

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, November 12, 2013

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
November 11 – November 18, 2013**

Monday, November 11

Veteran's Day – No Meetings

Tuesday, November 12

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

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

Wednesday, November 13

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

Transportation Technical Committee (TTCC).....10:30 am
Conference Room – 7th Floor Phoenix Building

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

Thursday, November 14

No Meetings

Friday, November 15

No Meetings

Monday, November 18

No Meetings

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS
November 5, 2013

Mayor Gray called the meeting to order at 3:05pm. Council Members Gorton, Ellinger, Kay, Ford, Akers, Beard, Farmer, Stinnett, Scutchfield, Myers, Mossotti, Clarke, Henson and Lane were present. Council Member Lawless was absent.

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

Motion by Farmer approve the docket. Seconded by Ellinger. Motion passed without dissent.

Motion by Beard to place on the docket for November 7, 2013 a resolution authorizing and directing the Division of Traffic Engineering, pursuant to code of ordinances section 18-46, to designate Hiltonia Park as being prohibited to through trucks and authorizing and directing the Division of Traffic Engineering to install proper and appropriate signs in accordance with the designation. Seconded by Myers. Motion passed without dissent.

Motion by Beard to place on the docket for the November 7, 2013 Council meeting a resolution authorizing and directing the Division of Traffic Engineering, pursuant to code of ordinances section 18-86, to install multi-way stop controls at McDonald Avenue and Shady Lane. Seconded by Farmer. Motion passed without dissent.

Motion by Kay to place on the docket for the November 7, 2013 Council meeting a resolution authorizing the Mayor to execute a Memorandum of Agreement with Farm and Garden Market Cooperative Association, Inc. d/b/a Lexington Farmers' Market to extend the use of the Cheapside Park - 5/3 Bank Pavilion and adjoining property as a Farmers' Market. Seconded by Clarke. Motion passed without dissent.

Motion by Gorton to place an ordinance amending subsection 8b-13(1) and 8b-13(3) of the code of ordinances of the Lexington-Fayette Urban County Government to provide for twenty members and to add 2 members of the Division of Fire and Emergency Services, who shall be appointed by the Fire Chief, one paramedic member of the Division of Fire and Emergency Services who has successfully graduated from the division's paramedic training and education program, who shall be appointed by the Fire Chief, one member of the faculty of the paramedic program, who shall be appointed by the Fire Chief and one student member of the paramedic program, who shall be appointed by the Fire Chief to the Emergency Medical Advisory Board. Seconded by Kay. Motion passed without dissent.

- III. Approval of Summary – Yes

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

IV. Budget Amendments – Yes

Motion by Beard to approve budget amendments. Seconded by Henson. Motion passed without dissent.

V. New Business – Yes

Motion by Stinnett to approve the new business. Seconded by Farmer. Motion passed without dissent.

VI. Continuing Business / Presentations – Yes

Motion by Ellinger to approve neighborhood development funds. Seconded by Myers. Motion passed without dissent.

Motion by Gorton to approve allocations from fund balance COWs. Seconded by Farmer. Motion passed without dissent.

VII. Council Reports – Yes

Motion by Stinnett to place the issue of refunding Urban Services property taxes into the Budget and Finance committee for review and creation of a policy (garbage, streetlights and street cleaning). Seconded by Henson. Motion passed without dissent.

Motion by Ford to refer the Elm Tree Lane sidewalk issue back to the Planning & Public Works Committee. Seconded by Farmer. Motion passed without dissent.

Motion by Ford to refer the impact of childcare assistance program reductions to the Social Services & Community Development Committee. Seconded by Farmer. Motion passed without dissent.

Motion by Chris Ford to place on the docket for the November 7, 2013 Council meeting under first reading ordinances, an ordinance amending section 16-14(c) of the Code of Ordinances. Seconded by Farmer. Motion passed with a 13 - 1 vote. Gorton, Ellinger, Kay, Ford, Akers, Beard, Farmer, Stinnett, Scutchfield, Myers, Mossotti, Clarke and Henson voted yes. Lane voted no.

VIII. Mayor's Report – Yes

Motion by Gorton to approve the Mayor's report. Seconded by Myers. Motion passed without dissent.

IX. Public Comment – Issues Not on Agenda – No

X. Adjournment

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

**Lexington-Fayette Urban County Government
Work Session Agenda
November 12, 2013**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval – No**
- III. Approval of Summary – Yes, p. 1 - 2**
- IV. Budget Amendments – No**
- V. New Business – Yes, p. 6 - 20**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds, November 12, 2013, p. 21
- VII. Council Reports**
- VIII. Mayor's Report – No**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a 1179-13** Authorization to accept award of federal and state funds from the Kentucky Emergency Management Agency under the Hazard Mitigation Grant Program for the Versailles Road Shelter. (L1179-13) (Gooding/Mason)
This is a request to accept award of federal and state funds in the amount of \$25,608 from the Kentucky Emergency Management Agency under the Hazard Mitigation Grant Program for the Versailles Road Shelter. A local match of \$3,532 (13%) is required. Funds are budgeted. p. 6
- b 1183-13** Authorization to submit application to the Kentucky Emergency Management Agency requesting federal and state funds under the Hazard Mitigation Grant Program for Weather Radio project. (L1183-13) (Gooding/Mason)
This is a request to submit application to the Kentucky Emergency Management Agency requesting federal and state funds in the amount of \$47,154 under the Hazard Mitigation Grant Program for Weather Radio project. A local match of \$7,046 (13%) is required and will be requested in the 2015 General Fund budget. p. 7
- c 1184-13** Authorization to execute agreement with the Internal Revenue Service for the provision of Volunteer Income Tax Assistance (VITA) through the CKEEP program in partnership with United Way of the Bluegrass. (L1184-13) (Mills)
This is a request to execute agreement with the Internal Revenue Service for the provision of Volunteer Income Tax Assistance (VITA) through the CKEEP program in partnership with United Way of the Bluegrass. There is no budgetary impact. p. 8
- d 1187-13** Authorization to execute a Lease Agreement with James R. Kemper for property located at 951 Enterprise Drive to relocate the Sewer Line Maintenance and Pump Station Maintenance sections in the Division of Water Quality. (L1187-13) (Martin)
This is a request to execute a Lease Agreement with James R. Kemper for property located at 951 Enterprise Drive to relocate the Sewer Line Maintenance and Pump Station Maintenance sections in the Division of Water Quality for an amount of \$86,592.96 per year. Budget amendment is in process. p. 9

- e 1195-13** Authorization to execute agreements with Kentucky Utilities, Windstream Communications, Kentucky American Water Company, Columbia Gas of Kentucky, and Time Warner Cable for utility relocation for Section II of the Todds/Liberty Road Improvement Project. (L1195-13) (Gooding/Paulsen)
This is a request to execute agreements with Kentucky Utilities (\$84,824.18), Windstream Communications (\$252,108), Kentucky American Water Company (\$794,387.14), Columbia Gas of Kentucky (\$145,561), and Time Warner Cable (\$141,282) for utility relocation for Section II of the Todds/Liberty Road Improvement Project. The total cost is \$1,418,162.32. Funds are budgeted. p. 10-11
- f 1196-13** Authorization to execute a Release of Easement releasing a utility easement on property located at 1000 Export Street. (L1196-13) (Graham)
This is a request to execute a Release of Easement releasing a utility easement on property located at 1000 Export Street. There is no budgetary impact. p. 12-18
- g 1205-13** Authorization to amend Ordinance 148-2012 to change the oversight agency for the 21c TIF from the Lexington Downtown Development Authority to LFUCG's Department of Finance and to execute a Letter of Agreement with the state related to the amendment. (L1205-13) (Atkins)
This is a request to amend Ordinance 148-2012 to change the oversight agency for the 21c TIF from the Lexington Downtown Development Authority to LFUCG's Department of Finance and to execute a Letter of Agreement with the state related to the amendment. p. 19
- h 1206-13** Authorization to amend Ordinance No. 266-2008 to withdraw the Lexington Distillery District Incremental Tax Special Fund. (L1206-13) (Atkins)
This is a request to amend Ordinance No. 266-2008 to withdraw the Lexington Distillery District Incremental Tax Special Fund. The project was not activated within four (4) years of the commencement date as required by the state. p. 20



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 28, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
OF FEDERAL AND STATE FUNDS FROM THE KENTUCKY
EMERGENCY MANAGEMENT AGENCY UNDER THE
HAZARD MITIGATION GRANT PROGRAM FOR THE
VERSAILLES ROAD SHELTER**

On March 3, 2011 (Resolution No. 86-2011), Council approved the submission of an application prepared by the Division of Emergency Management/911 to the Kentucky Emergency Management Agency requesting federal funding from FEMA's (Federal Emergency Management Agency) Hazard Mitigation Grant Program for the following project:

Tornado Safe Room at Versailles Road Complex. These buildings are constructed of sheet metal on a concrete slab. Occupants cannot be protected in the event of a severe storm or tornado. Upon approval of federal funds, a pre-fabricated storm shelter will be purchased for installation on the property.

Total project cost is \$29,435. Federal award amount is \$22,076 (75%). The state agency will provide 12% or \$3,532. A local match of \$3,827 (13%) is required. Local match is budgeted in the Fiscal Year 2014 budget in account number 1101-505201-0001-78201.

Council authorization to accept award of federal and state funds is hereby requested.



Irene Gooding, Acting 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 29, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT
APPLICATION TO THE KENTUCKY EMERGENCY
MANAGEMENT AGENCY REQUESTING FEDERAL FUNDS
UNDER THE HAZARD MITIGATION GRANT PROGRAM FOR
WEATHER RADIO PROJECT**

The Division of Emergency Management/911 has prepared applications for submission to the Kentucky Emergency Management Agency requesting federal funding from FEMA's (Federal Emergency Management Agency) Hazard Mitigation Grant Program for the following project:

Weather Radio Project: This project proposes to equip all mobile homes located in a mobile home park in Fayette County with NOAA Weather All-Hazards radios, providing these residents with the opportunity to prepare themselves for severe weather. Eight mobile home parks in Fayette County have spaces for 1,355 mobile homes. Without sufficient warning, residents of mobile homes have a poor chance of surviving extreme winds. Total cost of radio project is \$54,200. Federal amount (75%) is \$40,650. State agency's share (12%) is \$6,504. Local match of \$7,046 (13%) is required. This amount of local match will be requested in the 2015 General Fund budget.

Council authorization to submit the application is hereby requested.



Irene Gooding, Director

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



Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Members of the Council

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

DATE: October 29, 2013

SUBJECT: Central Kentucky Economic Empowerment Project (CKEEP)

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

The LFUCG Department of Social Services provides program space for CKEEP at the Gainesway Community Center, and the program is staffed by volunteers. With the exception of incidental supplies, there is no fiscal impact to the LFUCG for the operation of this program.

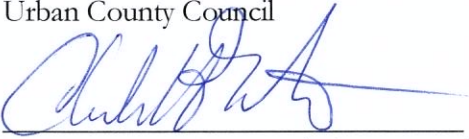


Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Jim Gray
Mayor

Charles H. Martin
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

From: 
Charles H. Martin, P.E., Acting Commissioner
Department of Environmental Quality & Public Works

Date: October 30, 2013

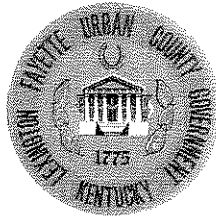
RE: Leased Space for Relocated Division of Water Quality Maintenance Operations – **Consent Decree**

The purpose of this memorandum is to request approval of a 48 month lease for property located at 951 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 TBW/WTP/PINK_2013). An accompanying budget amendment is directing 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: OCTOBER 31, 2013

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AGREEMENTS WITH KENTUCKY UTILITIES (\$84,824.18),
WINDSTREAM COMMUNICATIONS (\$252,108), KENTUCKY
AMERICAN WATER COMPANY (\$794,387.14), COLUMBIA GAS OF
KENTUCKY (\$145,561), AND TIME WARNER CABLE (\$141,282) FOR
UTILITY RELOCATION FOR SECTION II OF THE TODDS/LIBERTY
ROAD IMPROVEMENT PROJECT**

On October 24, 2013 (Resolution No. 581-2013), Council approved Supplemental Agreement No. 5 with the Kentucky Transportation Cabinet in the amount of \$1,954,000 for utility relocation for Section II of the Todds Road and Liberty Road Improvement Project. This section begins at 0.2 miles south of Andover Forest/Forest Hill Drive to Interstate 75, a total distance of approximately 1.5 miles.


Division of Engineering has negotiated agreements providing for the necessary removal, alterations or adjustments to its facilities to accommodate the proposed highway construction. LFUCG is responsible for a portion of the expense of relocating these utilities on private right of way. Kentucky Transportation has approved execution of these agreements.

Utility Company	Total Cost	LFUCG %	LFUCG Cost
Kentucky Utilities Company	192,782.23	44.00%	84,824.18
Windstream Communications	415,079.00	65.38%	252,108.00
Kentucky American Water Company	859,783.70	92.47%	794,387.14
Columbia Gas of Kentucky	159,207.00	91.43%	145,561.00
Time Warner Cable	141,282.00	100.00%	141,282.00
TOTAL COST OF LFUCG			1,418,162.32

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	BUD REF	PROJECT	ACTIVITY
3160	303202	3211	91715	2005	LIBERTYTD 2005	MS GRANT

Council authorization to execute utility relocation agreements with Kentucky Utilities Company, Windstream Communications, Kentucky American Water Company, Columbia Gas of Kentucky, and Time Warner Cable, is hereby requested.



Irene Gooding, Director

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



Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

TO: Jim Gray, Mayor
Members, Urban County Council

FROM: Department of Law

DATE: October 31, 2013

RE: Release of Easement
1000 Export Street

This memo is to request a Resolution authorizing the Mayor to sign a Release of Easement releasing a utility easement on property located at 1000 Export Street

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

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

Edward W. Gardner
Attorney Sr.

Enclosure

cc: Sally Hamilton, CAO
Council Office

RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT, made and entered into this the ____ day of _____, 20__, by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky, 40507, an Urban County Government pursuant to KRS 67A (hereinafter "Government" or "First Party"), and **SOUTH BROADWAY PLACE HOTEL ASSOCIATES, LLC** (hereinafter "Owner" or "Second Party");

WITNESSETH:

WHEREAS, through that certain Plat of Record dated May 23, 2003, of record in Plat Cabinet "L", Slide 951 in the Fayette County Clerk's Office, the Owner or Second Party acquired a 20' utility easement which encroaches into the building envelope of the standing hotel located at 1000 Export Street, Lexington, Kentucky 40504

WHEREAS, the existing 20' utility easement within the building envelope of the standing hotel is no longer required by the Government or First Party, and the Government or First Party desires to release and extinguish its interest in and to said easement.

NOW, THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, Government or First Party does hereby release, relinquish and quitclaim unto Owner or Second Party, its successors and assigns, all of its right, title and interest, if any, in and to that easement as described above and as shown on the exhibits attached.

IN WITNESS WHEREOF, the First Party or Government has hereby caused its corporate name to be affixed by its duly authorized officer, on this the day and year first above written.

LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT

Mayor

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by _____,
as _____ of Lexington-Fayette Urban County Government, an urban
county government pursuant to KRS 67A, on behalf of said government, on this ____ day
of _____, 20__.

My Commission expires: _____

NOTARY PUBLIC

IN WITNESS WHEREOF, the First Party or Government has hereby caused its corporate name to be affixed by its duly authorized officer, on this the day and year first above written.

LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT

Mayor

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by _____,
as _____ of Lexington-Fayette Urban County Government, an urban
county government pursuant to KRS 67A, on behalf of said government, on this ____ day
of _____, 20__.

My Commission expires: _____

NOTARY PUBLIC

IN WITNESS WHEREOF, the Owner or Second Party has hereby caused its corporate name to be affixed by its duly authorized officer, on this the day and year first above written.

SOUTH BROADWAY PLACE
HOTEL ASSOCIATES, LLC


David C. Wespiser, Managing Member

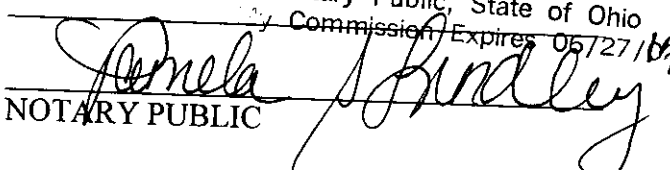
STATE OF Ohio

COUNTY OF Butler

The foregoing instrument was acknowledged before me by David C. Wespiser
as Managing Member of South Broadway Place Hotel Associates, LLC, on behalf of
said owner, on this 15 day of October, 2013.


My Commission expires:

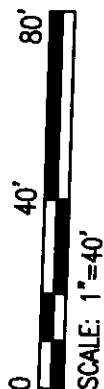


PAMELA S. LINDLEY
Notary Public, State of Ohio
Commission Expires 05/27/14

NOTARY PUBLIC

THIS INSTRUMENT
PREPARED BY:

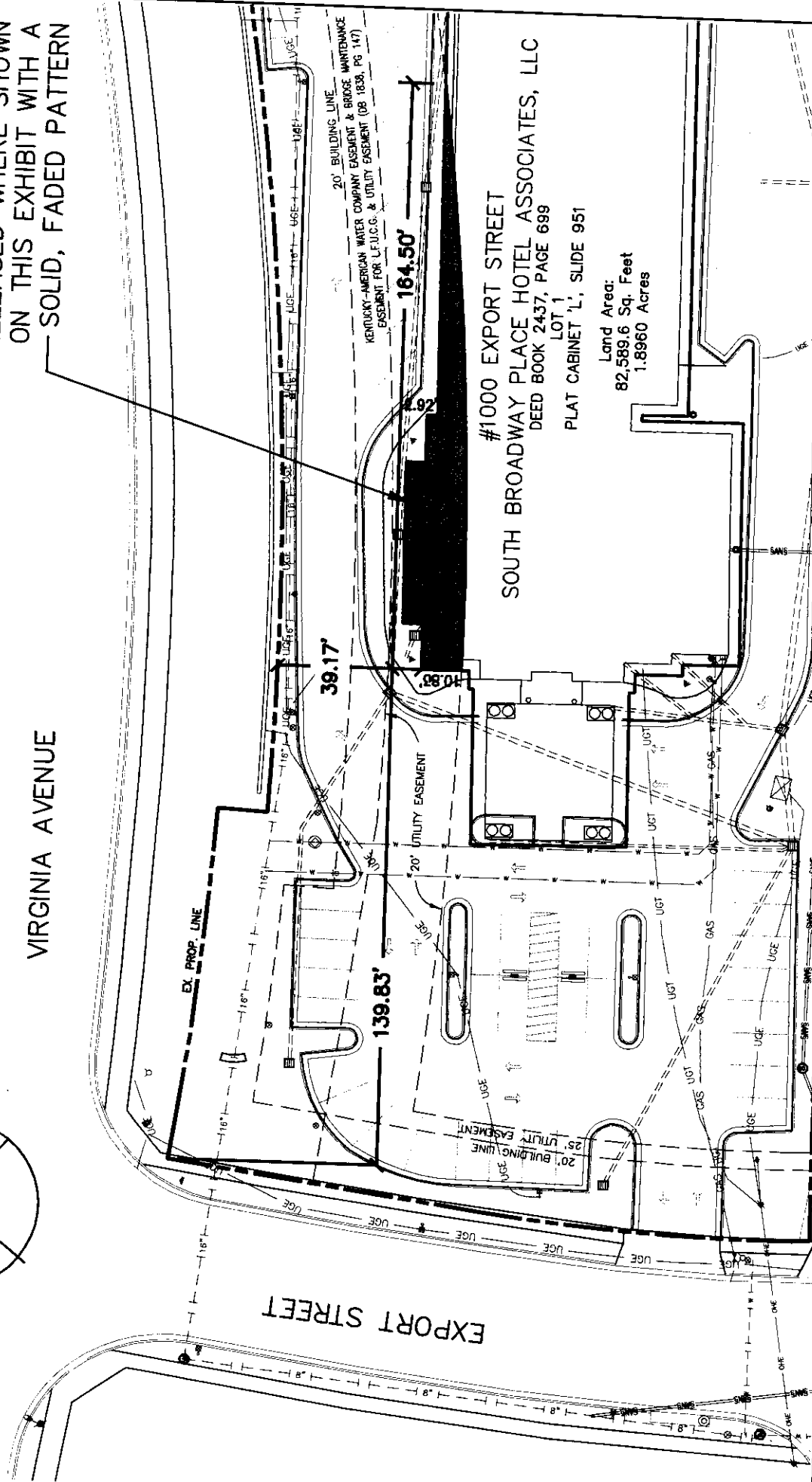
MILLIKIN & FITTON LAW FIRM
A Legal Professional Association

BY: 
Catherine L. Evans, Esq.
9032 Union Centre Boulevard, Suite 200
West Chester, Ohio 45069
(513) 863-6700



UTILITY EASEMENT WITHIN
THE BUILDING ENVELOPE TO
BE RELEASED WHERE SHOWN
ON THIS EXHIBIT WITH A
— SOLID, FADED PATTERN

VIRGINIA AVENUE



#1000 EXPORT STREET
SOUTH BROADWAY PLACE HOTEL ASSOCIATES, LLC
DEED BOOK 2437, PAGE 699
LOT 1
PLAT CABINET 'L', SLIDE 951

Land Area:
82,589.6 Sq. Feet
1.8960 Acres

UTILITY EASEMENT RELEASE AGREEMENT

S BROADWAY PLACE HOTEL ASSOC. LLC
1000 EXPORT STREET
LEXINGTON, KY 40504

Issue Date: July, 2013	
Drawn By:	
Checked By:	
Reviewed:	
Mark	Date
Drawn	

Project Number
13032.02

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EXHIBIT

OWNERSHIP OF INSTRUMENTS OF SERVICE
ALL REPORTS, DRAWINGS, SPECIFICATIONS, COMPUTER FILES, FIELD DATA, NOTES AND OTHER DOCUMENTS AND INSTRUMENTS PREPARED BY C&W, INC. AS INSTRUMENTS OF SERVICE SHALL REMAIN THE PROPERTY OF C&W, INC. C&W, INC. SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING THE

FAILURE TO ARISE BY DESIGN DOCUMENTS OR TO OBTAIN GUIDANCE

THE DESIGN PROFESSIONAL NAMES AND ALL RESPONSIBILITIES AND LAWS, RULES, REGULATIONS AND ORDINANCES WHICH ARISE FROM "FAILURE TO OBTAIN GUIDANCE" ARE THE SAME AS THOSE OF THE DESIGN PROFESSIONAL WHOSE DESIGN OR DESIGN PLAN, SPECIFICATIONS AND THESE DESIGN INTENT THEY CAMEY, OR FOR OTHER PROBLEMS WHICH ARISE FROM OTHERS' FAILURE TO OBTAIN AND/OR FOLLOW THE DESIGN PROFESSIONAL'S DESIGN OR DESIGN PLAN, SPECIFICATIONS, OR DESIGN INTENT TO ANY PROBLEMS, OMISSIONS, OR NEGLECTS, OR AMBIGUITIES OR CONFLICTS WHICH ARE ALLEGED.

CMW Inc.
1196-7
400 E. Waco, Ste. 400, Lexington, KY 40517



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Mayor Jim Gray
Lexington-Fayette Urban County Council

From: Kevin Atkins 
Chief Development Officer

Date: November 4, 2013

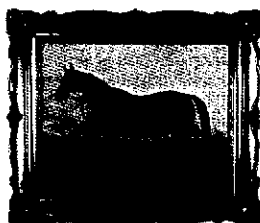
Subject: Amend Ordinance 148-2012 Changing The Oversight Agency For The 21C TIF

This is a request to amend Ordinance 148-2012 regarding the 21c Lexington Development Area to change the oversight agency to LFUCG's Department of Finance and to authorize the Commissioner of Finance to execute a letter of agreement with the state related to the amendment.

The original oversight agency was the Lexington Downtown Development Authority. The change is requested to bring uniformity to the oversight and management of TIF districts within the Lexington-Fayette Urban County Government.

FOLLOW MAYOR GRAY:

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



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

MEMORANDUM

TO: Jim Gray, Mayor
Urban County Council

FROM: Kevin Atkins, Chief Development Officer *KRA*
Mayor's Office

DATE: November 1, 2013

SUBJECT: Amend Ordinance No. 266-2008 withdrawing the Lexington Distillery District
Incremental Tax Special Fund

This is a request to withdraw the Lexington Distillery District Incremental Tax Special Fund approved by Ordinance 266-2008. The development area would remain in place for a possible revised application in the future. Early plans for the District have not materialized due to several factors since its approval by the Kentucky Economic Development Finance Authority (KEDFA).

Lexington Distillery District Development Area received final approval under the Blighted Redevelopment TIF program (KRS 154.30.060) in October 2009 from KEDFA. Original activation date for the Distillery District TIF was to be within two years of October 29, 2009 but the project has not been activated as of this date.

In August 2011 KEDFA, at the request of Lexington-Fayette Urban County Government, granted a two year extension to the Activation Date.

In May 2013 we requested an additional two year extension of the Activation Date for the Distillery District Development Area (TIF Project) to extend to August 25, 2015. In June we received notification that the request to extend the activation had been denied by KEDFA. The notice stated that the "commonwealth may extend the two year period to establish the activation date to no more than four (4) years. Internal discussions have taken place between senior decision makers in our Cabinet regarding the matter and arrived at the decision that an extension of time to establish the activation date shall be no longer than four (4) years from the commencement date or in the case of the Distillery District, October 29, 2013."

FOLLOW MAYOR GRAY:

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

**Neighborhood Development Funds
November 12, 2013
Work Session**

Amount	Recipient	Purpose
\$ 2,300.00	Traffic Engineering Repairs & Maintenance Account 1101-303602-3601-76101 Jim Woods	To fund the installation of flashing beacons for the crosswalk to Veterans Elementary School at Fiddler Creek and Clearwater Way.
\$ 400.00	Robert H. Williams Cultural Center, Inc. 644 Georgetown Street Lexington, KY 40508 Delphine Ridgeway	To provide assistance with their Centennial Celebration Banquet Fundraiser.
\$ 1,080.00	One World Films, Inc. 637 Lakeshore Drive Lexington, KY 40502 Annette Mayer	To assist with showing culturally enriching and diverse films for free to the general public.
\$ 310.00	Lansdowne Elementary School PTA, Inc. 336 Redding Road Lexington, KY 40517 Mary Beth Huffman	To provide assistance with the creation of an outdoor classroom.
\$ 1,175.00	Lansdowne Neighborhood Association, Inc. 3289 Bellefonte Drive Lexington, KY 40502 Sonny Wray	To provide assistance with improvements in Zandale Park.