.

9. Request funds in the next budget cycle to hire an administrative position to file the Code Enforcement liens, draft and monitor abatement plans, and staff the Vacant Property Review Board.
10. Monitor the officers' files to determine if time frame and paperwork standards are being met and are consistent.
11. Follow the procedure outlined in the standard operating procedures for Comprehensive Inspections.

Legal Department

1. Rewrite Sec. 12-1(b) to make it easier to read.
2. Change "reasonable time" to "30 days or in compliance with approved plan," require that reasons be listed for any plan that is extended past 90 days, require officers to list reasons for deviation from plan and reasons for extensions in report, require civil penalties to be imposed after 6 months, and provide that transfer of property does not automatically restart time frame.
3. Request funds in the next budget cycle to hire a paralegal devoted solely to filing and managing foreclosure actions.
4. Request funds in the next budget cycle to contract with a hearing officer to handle Code Enforcement cases.

Council

1. Request a report to the Public Safety Committee in six (6) months from Code Enforcement and the Legal Department regarding the implementation of these recommendations.
2. Adopt recommended changes to the ordinance when they are developed by the Law Department.
3. Adopt recommended changes to the Standard Operating Procedures when they are developed by Code Enforcement.
4. Recommend to the Administration to increase the budget for the Legal Department during the next budget cycle by \$80,000 including:
 - a. \$10,000 in filing fees;
 - b. \$55,000 for a paralegal; and
 - c. \$15,000 for a hearing officer.
5. Recommend to the Administration to increase the budget of Code Enforcement by \$46,000 during the next budget cycle to hire an administrative position to file the Code Enforcement liens and staff the Vacant Property Review Commission.

Total Budgetary Impact: \$126,000

Next Steps

The Steering Committee is now focusing on the University of Kentucky and the issues with its near neighborhoods including density, noise, trash, crime, parking, transportation, planning, development, neighborhood connectivity, neighborhood stability and demographic balance, transiency, and green space and how best to solve those problems. It supports Planning in its work with the University of Kentucky in monitoring the development of UK Master Plan.

It anticipates that it will next focus on the overall housing needs of the community including how the Vacant Property Review Commission, Land Bank, Community Land Trust, a Community Development Corporation, and an Affordable Housing Trust Fund would work together.