

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, October 8, 2013

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
October 7 – October 14, 2013**

Monday, October 7

Fayette County Rural Land Management Board.....3:00 pm
Conference Room – 12th Floor Government Center

Tuesday, October 8

Environmental Quality Committee.....11:00 am
Council Chamber – 2nd Floor Government Center

Planning & Public Works Committee.....1:00 pm
Council Chamber – 2nd Floor Government Center

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

Special Council Meeting – Public Hearing Zone Change.....5:00 pm
Council Chamber – 2nd Floor Government Center

Wednesday, October 9

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

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

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

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

Thursday, October 10

Special COW – Fund Balance.....4:00 pm
Council Chamber – 2nd Floor Government Center

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

Friday, October 11

No Meetings

Monday, October 14

No Meetings

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
TABLE OF MOTIONS
October 1, 2013

Mayor Jim Gray chaired the meeting and called it to order at 3:00pm. Vice Mayor Linda Gorton, Council Members Chuck Ellinger, Steve Kay, Chris Ford, Shevawn Akers, Diane Lawless, Julian Beard, Bill Farmer, Jennifer Scutchfield, George Myers, Jennifer Mossotti, Harry Clarke, Peggy Henson, and Ed Lane were present.

Motion by Gorton to move the Junior Fire Chief presentation to the beginning of the meeting. Seconded by Lane. Motion passed without dissent.

- I. Public Comment – Issues on Agenda – No
- II. Requested Rezonings / Docket Approval – No
- III. Approval of Summary – Yes

Motion by Beard to approve the summary. Seconded by Gorton. Motion passed without dissent.

- IV. New Business – Yes

Motion by Gorton to approve the new business items. Seconded by Kay. Motion passed without dissent.

- V. Budget Amendments – No

- VI. Continuing Business / Presentations – Yes

Motion by Stinnett to approve the Neighborhood Development Funds (NDF). Seconded by Ellinger. Motion passed without dissent.

Motion by Stinnett to ask the Administration to look at these bonds specifically for the Town Branch Trail as proposed in the presentation during the committee meeting the easement requirement and design, just as they were originally meant to be and move forward with the trail before anything else is done with the funds. Seconded by Gorton. Motion passed 9-4. Clarke, Scutchfield, Stinnett, Farmer, Lawless, Akers, Ford, Kay and Gorton voted yes. Mossotti, Myers, Beard and Henson voted no. Lane recused. Ellinger was absent for the vote.

Motion by Akers to amend to allocate \$500,000 for the flood plain study and the remaining bond funds for the construction of the trail. Motion tied 7-7. Clarke, Farmer, Lawless, Akers, Kay, Ellinger and Gorton voted yes. Mossotti, Myers, Scutchfield, Stinnett, Beard, Ford and Henson voted no. Lane recused. Mayor Gray voted yes. Motion to amend passed 8-7.

Motion by Farmer to call the question. Seconded by Clarke. Motion passed without dissent.

Motion by Farmer to call the question. Seconded by Stinnett. Motion passed without dissent.

VII. Council Reports

VIII. Mayor's Report – No

IX. Public Comment – Issues Not on Agenda – No

X. Adjournment

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

**Lexington-Fayette Urban County Government
Work Session Agenda
October 8, 2013**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval – Yes**
- III. Approval of Summary – Yes, p. 1-2**
- IV. Budget Amendments – Yes, p. 10 - 12**
- V. New Business – Yes, p. 13 - 50**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds, October 8, 2013, p. 51
 - b** Environmental Quality Committee Summary, September 17, 2013, p. 52 - 55
 - c** Planning & Public Works Committee Summary, September 17, 2013, p. 56 - 60
- VII. Council Reports**
- VIII. Mayor's Report – Yes**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

- a **1036-13** Authorization to execute renewal Software Maintenance Agreement with NetMotion Wireless, Inc., for Division of Police software licenses for use on Mobile Data Computers and desktops and laptops for the network. (L1036-13) (Bastin/Mason)
This is a request to execute renewal Software Maintenance Agreement with NetMotion Wireless, Inc., for an amount of \$26,015 for Division of Police software licenses for use on Mobile Data Computers and desktops and laptops for the network. Funds are budgeted. p. 13
- b **1063-13** Authorization to execute Amendment No. 1 to agreement with Kentucky Infrastructure Authority reducing funding for sanitary sewer services in the Leesway area and adding funding to the Unsewered Areas Phase II Project. (L1063-13) (Gooding/Moloney)
This is a request to execute Amendment No. 1 to agreement with Kentucky Infrastructure Authority reducing funding in the amount of \$283,184.92 for sanitary sewer services in the Leesway area and adding it to funding for the Unsewered Areas Phase II Project. There is no budgetary impact. p. 14-18
- c **1067-13** Authorization to execute Memorandum of Agreement (MOA) with the Military Police Company Alpha to provide a rapid armed response unit in the event of a security breach of weapons and/or ammunition. (L1067-13) (Bastin/Mason)
This is a request to execute MOA with the Military Police Company Alpha to provide a rapid armed response unit in the event of a security breach of weapons and/or ammunition. There is no budgetary impact. p. 19
- d **1068-13** Authorization to execute Change Order No. 2 with Oracle Elevator for the Phoenix/Police HQ Elevator Renovation Project. (L1068-13) (Reed)
This is a request to execute Change Order No. 2 with Oracle Elevator for an amount of \$1,667.60 for the Phoenix/Police HQ Elevator Renovation Project. This increase brings the new contract total cost to \$572,739.91. Funds are budgeted. p. 20-24
- e **1069-13** Authorization to execute a Memorandum of Understanding (MOU) with the Lexington Humane Society and the Lexington Fayette Animal Care and Control to provide framework for providing care and shelter needs for domestic animals in a disaster. (L1069-13) (Dugger/Mason)
This is a request to execute a MOU with the Lexington Humane Society and the Lexington Fayette Animal Care and Control to provide framework for providing care and shelter needs for domestic animals in a disaster. There is no budgetary impact. p. 25

- f 1070-13** Authorization to execute a Statement of Affiliation establishing the Division of Fire and Emergency Services Special Operations Technical Rescue Team as the only recognized rescue squad in Fayette County. (L1070-13) (Dugger/Mason)
This is a request to execute a Statement of Affiliation establishing the Division of Fire and Emergency Services Special Operations Technical Rescue Team as the only recognized rescue squad in Fayette County. There is no budgetary impact. p. 26
- g 1071-13** Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Administrative Officer and creating one (1) position of Administrative Officer Senior in the Planning Commissioner's Office. (L1071-13) (Maxwell/Graham)
This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Administrative Officer and creating one (1) position of Administrative Officer Senior in the Planning Commissioner's Office. The impact for FY 2014 (17 pay periods) is a cost of \$5,333.71. p. 27
- h 1072-13** Authorization to execute agreement with Humana to renew the Senior Health Plan for City Employees Pension Fund effective for one (1) year beginning January 1, 2014. (L1072-13) (Maxwell/Graham)
This is a request to execute agreement with Humana to renew the Senior Health Plan for City Employees Pension Fund effective for one (1) year beginning January 1, 2014. There is no budgetary impact. p. 28
- i 1073-13** Authorization to execute agreement with Humana to renew the Senior Health Plan for Police and Fire Retirees effective for one (1) year beginning January 1, 2014. (L1073-13) (Maxwell/Graham)
This is a request to execute agreement with Humana to renew the Senior Health Plan for Police and Fire Retirees effective for one (1) year beginning January 1, 2014. p. 29
- j 1077-13** Authorization to execute a Site Lease Agreement with Powertel/Memphis Inc. (T-Mobile) for cell tower site 9LV0253A located on the rooftop of the Government Center building. (L1077-13) (Reed)
This is a request to execute a Site Lease Agreement with T-Mobile for cell tower site 9LV0253A located on the rooftop of the Government Center building. The rental rate is \$24,000 per year with annual increases of 4%. The impact for FY 2014 is \$2,560.80 (revenue). p. 30

- k 1084-13** Authorization to execute modifications to agreements with the Kentucky Department of Military Affairs, Division of Emergency Management for federal funds under the Chemical Stockpile Emergency Preparedness Program (CSEPP), FY 2011 and FY 2012, extending the performance period through September 30, 2014. (L1084-13) (Gooding/Mason)
This is a request to execute modifications to agreements with the Kentucky Department of Military Affairs, Division of Emergency Management for federal funds under the Chemical Stockpile Emergency Preparedness Program (CSEPP), FY 2011 and FY 2012, extending the performance period through September 30, 2014. There is no budgetary impact. p. 31
- l 1085-13** Authorization to accept donation of two (2) Canine Protective Vests from the Citizen Police Academy Alumni Association (CPAAA) purchased from donated funds received from the Corvette Club of the Bluegrass and Bates Security. (L1085-13) (Bastin/Mason)
This is a request to accept donation of two (2) Canine Protective Vests from the CPAAA purchased from donated funds received from the Corvette Club of the Bluegrass and Bates Security. The vests are valued at \$1,700. There is no budgetary impact. p. 32
- m 1087-13** Authorization to execute Memorandum of Agreement (MOA) with the Blue Grass Community Foundation to provide funds for improvements to the Kentucky Theatre. (L1087-13) (Emmons)
This is a request to execute MOA with Blue Grass Community Foundation to provide funds in the amount of \$250,000 for improvements to the Kentucky Theatre. Funds are budgeted. p. 33
- n 1088-13** Authorization to submit grant application and accept award, if offered, to the Lumina Foundation for a Latina education support project at the Family Care Center. (L1088-13) (Gooding/Mills)
This is a request to submit grant application and accept award, if offered, to the Lumina Foundation requesting funds in the amount of \$34,100 for a Latina education support project at the Family Care Center. A local match of \$16,998 is required. p. 34
- o 1089-13** Authorization to submit various applications to the Kentucky Transportation Cabinet requesting federal funds from the Transportation Alternatives Program (TAP). (L1089-13) (Gooding/Paulsen)

This is a request to submit applications to the Kentucky Transportation Cabinet requesting federal funds totaling \$3,713,514 from TAP for the Brighton Rail Trail Bridge, West Loudon Ave. Sidewalk, Town Branch Trail Phase 4, and West Hickman Trail South. p. 35-36

- p** **1090-13** Authorization to execute Lease Agreement with FRM Lawson LLC for property located at 900 Enterprise Drive for relocation of Division of Water Quality Maintenance Operations. (L1090-13) (Martin/Moloney)
This is a request to execute Lease Agreement with FRM Lawson LLC for property located at 900 Enterprise Drive for relocation of Division of Water Quality Maintenance Operations. The initial term is for 48 months and annual rent is \$170,318.40. Funds are budgeted. p. 37
- q** **1091-13** Authorization to submit various applications to the Kentucky Transportation Cabinet requesting federal funds from the Congestion Mitigation and Air Quality (CMAQ) Program. (L1091-13) (Gooding/Paulsen)
This is a request to submit applications to the Kentucky Transportation Cabinet requesting federal funds totaling \$6,901,524 from the CMAQ Program for Fiber Optic Cable Installation, Compressed Natural Gas Fueling Station, Pine Needles Lane and Man-O-War Boulevard turn lane, Mercer Road at Greendale Road left turn lane, Manchester Street at South Forbes Road left turn lane, Brighton Rail Trail Bridge, West Loudon Avenue Sidewalk, Town Branch Trail Phase 4, and West Hickman Trail South. p. 38-39
- r** **1092-13** 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 2014. (L1092-13) (Gooding/Mason)
This is a request to submit application and accept award, if offered, from the Kentucky Justice Cabinet under the Violence Against Women Act Program for federal funds in the amount of \$45,123 for the continuation of a S.A.N.E. program in FY 2014. A local match of \$28,150 is required. The total project cost is \$94,273 and it is anticipated that the remaining \$21,000 will be provided from the state's Crime Victims Compensation Fund. Funds are budgeted. p. 40-41
- s** **1093-13** Authorization to execute Memorandum of Understanding (MOU) with the Commonwealth of Kentucky Transportation Cabinet Department of Highways and Lexington Community Land Trust for transfer of property acquired for Phase I Mitigation Area of the Newtown Pike Extension Project. (L1093-13) (Gooding/Paulsen)

This is a request to execute MOU with the Commonwealth of Kentucky Transportation Cabinet Department of Highways and Lexington Community Land Trust for transfer of property acquired for Phase I Mitigation Area of the Newtown Pike Extension Project. There is no budgetary impact. p. 42-49

- t **1095-13** Authorization to execute agreement with czb, LLC for the purpose of developing a Comprehensive Affordable Housing Strategy. (L1095-13) (Emmons)
This is a request to execute agreement with czb, LLC for the purpose of developing a Comprehensive Affordable Housing Strategy for a cost not to exceed \$49,698. Funds are budgeted.
p. 50

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

9

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
1071-13	72594	Planning, Preservation and Development	To provide funds for one position of Administrative Officer Senior by abolishing one position of Administrative Officer in the Planning Commissioner's Office. 1101 5,334.00 1101 5,334.00CR .00
EFFECT ON FUND BALANCES			
FUND 1101	.00	NO IMPACT TO:	GENERAL SERVICES DISTRICT FUND

BUDGET AMENDMENT REQUEST LIST**10**

JOURNAL	72401	DIVISION	Police	Fund Name	General Services Fund
				Fund Impact	48,060.00CR
					48,060.00CR

To establish payroll recovery for Year One of the Fayette County Arrest and Enforcement Project.

JOURNAL	72429-30	DIVISION	Parks and Recreation	Fund Name	General Services Fund
				Fund Impact	1,500.00
					1,500.00CR
					.00

To provide funds for a park bench by recognizing a contribution from Love on a Leash.

JOURNAL	72685	DIVISION	Social Services Administration	Fund Name	General Services Fund
				Fund Impact	6,630.00
					6,630.00CR
					.00

To provide funds for part-time staffing for Family Services in the correct division and account code.

JOURNAL	72686	DIVISION	Family Services	Fund Name	General Services Fund
				Fund Impact	13,570.00CR
					13,570.00CR

To establish personnel recovery for the grant-funded part-time staff person for the Latina education support project at the Family Care Center funded by the Lumina Foundation.

JOURNAL	72687	DIVISION	Family Services	Fund Name	General Services Fund
				Fund Impact	13,028.00
					13,028.00CR
					.00

To budget grant match for the Latina education support project at the Family Care Center funded by the Lumina Foundation.

JOURNAL	CB00000113	DIVISION	Engineering	Fund Name	General Services Fund
				Fund Impact	4,480.00
					4,480.00CR
					.00

To provide funds for one part-time temporary Clerk in Engineering by reducing funds for one vacant Engineering Bonds Officer (Grade 111N).

JOURNAL	72754	DIVISION	Parks and Recreation	Fund Name	General Services Fund
				Fund Impact	6,810.00
					6,810.00CR
					.00

To provide funds for a ball field groomer tractor attachment by decreasing funds for repairs and clothing/equipment.

JOURNAL	72755-56	DIVISION	Traffic Engineering	Fund Name	General Services Fund
				Fund Impact	2,526.66
					2,526.66CR
					.00

To provide funds for Professional Services for PE License by recognizing revenues received from material recycling.

JOURNAL	72627-28	DIVISION	Social Services Administration	Fund Name	Donation Fund
				Fund Impact	700.00
					700.00CR
					.00

To provide funds for Senior Intern Program by recognizing AARP reimbursement for Charles Young Center activity.

JOURNAL	72752-53	DIVISION	Social Services Administration	Fund Name	Donation Fund
				Fund Impact	210.00
					210.00CR
					.00

To provide funds for Senior Citizens Center by recognizing revenues received for this purpose.

JOURNAL	72427-28	DIVISION	Traffic Engineering	Fund Name	Misc Special Revenue Fund
				Fund Impact	56,600.00
					56,600.00CR
					.00

To provide funding for lane use control signal upgrade on Nicholasville Road near UK Medical Center by recognizing funds received for this purpose.

JOURNAL	72557	DIVISION	Parks and Recreation	Fund Name	Bond Projects - FY 2013
				Fund Impact	26,580.70
					26,580.70CR
					.00

To provide funds for ADA entrance walk way at Woodland Pool by transferring funds remaining after completion of the pool ADA lift chair project.

JOURNAL	72760	DIVISION	Social Services/ Parks and Recreation	Fund Name	Bond Projects – FY 2014
				Fund Impact	300,000.00
					300,000.00CR
					.00

To provide funds for relocation of Idle Hour ball fields by reallocating funds for the Senior Citizens Center project.

JOURNAL	72399-00	DIVISION	Grants and Special Projects	Fund Name	US Department of Justice
				Fund Impact	300,000.00
					300,000.00CR
					.00

To amend Fayette County Arrest and Enforcement Project to provide additional funding.

JOURNAL	72625-26	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Department of Justice 500,000.00 500,000.00CR .00
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To establish grant budget for Safe Haven FY 2014.

JOURNAL	72689-90	DIVISION	Grants and Special Projects	Fund Name Fund Impact	Grants - Other 51,098.00 51,098.00CR .00
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To establish grant budget for Latina education support project at the Family Care Center funded by the Lumina Foundation.

JOURNAL	72722-A	DIVISION	Grants and Special Projects	Fund Name Fund Impact	General Services Fund 924,054.85 924,054.85
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To roll forward General Fund grant match unspent in FY 2013 for grants that are ongoing.

JOURNAL	72722-B	DIVISION	Grants and Special Projects	Fund Name Fund Impact	Urban Services Fund 33,055.00 33,055.00
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To roll forward Urban Fund grant match unspent in FY 2013 for grants that are ongoing.

JOURNAL	72722-C	DIVISION	Grants and Special Projects	Fund Name Fund Impact	Municipal Aid Program 514,218.89 514,218.89
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To roll forward Municipal Aid Program Fund grant match unspent in FY 2013 for grants that are ongoing.

JOURNAL	72722-D	DIVISION	Grants and Special Projects	Fund Name Fund Impact	Sanitary Sewer Fund 16,421.00 16,421.00
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To roll forward Sanitary Sewer Fund grant match unspent in FY 2013 for grants that are ongoing.

JOURNAL	72722-E	DIVISION	Grants and Special Projects	Fund Name Fund Impact	Water Quality Fund 146,209.76 146,209.76
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To roll forward Water Quality Fund grant match unspent in FY 2013 for grants that are ongoing.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	862,424.85
Fund	1103	Donations Fund	.00
Fund	1115	Full Urban Services District Fund	33,055.00
Fund	1136	Municipal Aid Program Fund	514,218.89
Fund	1141	Miscellaneous Special Revenue Fund	.00
Fund	2602	Bond Projects – FY 2013	.00
Fund	2603	Bond Projects – FY 2014	.00
Fund	3140	US Department of Justice	.00
Fund	3300	Grants – Other	.00
Fund	4002	Sanitary Sewer Revenue and Operating Fund	16,421.00
Fund	4051	Water Quality Management Fund	146,209.76



LEXINGTON DIVISION OF POLICE
OFFICE OF THE CHIEF

13

1036-13

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: September 17, 2013

RE: NetMotion Wireless, Inc. - Software Maintenance Contract

Please find attached renewal NetMotion Wireless, Inc. Software Maintenance Contract. This contract is for the Division of Police software licenses that we currently use on our Mobile Data Computers, and will be utilizing on our desktops and laptops for the network.

This is a one (1) year agreement, which covers mobility with 946 devices, Analytics Module, Policy/NAC Bundle Module Maintenance effective from July 1, 2013 through June 30, 2014, and is fully budgeted. This is a service contract that will be renewed annually.

The attached contract requires the Mayor's signature.

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

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

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Clay Mason, Commissioner of Public Safety



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

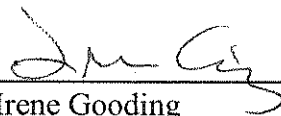
DATE: SEPTEMBER 24, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AMENDMENT NO. 1 WITH KENTUCKY INFRASTRUCTURE
AUTHORITY REDUCING FUNDING FOR SANITARY SEWER
SERVICES IN THE LEESWAY AREA AND ADDING FUNDING
TO THE UNSEWERED AREAS PHASE II PROJECT**

On January 22, 2009 (Ordinance No. 12-2009), Council approved acceptance of funds from the Kentucky Infrastructure Authority authorized by the 2008 Legislative Session of the Kentucky General Assembly in the amount of \$600,000 for sanitary sewer service in the Leesway area. This project has been completed with a total expenditure of \$316,815.08. The Kentucky Infrastructure Authority has offered the LFUCG Amendment No. 1, providing for unexpended funds (\$283,184.92) from the Leesway Project to be used for sanitary sewer services in other unsewered areas in Lexington. These areas are included in the attached Project Profile for the grant that is identified as Unsewered Areas Phase II. Unsewered Areas Phase II project was approved by Council on January 25, 2007 (Ordinance No. 16-2007).

The source of funds is revenue generated by the sale of bonds by the state agency. No matching funds are required. There is no fiscal impact.

Council authorization to execute Amendment No. 1 moving funds from the Leesway Project to Unsewered Areas Phase II Project.



Irene Gooding
Director

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

**COMMONWEALTH OF KENTUCKY
KENTUCKY INFRASTRUCTURE AUTHORITY**

Amendment No. 1

Lexington-Fayette Urban-County Government
128N-2008 - \$6000,000 (HB608)
Leesway Neighborhood Underserved Areas

The Grant Assistance Agreement (GAA) by and between the Commonwealth of Kentucky, Kentucky Infrastructure Authority (KIA) and the Lexington-Fayette Urban-County Government, Fayette County Kentucky is being amended as follows:

Project No. SX21067020
Amended From: \$600,000.00
Amended To: \$316,815.08

Project No. SX21067008
To: \$283,184.92

This Amendment will allow The LFUCG to complete the sewer project in the underserved area of Wilderness Road. All other terms and conditions of the GAA, except as modified above and by prior amendments, if any, are hereby ratified and confirmed.

Payments pursuant to this Amendment shall not be authorized for services rendered after Capital Projects and Bond Oversight Committee disapproval unless the decision of the committee is overridden by the Secretary of the Finance and Administration Cabinet or agency head if the agency has been granted delegation authority by the secretary.

This Amendment may be terminated by either party at any time for cause and may be terminated by either party without cause upon 30 days written notice to the other party.

IN WITNESS WHEREOF, KIA and the Recipient have executed this Amendment. DATE: _____

Section A to be completed by the Kentucky Infrastructure Authority:

Examined as to form and legality only:

KENTUCKY INFRASTRUCTURE AUTHORITY

Counsel
Governor's Office for Local Development

Executive Director

Section B to be completed by the Lexington-Fayette Urban-County Government :

RECIPIENT:

DATE: _____

Examined as to form and legality only:

Lexington-Fayette Urban-County Government

Counsel for Recipient

Name:
Title:

EXHIBIT 1**PROJECT PROFILE & PROJECT BUDGET**

Please attach the SX/WX Project Profile and Project Budget

SX21067008

GRANT ID # 274N-2007

Lexington-Fayette Urban County Government

The following is a prioritized listing of descriptions and preliminary construction cost estimates for the nine unsewered areas (listed in terms of priority) for which this grant money will be used to pay for collector line construction and tap-on fees—costs that would be borne by property owners in the absence of the grant (LFUCG will use its sanitary sewer fund to pay for the construction of related sanitary pumping stations, force mains, and downstream trunk lines):

No. 1: Old Paris Road (Includes 2000 Block Only)

This effort will involve the construction of a small pumping station and a short upstream collector line that is to serve four Old Paris Road residences immediately northeast of Interstate 75. Estimated property owner collector line cost that is to be financed by the grant is \$15,000 and estimated LFUCG pumping station/force main cost that is to be financed by the sanitary sewer fund is \$70,000. The grant will also be used to pay for approximately \$5,000 in tap-on fees.

No. 2: Beverly Avenue (Includes 2100 Block of Old Paris Road As Well)

Gravity sanitary sewer lines will be constructed for all residences on Beverly Avenue and the 2100 block of Old Paris Road, with an estimated property owner collector line cost of \$445,000 that is to be financed by the grant and an estimated LFUCG downstream minor trunk line cost of \$40,000 that is to be financed by the sanitary sewer fund. The grant will also be used to pay for approximately \$45,000 in tap-on fees and \$4,000 in easement acquisition costs. Consideration is also being given to the construction of a small force main and grinder pump for the benefit of the property at the corner of Old Paris Road and Paris Road; but if this additional construction is included, grant money will not be used for to pay for any of it—the cost of the force main will be borne by LFUCG and the cost of the grinder pump will be borne by the property owner.

No. 3: Versailles Road

Gravity sanitary sewer lines will be constructed for the 1800 block of Versailles Road, the 1900 block of Versailles Road, the vicinity of the Versailles Road/Terrace View Drive intersection, and the vicinity of the Versailles Road/Heartbrook Drive intersection. Estimated property owner collector line cost that is to be financed by the grant is \$100,000 and estimated LFUCG downstream minor trunk line cost that is to be financed

by the sanitary sewer fund is \$85,000. The grant will also be used to pay for approximately \$15,000 in tap-on fees and \$65,000 in easement acquisition costs.

No. 4: Calumet Terrace (Adjacent to Viley Road)

Gravity sanitary sewer lines will be constructed for Calumet Terrace. Estimated property owner collector line cost that is to be financed by the grant is \$60,000 and estimated LFUCG downstream minor trunk line cost that is to be financed by the sanitary sewer fund is \$15,000. The grant will also be used to pay for approximately \$10,000 in tap-on fees and \$18,000 in easement acquisition costs.

No. 5: Inner North Broadway

Gravity sanitary sewer lines will be constructed for North Broadway residences that are located directly across North Broadway from Broadview Drive (adjacent to the Louisville & Nashville railroad overpass). Estimated property owner collector line cost that is to be financed by the grant is \$15,000 and estimated LFUCG downstream minor trunk line cost that is to be financed by the sanitary sewer fund is \$10,000. The grant will also be used to pay for approximately \$5,000 in tap-on fees and \$3,000 in easement acquisition costs.

No. 6: South Forbes Road

Gravity sanitary sewer lines will be constructed for properties in the vicinity of the South Forbes Road/Lisle Industrial Avenue intersection and for properties along Phillips Lane. Estimated property owner collector line cost that is to be financed by the grant is \$160,000 and estimated LFUCG downstream minor trunk line cost that is to be financed by the sanitary sewer fund is \$110,000. The grant will also be used to pay for approximately \$25,000 in easement acquisition costs.

No. 7: Lisle Industrial Avenue

Gravity sanitary sewer lines, pumping station, and force main will be constructed for properties in the vicinity of the Lisle Industrial Avenue/Leestown Road intersection. Estimated property owner collector line cost that is to be financed by the grant is \$1,000 and estimated LFUCG pumping station/force main cost that is to be financed by the sanitary sewer fund is \$100,000. The grant will also be used to pay for approximately \$2,000 in easement acquisition costs.

No. 8: Lin Wal Drive

Gravity sanitary sewer line, pumping station, and force main will be constructed for 405 Lin Wal Drive (a residence on the corner of Lin Wal Drive and North Broadway). Estimated property owner collector line cost that is to be financed by the grant is \$10,000 and estimated LFUCG pumping station/force main cost that is to be financed by the sanitary sewer fund is \$15,000. The grant will also be used to pay for approximately \$2,000 in tap-on fees.

No. 9: Shadybrook Lane

Gravity sanitary sewer line will be constructed for 1956, 1960, and 1964 Shadybrook Lane residences. Estimated property owner collector line cost that is to be financed by the grant is \$50,000 and estimated LFUCG downstream minor trunk line cost that is to be financed by the sanitary sewer fund is \$5,000. The grant will also be used to pay for approximately \$4,000 in tap-on fees and \$9,000 in easement acquisition costs.

Please note that a tenth area, Inner Liberty Road, had been mentioned in previous documentation, but it is now already under construction as part of the Wilderness Road/Woodward Lane area improvements that are being financed in part by the previous KIA grant. Because of its relative proximity to the Wilderness Road/Woodward Lane area, the pocket of unsewered properties along the portion of Liberty Road that is inside of New Circle Road has always been regarded as part of the Wilderness Road/Woodward Lane effort.

It should also be noted that since this grant amount is \$930,000, it is estimated that there will only be enough money to construct the sanitary sewers for Unsewered Areas Nos. 1 (Old Paris Road) through 5 (Inner North Broadway) and some of the sewers for Unsewered Area No. 6 (South Forbes Road). If some of the \$930,000 is needed to complete the construction of the sanitary sewers in Cadentown (KIA Project No. 7001), the number of unsewered areas for which sanitary sewers will be constructed under this grant will be reduced accordingly (e.g., to Unsewered Areas Nos. 1 (Old Paris Road) through 4 (Calumet Terrace)).



LEXINGTON DIVISION OF POLICE OFFICE OF THE CHIEF

19

1067-13

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: September 20, 2013

RE: Memorandum of Agreement – Military Police Company Alpha (MP CO A)

Please find attached Memorandum of Agreement (MOA) with the Military Police Company Alpha (MP CO A).

The purpose of the attached MOA is to provide the Military Police Company a rapid armed response unit in the event of a security breach of weapons and/or ammunition. The Lexington Division of Police will send an armed patrolman to Military Police Company Alpha, Armed Forces Reserve Center, within 10 minutes of a telephone or automatic notification of a reported activation of any alarm or intruder detection system.

Also attached, please find an agreement that was signed in 2011 and additional documentation from the Department of Defense.

Upon Mayor Gray signing, please return original document to the Chief's Office to acquire additional signature.

If you have any questions 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 GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner

TO: Jim Gray, Mayor
Urban County Council

FROM: Geoff Reed, Commissioner of General Services

DATE: September 20, 2013

SUBJECT: Request Council Authorization to Execute Change Order #2 with Oracle Elevator in the Amount of \$1,667.60 for the Phoenix/Police HQ Elevator Renovation Project, Contract #636-2012

The Department of General Services is recommending the execution of change order No. 2 for \$1,667.60 with Oracle Elevator, Louisville, Kentucky for the Phoenix/Police HQ Elevator Renovation project. The new contract total is \$572,739.91.

The change order compensates the contractor for adding an electrical disconnect for the sump pump in the Phoenix building. This detail was missed during design.

Sufficient funds are budgeted in the following account:

FUND	DEPT ID	SECTION	ACCOUNT	AMOUNT
2516	707501	7041	91014	\$1,667.60

Council authorization to execute Change Order No. 2 to the agreement with Oracle Elevator in the amount of \$1,667.60 is hereby requested.



Geoff Reed, Commissioner

Cc: Jamshid Baradaran, Director of Facilities and Fleet Management
Joyce Thomas, Project Manager

CONTRACT CHANGE ORDER

To (Contractor):
Oracle Elevator

[illegible]

Approved by _____ (Mayor or CAO)

Date_

1068-13

CONTRACT HISTORY FORMContractor: Oracle ElevatorProject Name: Phoenix/Police HQ Elevator RenovationContract Number and Date: 636-2012 11/29/2012Responsible LFUCG Division: General Services**CHANGE ORDER DETAILS**

<u>Summary of Previous Change Orders To Date</u>	<u>Dollar Amount</u>	<u>Percent Change to Original Contract</u>
A. Original Contract Amount:	\$ <u>568,775.00</u>	
B. Cumulative Amount of Previous Change Orders:	\$ <u>2,297.31</u>	<u>0%</u> % (Line B / Line A)
C. Total Contract Amount Prior to this Change Order:	\$ <u>571,072.31</u>	
<u>Current Change Order #2</u>		
D. Amount of This Change Order:	\$ <u>1,667.60</u>	<u>0%</u> % (Line D / Line A)
E. New Contract Amount Including this Change Order:	\$ <u>572,739.91</u>	<u>101%</u> % (Line E / Line A)

SIGNATURE LINESProject Manager: Joyce ThomasDate: 9/20/13

Grant Manager: _____

Date: _____

Division Director: [Signature]Date: 9/20/13

JUSTIFICATION FOR CHANGE

PROJECT: Phoenix/Police HQ Elevator Renovation 1068-13

CONTRACT NO. 636-2012

CHANGE ORDER: 2

1. Necessity for change: The new sump pump in the Phoenix building requires an electrical disconnect to be installed. This detail was missed in design.
2. Is proposed change an alternate bid? ☐ Yes ☒ No
3. Will proposed change alter the physical size of the project? ☐ Yes ☒ No
If "Yes", explain.
4. Effect of this change on other prime contractors: None
5. Has consent of surety been obtained? ☐ Yes ☒ Not Necessary
6. Will this change affect expiration or extent of insurance coverage? ☐ Yes ☒ No
If "Yes", will the policies be extended? ☐ Yes ☐ No
7. Effect on operation and maintenance costs: None
8. Effect on contract completion date: None

Recommended by Gaye Thomas Mayor Date
 (Project Manager)

Approved by (Grant Manager)



GRW | engineering | architecture | geospatial

801 Corporate Drive | Lexington, KY 40503

859.223.3999 | www.grwinc.com

Project: 4065-01
 Change Order For: Phoenix Building – Sump Pump Disconnect
 To: Oracle Elevator
 Date: September 17, 2013
 Change Order: 002

The Contract is changed as follows:

Ready Electric..... \$1,516.00
 Oracle Elevator's O&P..... \$151.60

The original was \$568,775.00
 Net change by previous Change Orders \$2,297.31
 The amount prior to this Change Order was \$571,072.31
 The amount will be changed by this Change Order in the amount of..... \$1,667.60
 The new amount including this Change Order will be..... \$572,739.91
 The Contract time will be changed by 0 Days
 The date of Substantial Completion as of the date of this Change Order is 7/11/2013

This Change Order is intended to, and the Contractor agrees that it does, fairly and adequately compensate the Contractor for extra direct costs (labor, materials, etc.) as well as all expenses and damages which may result from any delays, suspensions, stretch-outs, scheduling, inefficiencies, and accelerations in the Work associated with this Change Order, and the Contractor releases the Owner and the Architect/Engineer from any claims for such expenses and damages, including but not limited to changes in sequence of work; delays; disruption; rescheduling; extended overhead; acceleration; wage; material; or other escalations; and all other impact costs.

This Change Order is intended to, and the Contractor agrees that it does, provide the Contractor a reasonable and adequate period of time in which to complete the Work in accordance with the Contract For Construction, as amended by this Change Order, and the Contractor releases the Owner and the Architect/Engineer from any claims for additional time to perform the work.

NOT VALID UNTIL SIGNED BY THE ARCHITECT/ENGINEER, CONTRACTOR, AND OWNER.

CONTRACTOR ACCEPTANCE
 Oracle Elevator

OWNER ACCEPTANCE
 Lexington-Fayette Urban
 County Government

ARCHITECT ACCEPTANCE
 GRW

By:

By:

By: Theodora Hibberd

**Lexington-Fayette Urban County Government**

Department of Public Safety
Division of Emergency Management

Jim Gray
Mayor

Clay Mason
Public Safety Commissioner
Patricia L. Dugger, RS MPA
Emergency Management Director

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: Patricia L. Dugger, RS, MPA, Director DEM

RE: Request Council Authorization to execute an agreement between LFUCG, Lexington Humane Society and the Lexington Fayette Animal Care and Control

DATE: September 24, 2013

I am requesting the Urban County Council approve to enter into an agreement with the Lexington Humane Society (LHS) and the Lexington Fayette Animal Care and Control (LFACC). The purpose of this Memorandum of Understanding (MOU) is to document the relationship between the Lexington Humane Society (LHS), Lexington Fayette Animal Care and Control (LFACC) and Lexington Fayette Urban County Government. This MOU provides the broad framework for providing services such as care and shelter needs for animals in a disaster; per the definition of domestic animals in the PETS Act 2006, and for cooperation and support between LHS, LFACC and Lexington Fayette County Emergency Management and first responders in assisting individuals and families impacted by disasters.

I am requesting Urban County Council to authorize the Mayor to enter into this agreement.

If you have any questions, please contact me.

Enclosures

xc: Clay Mason, Public Safety Commissioner
LHS File
LFAAC File
Legistar File

**Lexington-Fayette Urban County Government**

Department of Public Safety
Division of Emergency Management

Jim Gray
Mayor

Clay Mason
Public Safety Commissioner
Patricia L. Dugger, RS MPA
Emergency Management Director

MEMORANDUM

TO: Jim Gray, Mayor
Urban County Council

FROM: Patricia L. Dugger, RS, MPA, Director DEM *P.L.D.*

RE: Statement of Affiliation for Search and Rescue

DATE: September 24, 2013

This request would authorize a Statement of Affiliation for the LFUCG Division of Fire and Emergency Services Rescue Team as a Rescue Squad under KRS Chapter 39F. This Statement of Affiliation will establish the LFUCG Division of Fire and Emergency Services Special Operations Technical Rescue Team as the only recognized technical rescue team (rescue squad) in Fayette County. It allows rescue team members coverage under state liability and workers compensation, and would also allow for possible FEMA reimbursement for expended equipment while on a mutual aid assistance call. There is no cost to the LFUCG and therefore, there is no budgetary impact.

If you have any questions or need any additional information, please contact me at 258-3784.

Attachment

xc: Commissioner Clay Mason, Public Safety
Chief Keith Jackson, Fire
Search and Rescue File



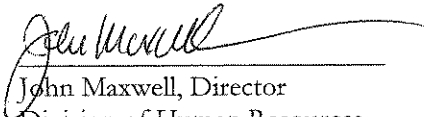
Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

MEMORANDUM

TO: Jim Gray, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: 
John Maxwell, Director
Division of Human Resources

DATE: September 30, 2013

SUBJECT: Abolish/Create Position—Department of Planning, Preservation and Development

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Administrative Officer, and creating one (1) position of Administrative Officer Senior effective upon passage of Council.

The Department of Planning, Preservation and Development requests this action to reorganize and restructure the Division in order to serve the public in a more efficient and effective manner.

The fiscal impact for FY2014 is a cost of \$5,333.71 (17 pay periods) and includes benefits. This cost is to be funded by the Department's Professional Services-Other account.

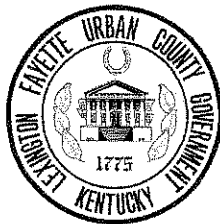
Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/(Decrease)
Vacant	Administrative Officer	\$61,994.66	\$0	(\$61,994.66)
Vacant	Administrative Officer Senior	\$0	\$68,427.06	\$68,427.06
Total Annual Impact/ Salary and Benefits \$8,157.44				

If you have questions or need additional information, please contact Nicole Rodriguez at (859) 258-3129.

Attachments

cc: Derek Paulsen, Commissioner of Planning, Preservation and Development

Log # 14-0020



28

1072-13

Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

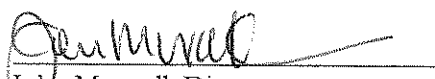
Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM:


John Maxwell, Director
Division of Human Resources

DATE: September 25, 2013

SUBJECT: Agreement for Senior Health Plan for City Employees Pension Fund

Attached please find an agreement to renew the Senior Health Plan for City Employees Pension Fund with Humana effective for one (1) year beginning January 1, 2014.

There is no charge to the Lexington-Fayette Urban County Government.

Log 14-0021



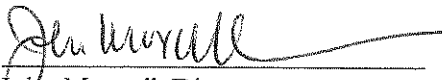
Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: 
John Maxwell, Director
Division of Human Resources

DATE: September 25, 2013

SUBJECT: Agreement for Senior Health Plan for Police and Fire Retirees

Attached please find an agreement to renew the Senior Health Plan for Police and Fire Retirees with Humana effective for one (1) year beginning January 1, 2014.

There is no charge to the Lexington-Fayette Urban County Government.

Log 14-0022



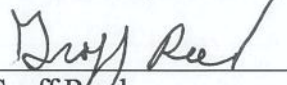
Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Sally Hamilton, CAO
Urban County Council

FROM: 
Geoff Reed
Commissioner of General Services

DATE: 26 September 2013

RE: Site Lease Agreement with Powertel/Memphis Inc. (T-Mobile) for cell tower site
9LV0253A located at 200 East Main Street, Lexington KY.

I am requesting Urban County Council approval to enter into a lease agreement with Powertel/Memphis Inc. (T-Mobile) to lease space on the rooftop of the Government Center building located at 200 East Main Street, Lexington KY for cell tower usage.

The agreement shall have an initial five (5) year term, commencing on November 1, 2013, automatically renewing for three (3) additional five (5) year terms, expiring October 31, 2033. Tenant shall pay rent to landlord on or before the fifth (5th) day of each month, starting at (\$2,000) per month with annual increases of 4% over the previous year.

Powertel/Memphis Inc. (T-Mobile) currently has equipment at this location and this agreement represents an immediate monthly increase of nineteen (19) percent and an annual increase of one (1) percent over the current rental rate. As part of this new lease, upgrades will be made to the equipment for 4G coverage and construction drawings have been included with the lease. This lease agreement may be terminated by either party with thirty (30) days' prior written notice.



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: SEPTEMBER 26, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
MODIFICATIONS TO AGREEMENTS WITH THE KENTUCKY
DEPARTMENT OF MILITARY AFFAIRS, DIVISION OF EMERGENCY
MANAGEMENT FOR FEDERAL FUNDS UNDER THE CHEMICAL
STOCKPILE EMERGENCY PREPAREDNESS PROGRAM (CSEPP), FY
2011 AND FY 2012, EXTENDING THE PERFORMANCE PERIOD
THROUGH SEPTEMBER 30, 2014**

On April 14, 2011 (Ordinance # 41-2011), the Urban County Council accepted award of federal funds from the Kentucky Department of Military Affairs, Division of Emergency Management for the continuation of the Chemical Stockpile Emergency Preparedness Program (CSEPP) for Fiscal Year 2011.

On April 12, 2012 (Resolution # 162-2012), the Urban County Council accepted award of federal funds from the Kentucky Department of Military Affairs, Division of Emergency Management for the continuation of the Chemical Stockpile Emergency Preparedness Program (CSEPP) for Fiscal Year 2012.

The source of federal funds is the Department of Homeland Security/Federal Emergency Management Agency. CSEPP funds are used to support emergency preparedness activities in a nine county area that surrounds the Blue Grass Army Depot in Richmond, the site of a stockpile of chemical weapons.

The Kentucky Department of Military Affairs, Division of Emergency Management has offered the LFUCG modifications to these agreements extending the performance period for CSEPP_2011 and CSEPP_2012 through September 30, 2014.

Council authorization to execute modifications to these agreements is hereby requested.


Irene Gooding, Director

Xc: Clay Mason, Commissioner of Public Safety



LEXINGTON DIVISION OF POLICE
OFFICE OF THE CHIEF

32

1085-13

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: September 27, 2013

RE: CPAAA Donation – Canine Protective Vests (2)

Please find attached letter from the Citizen Police Academy Alumni Association (CPAAA) in regards to their intent to donate two (2) Canine Protective Vests purchased from donated funds received from the Corvette Club of the Bluegrass and Bates Security. The vests will be utilized by the Division of Police Canine Unit. The vests are valued at \$1,700.00. There will be no cost incurred by the Division of Police.

This is being forwarded for Mayor and Council approval.

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

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

Ronnie Bastin
Chief of Police

RB/rmh

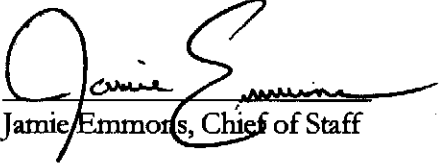
cc: Clay Mason, Commissioner of Public Safety



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Jim Gray, Mayor
Urban County Council Members

From: 
Jamie Emmons, Chief of Staff

Re: Funds for Kentucky Theatre Improvements

Date: September 27, 2013

The FY2014 budget included funding in the amount of \$250,000 to be provided towards the monies being raised by Friends of Kentucky Theatre for improvements to the Kentucky Theatre. The Friends are working with Blue Grass Community Foundation to raise all of the necessary funding for the improvements. Therefore, we are requesting that the Mayor be authorized to sign a Memorandum of Agreement with the Blue Grass Community Foundation to provide \$250,000 towards the Kentucky Theatre improvements.

FOLLOW MAYOR GRAY:

www.facebook.com/MayorJimGray

www.twitter.com/JimGrayLexKY



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: SEPTEMBER 30, 2013

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO SUBMIT GRANT
APPLICATION AND ACCEPT AWARD IF OFFERED TO THE LUMINA
FOUNDATION REQUESTING FUNDS IN THE AMOUNT OF \$34,100
FOR A LATINA EDUCATION SUPPORT PROJECT AT THE FAMILY
CARE CENTER**

The Division of Family Services has prepared a grant application for submission to the Lumina Foundation. The goal of this project is to promote post-secondary education and reduce obstacles to college enrollment and degree attainment for Latino families served in two Family Care Center programs – Parent Education and Early Child Care. The project will fund a part-time bi-lingual Project Coordinator to work with families enrolled in these programs, support the cost of professional services for provision of academic/ELL (English Language Learner) support, family literacy and college-readiness instruction/support. The project will be under the supervision of the Parent Education Program and will run from January of 2014 through May of 2015.

Division of Family Services has requested funds in the \$34,100 for support of a part-time coordinator, travel, and professional services. A required match of \$16,998 will come from documentation of existing personnel costs in the Division of Family Services and from cash match (\$4,628) in the Division of Family Services. Total project cost is \$51,098.

Lumina Foundation is a private foundation dedicated exclusively to increasing students' access to and success in postsecondary education.

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


Irene Gooding, Director

Xc: Beth Mills, Commissioner of the Department of Social Services



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: SEPTEMBER 30, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT VARIOUS
APPLICATIONS TO THE KENTUCKY TRANSPORTATION CABINET
REQUESTING FEDERAL FUNDS FROM THE TRANSPORTATION
ALTERNATIVES PROGRAM (TAP)**

The Department of Planning, Preservation, and Development has prepared four (4) applications requesting funding under the 2014 Transportation Alternatives Program (TAP). Authorized under the Moving Ahead for Progress in the 21st Century Act (MAP-21), TAP provides funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation; recreational trail program projects; safe routes to school projects; and projects for planning, designing, or constructing boulevards and other roadways largely in the right of way of former Interstate System routes or other divided highways. After Lexington Area Metropolitan Planning Organization (MPO) has reviewed and ranked these requests, the applications will be forwarded to the KYTC and the Federal Highway Administration for consideration. The projects list includes total cost and anticipated source of local match. All TAP applications are 80% federal funds and 20% local match.


Brighton Rail Trail Bridge. Total Cost: \$2,124,440. Federal Funds: \$1,699,552. Local match of \$424,888 will be requested in the FY 2015 General Fund budget. This project will link the Brighton rail trails on the east and west sides of Man-O-War Boulevard with a 160 foot span, providing for increased safety for cyclists and pedestrians who are using the trail. The Brighton Rail Trail is a portion of the Big Sandy Primary Trail, as identified in the LFUCG Greenway Master Plan.

West Loudon Ave Sidewalk. Total Cost: \$623,000. Federal Funds: \$498,400. Local match of \$124,600 will be requested in the FY 2015 General Fund budget. Construct sidewalks/bike lanes on West Loudon Avenue between North Broadway and North Limestone streets. The project will add curb to delineate the pedestrian area and definite parking spaces within the street.

Town Branch Trail Phase 4. Total Cost: \$1,008,320. Federal Funds: \$806,656. Local match of \$201,664 will be requested in the FY 2015 General Fund budget. The Town Branch Trail Phase 4 is a proposed shared use trail that extends the existing/funded trail another 2800 foot. The 12 foot wide trail will begin at Bizzell Drive, where the funded 1.2 mile Town Branch Trail Phase 3 will end. Plans by the Kentucky Transportation Cabinet for road improvements to New Circle Road will provide the needed underpass for the proposed Phase 4 section.

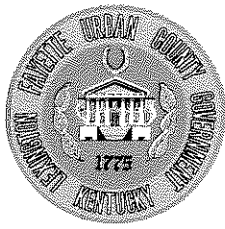
West Hickman Trail South. Total Cost: \$886,145. Federal Funds: \$708,916. Local match of \$177,229 will be requested in the FY 2015 General Fund budget. The West Hickman Trail South is a proposed 4,000 foot shared use trail within Veterans Park in southern Fayette County. The proposed 12 foot wide trail is an extension of an existing shared use trail within the Park that connects to an elementary school. The new trail will connect neighborhoods to the school, and replace an older section of Park trail popular with neighbors. The project includes a crossing over a tributary stream to the West Hickman Creek.

Council authorization to submit the applications is hereby requested.



Irene Gooding
Director

Xc: Derek Paulsen, Commissioner of the Department of Planning, Preservation, and Development




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

Jim Gray
Mayor

Richard Moloney
Commissioner

To: Mayor Jim Gray
Urban County Council

From:


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

Date: September 30, 2013

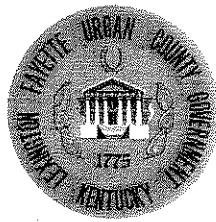
RE: Leased Space for Relocated Division of Water Quality Maintenance Operations – **Consent Decree**

The purpose of this memorandum is to request approval of a 48 month lease for property located at 900 Enterprise Drive. This lease is recommended because:

1. Division of Water Quality Sewer Line Maintenance and Pump Station Maintenance operations must be moved from existing structures on the Town Branch Wastewater Treatment Plant campus so that the structures can be demolished and construction of Consent Decree wet weather storage facilities can begin April 1, 2014.
2. A Request for Proposal (RFP) for leased industrial space was advertised during the summer of 2013. The deadline for responses was extended because no responses were received by the first deadline. Ultimately, only one response was received. This response offered two properties that in total comprised the square footage specified in the RFP. 900 Enterprise Drive is one of those two properties.

FY14 funding for this relocation is allocated within the overall Town Branch Phase 1 Wet Weather Storage Tank budget (4003 303408 3466 92811 TBWWTPIN_K_2013). An accompanying budget amendment will direct FY14 lease expenses to 4002 303401 3401 71302. Future fiscal year lease allocations will be requested through the normal annual budget request process.

Questions regarding this lease should be directed to Charles Martin at 425-2455.



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: SEPTEMBER 30, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT VARIOUS
APPLICATIONS TO THE KENTUCKY TRANSPORTATION CABINET
REQUESTING FEDERAL FUNDS FROM THE CONGESTION MITIGATION
AND AIR QUALITY (CMAQ) PROGRAM**

The Department of Planning, Preservation, and Development and the Department of Environmental Quality and Public Works have prepared a total of nine (9) applications requesting funding under the 2014 Congestion Mitigation Air Quality (CMAQ) program. The deadline for the final applications to the Kentucky Transportation Cabinet (KYTC) is January 2, 2014. After Lexington Area Metropolitan Planning Organization (MPO) has reviewed and ranked these requests, the applications will be forwarded to the KYTC and the Federal Highway Administration for consideration. The projects list includes total cost and anticipated source of local match. All CMAQ applications are 80% federal funds and 20% local match.

Fiber Optic Cable Installation Total Cost \$500,000. Federal Request of \$400,000. Local match of \$100,000 will be requested in the FY 2015 General Fund budget. This project continues the installation of fiber optic cable to benefit the computerized traffic signal system in Fayette County. Fiber optic cable provides a more reliable communication medium for the system and greatly reduces maintenance requirements on the existing, aging communication infrastructure and interruption of service due to electrical storms and power surges. Enhanced communication with the traffic signal system improves traffic management and helps to lessen traffic congestion and vehicle delay thus improving air quality. This project will install fiber optic cable on Man o' War Boulevard (Nicholasville Road to Fort Harrods Drive), approximately 24,000 feet.

Compressed Natural Gas Fueling Station Total Cost: \$1,573,000. Federal Funds: \$1,258,400. Local match of \$314,600 will be requested in the FY 2015 General Fund budget. Funds will be used to construct a fast-fill option for public fueling of vehicles running on compressed natural gas (CNG). This project will augment the city-owned and operated slow-fill facilities being installed for eleven (11) CNG-fueled waste collection vehicles in the city's fleet. The construction will occur on city-owned property, located off of Old Frankfort Pike. It is anticipated that this fueling option will also be available for other public vehicles, such as Fayette County Board of Education and LexTran.

Pine Needles Lane and Man-O-War Boulevard turn lane. Total Cost: \$277,000. Federal Funds: \$221,600. Local match of \$55,400 will come from the Municipal Aid Program. This project will widen the eastern leg (westbound approach) of Man-O-War Boulevard near the Pine Needles Lane intersection to

provide for a deceleration right turn lane from westbound Man-O-War to northbound Pine Needles Lane. Road widening will accommodate a 320 feet deceleration lane and 120 feet of taper.

Mercer Road at Greendale Road left turn lane. Total Cost: \$784,000. Federal Funds: \$627,200. Local match of \$156,800 will come from the Municipal Aid Program. This project will widen the eastern leg (westbound approach) of Mercer Road near the Greendale Road intersection, to provide for a dedicated left turn lane from westbound Mercer Road to southbound Greendale Road. Road widening will accommodate 225 feet of left turn storage with 100 feet of taper.

Manchester Street at South Forbes Road left turn lanes. Total Cost: \$851,000. Federal Funds: \$680,800. Local match of \$170,200 will come from the Municipal Aid Program. This project will widen both the east and westbound approaches of Manchester Street at the South Forbes Road intersection, to provide dedicated left turn lanes from Manchester Street to northbound and southbound South Forbes Road. Road widening in both directions will accommodate 260 feet of storage and 100 feet of taper.

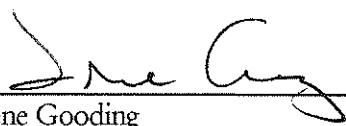
Brighton Rail Trail Bridge. Total Cost: \$2,124,440. Federal Funds: \$1,699,552. Local match of \$424,888 will be requested in the FY 2015 General Fund budget. This project will link the Brighton rail trails on the east and west sides of Man-O-War Boulevard with a 160 foot span, providing for increased safety for cyclists and pedestrians who are using the trail. The Brighton Rail Trail is a portion of the Big Sandy Primary Trail, as identified in the LFUCG Greenway Master Plan.

West Loudon Ave Sidewalk Total Cost: \$623,000. Federal Funds: \$498,400. Local match of \$124,600 will be requested in the FY 2015 General Fund budget. Construct sidewalks/bike lanes on West Loudon Avenue between North Broadway and North Limestone streets. The project will add curb to delineate the pedestrian area and definite parking spaces within the street.

Town Branch Trail Phase 4. Total Cost: \$1,008,320. Federal Funds: \$806,656. Local match of \$201,664 will be requested in the FY 2015 General Fund budget. The Town Branch Trail Phase 4 is a proposed shared use trail that extends the existing/funded trail another 2800 foot. The 12 foot wide trail will begin at Bizzell Drive, where the funded 1.2 mile Town Branch Trail Phase 3 will end. Plans by the Kentucky Transportation Cabinet for road improvements to New Circle Road will provide the needed underpass for the proposed Phase 4 section.

West Hickman Trail South. Total Cost: \$886,145. Federal Funds: \$708,916. Local match of \$177,229 will be requested in the FY 2015 General Fund budget. The West Hickman Trail South is a proposed 4,000 foot shared use trail within Veterans Park in southern Fayette County. The proposed 12 foot wide trail is an extension of an existing shared use trail within the Park that connects to an elementary school. The new trail will connect neighborhoods to the school, and replace an older section of Park trail popular with neighbors. The project includes a crossing over a tributary stream to the West Hickman Creek

Council authorization to submit the applications is hereby requested.



Irene Gooding
Director

Xc: Derek Paulsen, Commissioner of the Department of Planning, Preservation, and Development

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



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: SEPTEMBER 30, 2013

**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 2014**

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.

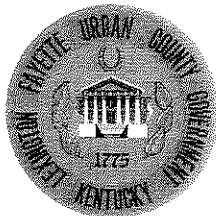
Total project costs for a 12-month period will be \$94,273. Of this total, the request for federal funding is \$45,123. Local match in the amount of \$28,150 is budgeted in the Division of Police's FY 2014 general fund budget. Funds will be used for contractual services, emergency room space, medication 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. Project Director will perform approximately 25 of these exams in the course of her

work. 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



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: OCTOBER 1, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
MEMORANDUM OF UNDERSTANDING WITH THE
COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS AND LEXINGTON COMMUNITY
LAND TRUST FOR TRANSFER OF PROPERTY ACQUIRED FOR
PHASE I MITIGATION AREA OF THE NEWTOWN PIKE EXTENSION
PROJECT**

On November 9, 2000 (Ordinance # 344-2000), the Lexington-Fayette Urban County Council authorized acceptance of award from the Kentucky Transportation Cabinet in the amount of \$7.5 million in federal and state funds for the extension of Newtown Pike.

Federal Highway Administration executed a Record of Decision on October 11, 2007, providing for mitigation of environmental justice impacts to the Newtown Pike Extension area and providing for creation of a community land trust to benefit current and future neighborhood residents that will protect community cohesion and provide for permanently affordable housing.

On February 26, 2009 (Ordinance # 24-2009), Council authorized execution of Supplemental Agreement No. 1 with the Kentucky Transportation Cabinet in the amount of \$3,975,000 for support the cost of appraisals for right-of-way acquisitions and mitigation expenses which include the provision of temporary housing, utility payments for temporarily relocated residents, and setting up and operating a Community Land Trust.

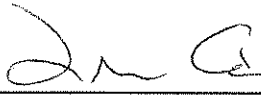
On June 22, 2011 (Ordinance # 76-2011), Council authorized execution of Supplemental Agreement No. 2 in the amount of \$5,088,000 for final design of Phase II and Phase III, and mitigation expenses, which include operation of the Community Land Trust and rehabilitation of Carver Center.

Kentucky Transportation Cabinet (KYTC) has now acquired all properties comprised of Phase I of the Mitigation Area and is ready to transfer these properties to the LFUCG for assimilation, redevelopment platting, and subsequent transfer to the Lexington Community Land Trust in

accordance with the provisions of the Record of Decision. KYTC will complete remediation of known environmental contamination in the area in accordance with a plan approved by the Kentucky Division of Waste Management. An Environmental Covenant

The Newtown Pike extension is authorized by Congress as a High Priority Project under the Transportation Equity Act for the 21st Century (TEA-21). The project provides for construction from West Main Street to South Limestone.

Council authorization to execute Memorandum of Understanding between the Commonwealth of Kentucky Transportation Cabinet Department of Highways, accepting transfer of property, and with the Lexington Community Land Trust, providing for subsequent transfer of property.



Irene Gooding, Director

Xc: Derek Paulsen, Commissioner of the Department of Planning, Preservation, and Development

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE
COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
THE
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
AND THE
LEXINGTON COMMUNITY LAND TRUST**

This Memorandum of Understanding is entered into this _____ day of _____, 2013, by and between the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways, The Lexington-Fayette Urban County Government and the Lexington Community Land Trust, WITNESSETH; **WHEREAS**, the Lexington-Fayette Urban County Government (**LFUCG**) and the Department of Highways (**Department**) entered into an agreement on December 13, 2000 (C-00343167) wherein the **Department** was to make available to the **LFUCG** up to \$6,000,000 (80% of the total cost) in federal Transportation Improvement Program funds for the Lexington Urbanized Area and was to provide up to \$1,500,000 (20% local matching funds) from non-federal sources for the **LFUCG** to conduct the planning and design phase, acquire necessary rights-of-way, relocate utilities, provide all environmental analyses, legal analyses, advertise for bids, develop construction contracts and supervise construction of the Newtown Pike extension in the City of Lexington in Fayette County (**Project**); and

WHEREAS, the Federal Highway Administration executed a Record of Decision on October 11, 2007 which, in part, provided for the mitigation of environmental justice impacts to the Davis Bottom Neighborhood by way of acquiring an area inclusive of 25 acres in the Davis Bottom Neighborhood (Mitigation Area) (see Exhibit 1 to this MOU) and placing it in trust for the benefit of current and future income qualifying residents in order to protect community cohesion and provide for permanently affordable housing; and

WHEREAS, the **Department** and **LFUCG** entered into Supplemental Agreement No. 1 on March 9, 2009 wherein the **Department** provided the **LFUCG** with an additional \$3,975,000 in funds as necessary for completion of design plans, right-of-way appraisals, utility relocation,

and mitigation which included the establishment of and operating costs for a community land trust, all of which provided for the continuation of this **Project**; and

WHEREAS, these same two parties entered into Supplemental Agreement No. 2 on July 10, 2011 wherein the **Department** provided the **LFUCG** with an additional \$5,088,000 in funds as necessary for additional funding assistance to develop right-of-way and construction plans for Phase II and Phase III of the **Project**, as well as mitigation funding assistance, and additional right-of-way funding for acquisition of parcels by the **Department**; and

WHEREAS, the Record of Decision calls for the acquisition and redevelopment of the Mitigation Area and its subsequent transfer to the **Lexington Community Land Trust (LCLT)**, a Kentucky non-profit corporation pursuant to KRS Chapter 273, created by individuals acting for and on behalf of the **Department** and the **LFUCG**, in accordance with the Record of Decision, with a mission that includes protecting the integrity and viability of the Mitigation Area, it's housing stock, and neighborhood amenities against unwanted and/or detrimental neighborhood impacts as a result of the enhanced Newtown Pike Road Extension and providing opportunities for quality and affordable housing in the Mitigation Area in order to fulfill the requirements of environmental justice mitigation; and

WHEREAS, the **LFUCG** entered into an agreement with the **LCLT** on April 26, 2010; and

WHEREAS, the individual properties comprising Phase I of the Mitigation Area (identified in Exhibit 2 to this MOU) have been acquired by the **Department** and are ready for transfer to the **LFUCG** for assimilation, redevelopment platting, and subsequent transfer to the **LCLT**:

NOW, THEREFORE, the **LFUCG**, the **Department**, acting on behalf of the Kentucky Transportation Cabinet, and the **LCLT**, do hereby mutually agree to this Memorandum of Understanding as follows:

The Property Transfer:

The **Department** shall transfer by special warranty deed the subject property, free of all encumbrances not related to this project, including any unpaid property taxes, to **LFUCG** with the express understanding that **LFUCG** shall then convey the subject property, by the same type of deed provided by the Department, to **LCLT** in accordance with the provisions of the ROD. The conveyance by the **Department** to **LFUCG** shall be contingent upon the approval of the Kentucky Finance and Administration Cabinet and the Governor of the Commonwealth.

All parties acknowledge and agree that said special warranty deed shall contain a reversion clause providing that if said property ceases to be utilized for a public use in implementation of the ROD the property shall revert to the **Department**.

LFUCG, prior to transfer of subject property to **LCLT**, shall assemble all individual parcels of the mitigation area and plat the new neighborhood as agreed to by the Newtown Pike Extension Project Team.

The **Department** shall compact all fill placed in the Mitigation Area to a level of ninety-five percent (95%) maximum capacity density.

All parties acknowledge and agree that appropriate restrictions and covenants shall be placed on the property at the time of transfer to **LCLT**.

Environmental Provisions:

The Parties acknowledge and agree that title to the Mitigation Area shall pass from the **Department**, acting on behalf of the Commonwealth of Kentucky, to **LFUCG** "as is" and without warranties beyond those stated herein.

Following the transfer of title, the **Department** shall, at its expense, complete the remediation of known environmental contamination in the Mitigation Area in accordance with the Corrective Action Plan (CAP) approved by the Kentucky Division of Waste Management (KDWM) on _____. The remediation shall be considered complete only when KDWM issues a letter of completion or its equivalent to the Department.

The Parties acknowledge and accept that the CAP provides that environmental contaminants will remain in the soils following completion of the corrective action. Remaining Contaminants in the Mitigation Area will be managed pursuant to a Site Management Plan acceptable to **LCLT** and approved by KDWM. The Site Management Plan shall identify engineering controls and use restrictions sufficient to protect human health and the environment as approved by KDWM and in accordance with KRS Chapter 224.01-400 and other applicable state and federal laws and regulations.

Upon completion of the remediation of the Mitigation Area, the installation of the prescribed engineering controls, and with the final approval of KDWM, the Parties shall enter into an Environmental Covenant as required by KRS Chapter 224.80 that shall place certain

restrictions on the use and development of the property. The Environmental Covenant shall be in a form agreed to by all Parties and KDWM.

The Environmental Covenant shall be filed in the land records of the Fayette County Clerk and shall thereby run with the land. All future holders in interest, as defined in KRS 224.80-100, in the Mitigation Area will be bound by the restrictions contained within the Environmental Covenant.

Following its receipt of title to the Mitigation Area, the **LCLT**, as its owner, shall notify any and all developers, future owners and lessors of the existence of the requirements of the Environmental Covenant.

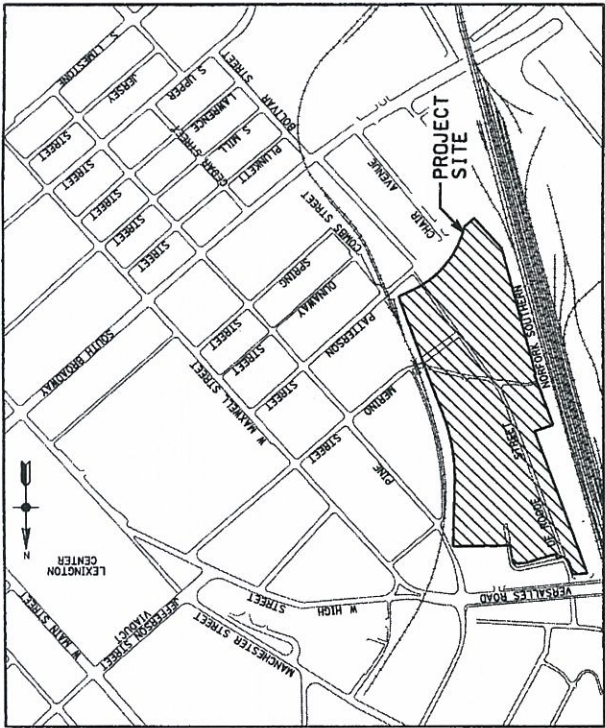
Lexington-Fayette Urban County Government

Lexington Community Land Trust

Commonwealth of Kentucky
Transportation Cabinet
Department of Highways

APPROVED AS TO FORM AND LEGALITY:

General Counsel
Office of Legal Services

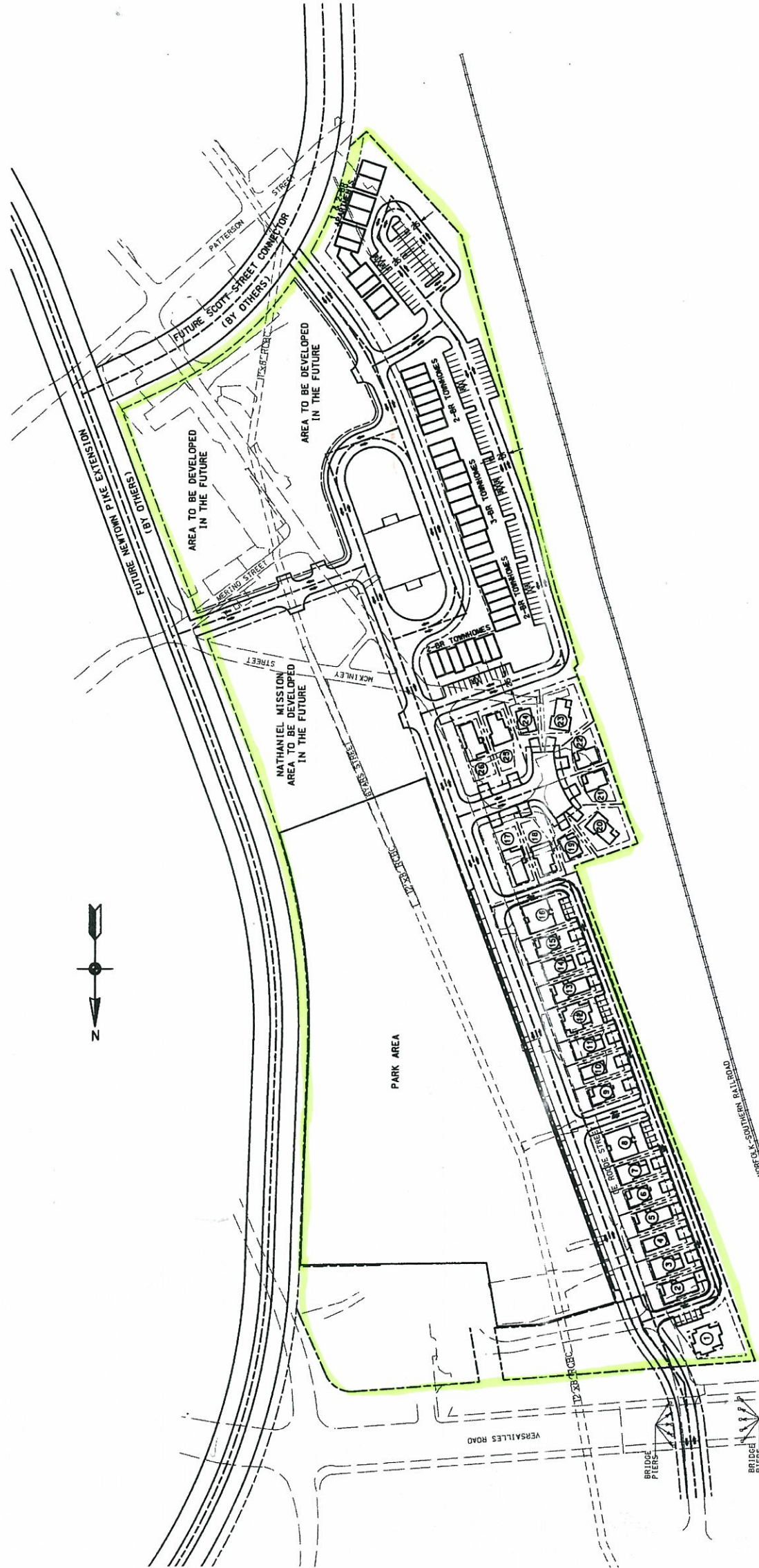
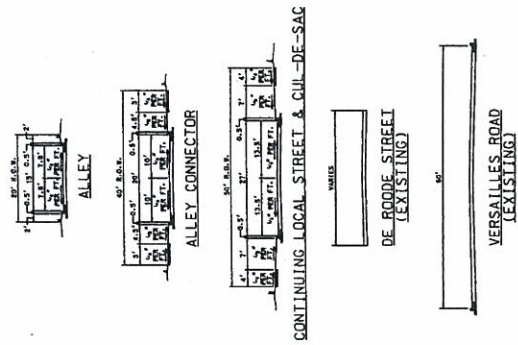


VICINITY MAP
N.T.S.

SITE STATISTICS - TOTAL SITE	
TOTAL AREA OF SITE = 22.88 ACRES	
ZONE = I-1	
NO. OF SINGLE FAMILY LOTS = 22	
NO. OF MULTIFAMILY LOTS = 1	
AVG. SINGLE FAMILY LOT SIZE = 40' X 100'	
AVG. MULTIFAMILY LOT SIZE = 58' X 100'	
LINEAR FEET OF TWO WAY STREET = 3836 LF	
NO. OF 1 BR APARTMENTS = 6	
NO. OF 2 BR APARTMENTS = 14	
NO. OF 3 BR TOWN HOMES = 21	
NO. OF 4 BR TOWN HOMES = 10	
PARKING SPACES PROVIDED = 903	
HANDICAP SPACES PROVIDED = 5	
HANDICAP SPACES PROVIDED = 7 (VAN ACCESSIBLE)	

BUILDING SCHEDULE	
	16' X 42' - 2-BR TOWNHOUSE
	20' X 42' - 3-BR TOWNHOUSE
	40' X 40' - 1-BR & 2-BR APTS.
	48' X 40' - 2-BR APTS.
	44' X 52' - 3-BR 2-PLEX LOTS NO. 1 & NO. 12
	48' X 44' - 2-BR 4-PLEX LOTS NO. 8 & NO. 16

LOT NOS. 2-7, 9-11, 13-15 & 17-26
SINGLE FAMILY



100' 0 100'
GRAPHIC SCALE
SCALE: 1"=100'

Exhibit 1
Davis Bottom Mitigation Area

1093-13

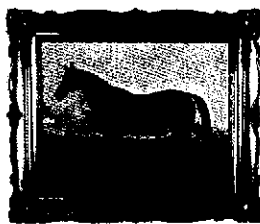
Exhibit 3
Southend Park Urban Village Extension
Newtown Pike Extension
KYTC Item No. 7-593.00

48

DRAWN: _____
DESIGN: _____
CHECKED: _____
DATE: OCT. 2, 2007
PROJECT NO.: _____
REVISED: _____

SHEET 1 OF 1





Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Mayor Jim Gray
Urban County Council

From: Shaye Rabold
Shaye Rabold, Senior Advisor

Date: October 1, 2013

Re: Council authorization to execute an agreement with czb, LLC

This is to request Council authorization to execute an agreement with czb, LLC for purposes of developing a Comprehensive Affordable Housing Strategy at a cost not to exceed \$49,698.

LFUCG wishes to evaluate the current state of housing affordability for low to moderate income households and its current affordable housing programs and strategies. LFUCG also wishes to understand what new programs or strategies could be added and how any new initiatives can be strategically included to strengthen Lexington's plan to address the affordable housing need.

The Comprehensive Affordable Housing Strategy will include short-term and long-term action steps and clearly articulate the options Lexington should consider to preserve, improve and increase its affordable housing stock, especially for those who are severely housing-cost burdened. The intent of this report is to evaluate all of the available tools—private and public—Lexington should consider while also providing a framework for prioritizing limited resources.

Funds are budgeted as part of the Office of Homelessness Prevention and Intervention.

FOLLOW MAYOR GRAY:

www.facebook.com/JimGrayLexKY www.twitter.com/JimGrayLexKY

**Neighborhood Development Funds
October 8, 2013
Work Session**

Amount	Recipient	Purpose
\$ 275.00	Cumberland Hill Neighborhood Association, Inc. PO Box 24985 Lexington, KY 40524 Lynn Hudgins	To provide funds for green infrastructure improvements.

Environmental Quality Committee
September 17 2013
Summary

Stinnett called the meeting to order at 11:03 AM. All committee members were in attendance except Gorton and Farmer. Kay also attended.

1. August 20, 2013 Committee Summary

On a motion by Scutchfield, second by Clarke the August 20, 2013 Committee summary was approved unanimously.

2. Empower Lexington Update

Stinnett announced that this item would be postponed until the October 8 meeting due to an illness in the presenter's family.

3 Capacity Assurance Program (CAP) Update

Martin discussed the CAP program. He stated that the Consent Decree requires that Lexington certify there is adequate capacity in the sanitary sewer before authorizing any new connections or flow increases.

Martin also discussed the banked credit system, earned capacity credit and grandfathering developments.

Martin stated that the CAP plan was submitted to the EPAS on December 21, 2012. He stated that the Consent Decree required implementation within 30 days of EPA approval. While EPA has not approved the CAP plan yet the Administration opted to implement the Plan starting on July 3, 2013 to eliminate the risk of penalty for missing the implementation deadline.

Martin discussed the outreach that the Division of Water Quality has conducted with the development community and others regarding the implementation of the CAP plan.

He discussed new employee additions that will be responsible for implementing and interfacing with CAP.

Martin also discussed the external management information system Capacity Tracking Information Management System (CTIMS)

He discussed specific projects that will improve capacity deficiencies, including the proposed Town Branch Wet Weather Storage, a proposed West Hickman Wet Weather Storage and a proposed Lower Cane Run Wet Weather Storage facility. He stated that numerous long term and short term projects will greatly enhance the CAP program. He also discussed the sump pump redirection program as well.

He also discussed lessons learned from ramping up the CAP program as well as challenges moving forward.

Henson discussed the sump pump program. She said that she was pleased with the results of the redirection efforts.

Clarke asked about financing the improvements. In response Martin stated that his office is working with Finance regarding cash flow and budgetary actions. He stated that the ability to use Kentucky Infrastructure funds has greatly improved cash flow issues. He stated that fees will need to be raised to finance long term improvements but they don't know when the increases will need enacted.

Mossotti discussed using the Board of Realtors to educate the public.

Stinnett discussed long term capital projects, combining water quality and stormwater efforts and the capital projects priority list.

Henson discussed language barriers in some areas of the community.

4. Distillery District Update

Paulsen provided an update on the Distillery District project. He discussed the original focus of the existing \$ 2.2 million bond and the Build America bond. He stated that \$ 1.7 million remains from the original bond. Its original focus was for design and construction of the trail and streetscape improvements. Paulsen stated that the feasibility component was added in 2010.

Paulsen gave an overview of the Town Branch Trail. He stated that it currently goes from Masterson Station Park to Alexandria Drive a distance of 2.2 miles. He stated that there are 4 additional sections. He stated that 1 section near Alexandria was funded and the other sections were not funded at this point.

Paulsen stated that the Distillery District phase of the trail is in two sections: the west section and the east section. He provide estimated costs for both sections; \$ 1.0 million for the west area (\$ 100,000 for design; \$ 200,000 for ROW; and \$ 700,000 for construction). He stated that the east section was \$ 1.45 million and it includes the Distillery District streetscape improvements.

Paulsen stated that to complete the trail within the Distillery District is \$ 2.45 million. He stated that the Town Branch Park and trail extension into downtown was estimated to cost \$ 500,000, brining that total to \$ 2.95 million.

He recommended that the existing distillery district bond had approximately \$ 1.7 remaining. Paulsen stated that a CMAQ grant of \$ 1.3 million could be added to the existing bond allowing for completion of the Distillery District sections of the trail and the Town Branch Park.

Greg Leverage and Clay Angelucci, leasing agents for the property spoke. They discussed recent tenant activity. Angelucci stated that the project needed public involvement and discussed the need for streetscape improvements including way finding signage, benches, landscaping and lighting.

Mossotti asked about the timing of the streetscape improvements. In response Leverage stated that real estate uses momentum and stated that if potential clients saw benches, signage or landscaping being installed they would be more inclined to invest in the district.

Barry McNeese also spoke about the project and streetscape infrastructure needs.

Kay discussed timing of public improvements. He stated that he was somewhat frustrated by the lack of public and private action on the project. He asked if streetscape improvements could be made in the near future.

In response Paulsen stated that the streetscape on the east end could be implemented. He stated that an RFP would need to be completed for the engineering and design. Once a selection was made the design and engineering could be completed and then an RFP for construction would take place. He stated that this would take about 1 year.

Akers asked about the length of the trail on the east side of the Distillery District. In response Paulsen stated that that section was about 0.5 in length.

Akers agreed with Kay that the process was taking too long.

Clarke discussed the streetscape elements of the project. He also asked about the mix of businesses in the District and about connections between the Distillery District trail and the Legacy Trail and downtown.

Myers discussed the need for the floodplain study. He asked McNeese if the developers would commit to the conducting the floodplain study. In response McNeese stated that there are many parties that would benefit from that work including Rupp Arena, the Convention Center, Town Branch Commons and not just the distillery district.

Myers stated that the public had committed \$ 2.23 of public funds for this project.

McNeese also stated that the developers wanted the City to spend its money on streetscape improvements and not the feasibility study. He stated that several feasibility and economic studies were already conducted on the property.

Akers asked Paulsen about the cost of the floodplain study. In response Paulsen stated that the hydrology study for the area was estimated to be about \$ 500,000.

A motion by Akers second by Myers to allocate the remaining bond proceeds to the Distillery District east section streetscape element. The motion failed on a 2-5 vote (Akers & Henson – Yes; Stinnett, Mossotti, Myers, Clarke & Lane-No).

Stinnett discussed the history of the Distillery District bond. He stated that at this point it may be best to re think the project. He stated that he would be meeting with Paulsen to determine what can be accomplished; whether to commit to the Administration proposal; or the streetscape effort; or to identify other more appropriate measures.

5. Division of Water Quality Projects

Martin stated that the Division is presently undertaking \$ 51.8 million in capital projects, including cash and Kentucky Infrastructure proceeds.

Stinnett stated that the October meeting will include the Empower Lexington Update, a presentation on climate adaption and will start with the monthly financial report.

The meeting adjourned at 1:03 PM.

Pas 09.25.2013



Planning and Public Works Committee September 17th, 2013 Summary and Motions

Chair Bill Farmer Jr. called the meeting to order 1:00pm. Council Members Jennifer Mossotti, Charles Ellinger, Steve Kay, Chris Ford, Julian Beard, Harry Clarke and Peggy Henson were in attendance. Vice Mayor Linda Gorton and Diane Lawless were absent.

1. Approval of Summary

Motion by Beard to approve the summary. Seconded by Ellinger. Motion passed without dissent.

2. Adult Day Care

Henson told the committee members that she had an amendment to the definition of Adult Day Care.

Motion by Henson to adopt the definition of Adult Day Care Centers as follows: Any adult care facility which provides part-time care, day or night, but less than twenty-four (24) hours, to at least four (4) adults, who are not related to the operator, by blood, marriage or adoption. The operator must be certified or licensed by a state public agency and may include personal care assistance, administering and/or assistance with medication, and social recreational activities. Seconded by Clarke. Motion passed without dissent.

Henson asked Farmer to move the issue to the full Council. He agreed to do that when he reports out the summary.

3. Elm Tree Lane Sidewalk Closure

Ford introduced the item. He said that he referred the item to committee for further discussion.

Kevin Wenthe said that this request came to his office and since it was the first request he had ever received to close a sidewalk, he treated it like a road closure. He asked for comments from the impacted division directors and no one dissented to the actual closure. Wenthe examined the KRS and it requires the consent of all abutting property owners. The Shiloh Baptist Church did not consent to the closure, which, in turn, limited the area that could be closed among the abutting property owners. Wenthe said if the Council voted to not close the section of the sidewalk, he suggests that they remove and replace the existing sidewalk due to its condition.

Ford asked Wenthe to illustrate where the sidewalk closure would be. Wenthe put an illustration up on the overhead. The sidewalk connects Elm Tree Lane and Rand Avenue. It runs north and south between 5th and 6th street.

Eight constituents spoke on the issue. Five were in favor of keeping the sidewalk open because of its connectivity function and three spoke to close the sidewalk due to crime.

Henson asked Wentle if the Administration wanted to close the sidewalk. Wentle said they are impartial. Henson then asked about the cost. Wentle said that under current unit price contract numbers it would be approximately \$5,000 to remove and replace the current sidewalk.

Henson said that it concerns her that we would close a sidewalk when the LFUCG is constructing trails all around Fayette County.

Wentle said that since there was a petition filed to close it, the mechanism was triggered to begin the process to convert that right-of-way. It was then brought to the Council for approval, where it was referred into committee.

Henson said that the sidewalk gives the area character but is in terrible shape.

Beard asked how long the stretch of sidewalk is. Farmer said it is 200 feet and is the standard four foot wide sidewalk.

Beard said that the property owners would be responsible for upkeep on the area if the area was quit claimed to them.

Ford said that this issue was studied three or four years ago but was never pushed through to a committee or the docket.

Ford said that since the sidewalk is in his district, his constituents have challenged him to determine if the closure would be for the public good. Ford said he wants to find a balance between safety and connectivity.

Ford said that he visited the area and saw three groups passing through. Two groups seemed to be just passing through and the third did not seem to be just passing through.

Ford said that with this proposal, only half of the sidewalk would be closed. Ford asked committee members if the option was still out to reduce crime but keep the pedestrian path open. Finally, Ford said that it is tough to get a stroller and a bicycle through the area. The LFUCG is at fault because it is their right-of-way.

Clarke said that he appreciated Ford's comments because he felt the same. He said that he was not convinced that closing the sidewalk would reduce crime. Clarke said that they may need more police enforcement and a more accessible, cleaner sidewalk. Clarke asked Wentle if they vote to close the sidewalk, what guarantee would the Council have that the neighbors would even close it. Wentle said that once they transfer the right-of-way, the LFUCG would not have control over how or if access would be restricted.

Mossotti asked Wentle if the LFUCG owned the right-of-way. He said yes. Mossotti asked why it hasn't been maintained. Wentle said that until a situation in the right-of-way is brought to the attention of someone at the LFUCG, some areas are not maintained. Wentle said that easements are not mapped in GIS. They are constantly changing. He said that it is a reactive measure, not a proactive measure.

Mossotti asked how much it would cost to put in a streetlight to deter criminal activity. Wentle said that it would require further evaluation. Wentle said that they may need to request from a property owner the permission to add a streetlight on their property.

Kay asked Derek Paulsen, the Commissioner of Planning, if he was in favor of closing the sidewalk. Paulsen said that in order to prepare for the meeting, he visited the site that morning.

Paulsen said that because of his experience with the Secured by Design program, he would normally be involved in these types of decisions on the front end. He told committee members that he would not have supported building the sidewalk as a cut through. He said that he would discourage that type of design because they do create opportunities for crime. He said that when these types of sidewalks are built, they should be much wider. Sidewalks work well to deter crime because they are usually out in front of a property and are at the same level as cars. You can see and be seen.

Paulsen said that in this situation, you cannot see or be seen. Paulsen does not have crime statistics for the area.

Paulsen said that the high fence and the overgrowth make it a dark area. He said that there is one light on one side of the sidewalk.

Kay asked Paulsen if closing half of it would reduce or increase crime. Paulsen said that it could have an impact on crime.

Kay said that the property owner would have to take down the fence and move it to increase visibility. Paulsen said that they may not have to move it, but the type of fence and lack of lightening is a concern.

Paulsen said that just fixing the sidewalk would not reduce the opportunity for crime. Kay asked that even with increased usage, could crime decrease?

Paulsen said what makes it attractive to criminals is that it is off the street. Paulsen said the light may or may not stay on at all times.

Kay said that the property is 3.5 blocks from his house. He said that it is hard for him to believe that closing the sidewalk will stop crime. Kay said he is inclined to keep it open.

Beard said that the LFUCG should have kept the area maintained and clean.

Ford asked if the LFUCG now has the opportunity to redesign and improve the sidewalk. Paulsen said that there is an opportunity. Paulsen said that the question is what could we do? The answer depends on how much right-of-way we have. Paulsen also said that he wants to discuss this with the Division of Police. Paulsen said that zoning allows for an eight foot privacy fence on a property line. Paulsen said that we need to work with them to improve visibility. Paulsen said that we can enforce that the landscaping is kept trimmed, but the fence height will still be an issue. Paulsen said that 10 feet is his preference.

Clarke said it might be appropriate to have crime statistics for the area.

Motion by Ford to keep the sidewalk that connects Elm Tree Lane and Rand Avenue open and remove the item from the Council docket. Seconded by Clarke. Motion passed without dissent.

Motion by Ford to request that the Administration proceed with the redesign of the sidewalk that will improve pedestrian and bicycle access as well as safety, and return to the Planning and Public Works Committee with the redesign. Seconded by Mossotti. Motion passed without dissent.

4. Private Street: Enforcement, Maintenance, and Specifications

Bill Sallee, from the Division of Planning, came to the podium to offer an overview of the process. He said that most often private streets are not maintained by the LFUCG, but instead are maintained by an

association of property owners. Small homeowners associations have reported difficulty at times, maintaining easements.

Sallee said that private streets account for far less than 8% of all streets in Fayette County. He went on to say that the other problem is street connectivity issues. This has not happened as much recently. There is now more flexibility for public street design.

Mossotti asked for Council Members input on whether or not the LFUCG should continue to allow private streets. Mossotti said that many of the streets we take in have not been maintained and we have to get them up to grade. Mossotti asked if the LFUCG should continue to allow private streets at all.

Chris King, the Director of the Division of Planning said that private streets have been allowed through the subdivision regulations. King said that the older streets have been more problematic than the new private streets. The regulations have gotten tighter. King said that the development community should be allowed to weigh in on this discussion if the Council wants to pursue this.

King said that the Council should include the commercial development community in the discussion as well.

King said that Mossotti is correct in saying that often the LFUCG does take in streets that have not been maintained. He went on to say that the communities that pursue private streets should know the responsibilities that go along with private streets because the language is strict. The language also says that before the LFUCG takes the private street in, it should be brought up to code.

Stinnett said that before 2009, it was difficult to determine which roads were public or private. He referenced a situation where the LFUCG put a sewer on private property. The LFUCG had to go back and get the easement.

Stinnett asked what standard we hold the property owners to in order to bring the road up to grade. He provided an example of one neighborhood with 20 homes with a cost of \$400,000. Average price of a home in that neighborhood is \$150,000. The road will deteriorate and we will have a safety hazard on our hands. The LFUCG is making them put in curbs, gutters, and sidewalks. Stinnett expressed concern that We may be quoting these prices to discourage the property owners. It is a way to say that LFUCG does not want the street.

Stinnett said all streets should be up to our standard, period. Stinnett asked King if the LFUCG allows sub-standard private roads. King said that some are. King said in commercial, there is a whole different situation. King said that sometimes non-traditional parking is allowed on a private street.

Stinnett said that they need to separate commercial from residential. Stinnett said that he does not want the LFUCG approving sub-standard specifications. King said that there have not been any sub-standard specifications in terms of engineering since he has worked at the LFUCG.

King said that he would not have a problem not allowing private streets in residential zones. But he said that townhouse projects require excessive improvements in order to allow an easement.

Stinnett said that he has no problem requiring property owners to bring the paving and resurfacing up to code, but things like adding curbs and gutters seems excessive.

Clarke said that he just received a call yesterday from a constituent that wants to make their private street public. Clarke asked King how there is a private street in Palomar. King said that the subdivision regulations allow this. There are criteria that must be followed. King said that the privacy that comes with this is appealing to some.

Clarke said that there is only one street in Palomar that is private according to his research.

Henson asked Sallee what they do when they have a private street that is not properly maintained. Henson said that she has drainage issues on a particular street. Now the neighborhood downstream is flooding. Sallee said that the older subdivisions do not always have drainage easements.

Charlie Martin from the Division of Water Quality came to the podium and said that from a stormwater system perspective, the community has made mistakes. There is a major disconnect between public and private systems.

Martin went on to say that he does not think we should have private systems. Henson said she may refer this issue to the Environmental Quality Committee.

Beard asked Wente if school busses go up into these areas and he also inquired about fire apparatus. Wente said that the fire apparatus do enter these areas but is unsure about school buses. Beard said that there are times that fire apparatus may not always have the means to get into these areas.

Mossotti asked if we can set parameters for new developments. Wente said that he believes that Public Works have done a good job moving towards the notion of complete streets. Wente said that the LFUCG has a number of private streets requesting to become public, but the costs and stormwater requirements are going to be too expensive, so they decide not to change them to public streets.

Wente said that they are operating off of a CAO policy. He said that there can be improvements made to ensure a defined set of standards.

Mossotti said that she understands that there may be pushback on this. King said that if they want to get the conversation going about not allowing any new private streets in residential areas, the Council can initiate an amendment to the land subdivision regulations that would remove that option from the development application.

King said that then folks from the public could come and participate in that conversation. Mossotti asked Farmer to move that option into the Planning and Public Works Committee for the next month's meeting. She asked to discuss the option of a text amendment.

Farmer said that he would like a motion and a second because it is separate issue from the one that had been referred.

Mossotti then asked only for further discussion on this issue for the October meeting.

Farmer said that there were already three items on the October meeting agenda. Farmer said that he will add this item to that agenda as well.

5. Items in Committee

Motion by Clarke to adjourn. Seconded by Beard. Motion passed without dissent.

Submitted by Jenifer Benningfield, Council Administrative Specialist