

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, December 3, 2013

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
December 2 – December 9, 2013**

Monday, December 2

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

Tuesday, December 3

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

Planning & Public Works Committee – CANCELLED1:00 pm
Council Chamber – 2nd Floor Government Center

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

Christmas Parade.....6:30 pm
Downtown Lexington

Wednesday, December 4

No Meetings

Thursday, December 5

Corridors Commission Maintenance Sub-Committee.....1:30 pm
Conference Room – 5th Floor Government Center

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

Friday, December 6

Senior Services Commission.....8:30 am
Bluegrass Area Development District – 699 Perimeter Drive

Bicycle Pedestrian Advisory Committee.....12:00 pm
Conference Room – 7th Floor Phoenix Building

Monday, December 9

Time Warner Cable Public Hearing.....6:00 pm
Council Chamber – 2nd Floor Government Center

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
November 19, 2013**

Mayor Gray called the meeting to order at 3:00pm. Council Members Gorton, Ellinger, Kay, Ford, Akers, Beard, Farmer, Stinnett, Scutchfield, Myers, Mossotti, Henson and Clarke were present. Council Members Lawless and Lane were absent.

I. Public Comment – Issues on Agenda – No

II. Requested Rezoning / Docket Approval – Yes

Motion by Farmer to approve the docket for the November 21, 2013 council meeting. Seconded by Ellinger. Motion passed without dissent.

Motion by Gorton to place on the docket for the November 21, 2013 council meeting an ordinance adopting a schedule of meetings for the Council for the calendar year 2014. Seconded by Akers. Motion passed without dissent.

III. Approval of Summary – Yes

Motion by Beard to approve the November 12, 2013 work session summary. Seconded by Farmer. Motion passed without dissent.

IV. Budget Amendments – Yes

Motion by Farmer to approve budget amendments. Seconded by Clarke. Motion passed without dissent

V. New Business – Yes

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

VI. Continuing Business / Presentations – Yes

Motion by Stinnett to approve neighborhood development funds. Seconded by Mossotti. Motion passed without dissent.

Motion by Farmer to ask planning to bring the proposed text amendment to not allow private streets in residential subdivisions back to the Planning and Public Works Committee for approval and conversation. Seconded by Kay. Motion passed without dissent.

Motion by Farmer to approve the revised B1 Zoning Ordinance Text Amendment which amends articles 1, 8 and 12. Seconded by Clarke. Motion passed without dissent.

Motion by Kay to place the approval of qualified adult benefits on the November 21, 2013 council meeting docket. Seconded by Gorton. Motion passed without dissent.

Motion by Kay to place the authorization of the audit on employee dependents on the November 21, 2013 council meeting docket. Seconded by Gorton. Motion passed without dissent.

Motion by Gorton that the make-up of the proposed Economic Development Investment Board structure be changed include the Council Member who chairs the Budget & Finance committee and the Council Member who chairs the Economic Development committee. Seconded by Scutchfield. Motion passed without dissent.

Motion by Myers to place development entities (UPTECH, St. Louis and IMEP, etc.) and the work they are doing into the Economic Development Committee. Seconded by Ellinger. Motion passed without dissent.

VII. Council Reports – Yes

Motion by Henson to place into the Public Safety committee to the staffing level at community corrections and the inmate to correction officer ratio. Seconded by Mossotti. Motion passed without dissent.

Motion by Stinnett to place in the Public Safety committee for January 2014 the Division of Police staffing plan. Seconded by Beard. Motion passed without dissent.

VIII. Mayor's Report – Yes

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

IX. Public Comment – Issues Not on Agenda – No

X. Adjournment

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

**Lexington-Fayette Urban County Government
Work Session Agenda
December 3, 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. 12 - 13**
- V. New Business – Yes, p. 14 - 55**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds, December 3, 2013, p. 56
 - b** Public Safety Committee Summary, November 5, 2013, p. 57 - 62
 - c** Environmental Quality Committee Summary, November 12, 2013, p. 63 - 66
 - d** Planning & Public Works Committee Summary, November 12, 2013, p. 67 - 73
- VII. Council Reports**
- VIII. Mayor's Report – No**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a** **1238-13** Authorization to execute agreement with the Fayette County Sheriff related to property tax collection. (L1238-13) (O'Mara)
This is a request to execute agreement with the Fayette County Sheriff related to property tax collection. LFUCG shall pay the sum of \$350,000 for the ad valorem urban services tax collection being provided. The Sheriff will report this sum as commissions and LFUCG in turn shall receive the 25% payment from the state on the Sheriff's commission in the amount of \$87,500. p. 14
- b** **1241-13** Authorization to execute agreement with The University of Kentucky Research Foundation awarding a Class B (Education) Stormwater Quality Projects Incentive Grant. (L1241-13) (Martin)
This is a request to execute agreement with The University of Kentucky Research Foundation awarding a Class B (Education) Stormwater Quality Projects Incentive Grant for a total cost not to exceed \$22,299. Funds are budgeted. p. 15
- c** **1242-13** Authorization to purchase a replacement Bryan Boiler from TMI Sales (a sole source provider). (L1242-13) (Ballard/Mason)
This is a request to purchase a replacement Bryan Boiler from TMI Sales (a sole source provider) for an amount of \$31,947 to replace the boiler that was destroyed by fire in August 2013. Funds are budgeted. p. 16
- d** **1246-13** Authorization to execute Lease Agreement with Council of Three Rivers American Indian Center, Inc. / WIA Indian and Native American Employment and Training for office space located at 1055 Industry Road within the Central Kentucky Job Center. (L1246-13) (Reed)
This is a request to execute Lease Agreement with Council of Three Rivers American Indian Center, Inc. / WIA Indian and Native American Employment and Training for office space located at 1055 Industry Road within the Central Kentucky Job Center. The rental rate (revenue) is \$1,168.20 per year (\$876.15 for FY 2014). p. 17-18
- e** **1254-13** Authorization to execute amendment to agreement with Greenhouse17 (formerly known as Bluegrass Domestic Violence Program) for services to be provided under the Lexington-Fayette Urban County Government Arrest and Enforcement Project. (L1254-13) (Gooding/Mason)

This is a request to execute amendment to agreement with Greenhouse17 (formerly known as Bluegrass Domestic Violence Program) for an amount of \$7,080 for services to be provided under the Lexington-Fayette Urban County Government Arrest and Enforcement Project. This increase brings the new award amount to \$56,480. Funds are budgeted. p. 19

- f 1265-13** Authorization to accept Deeds of Easement and property acquisition for the Leestown West Pump Decommissioning gravity line on property located at 256 and 157 Venture Court. (L1265-13) (Martin)
This is a request to accept Deeds of Easement and property acquisition for the Leestown West Pump Decommissioning gravity line on property located at 256 and 157 Venture Court. There is no budgetary impact. p. 20-31
- g 1266-13** Authorization to execute a License Agreement with Lexington Center Corporation for the 2014 MLK Day Celebration to be held on January 20, 2014. (L1266-13) (Emmons)
This is a request to execute a License Agreement with Lexington Center Corporation for the 2014 MLK Day Celebration to be held on January 20, 2014, for an estimated cost of \$8,400. Funds are budgeted. p. 32
- h 1272-13** Authorization to execute renewal agreement with Emerson Network Power for service of the uninterruptible power system that backs up Communications and Police Headquarters. (L1272-13) (Bastin/Mason)
This is a request to execute renewal agreement with Emerson Network Power (a sole source vendor) for an amount of \$10,230 for service of the uninterruptible power system that backs up Communications and Police Headquarters for the one (1) year period December 2013 - December 2014. Funds are budgeted. p. 33
- i 1274-13** Authorization to execute Assistance Agreement with Kentucky Infrastructure Authority for a low-interest (1.75%) loan related to the Bundle 1 - Trunk Sewer Replacement Projects. (L1274-13) (Martin)
This is a request to execute Assistance Agreement with Kentucky Infrastructure Authority for a \$10,194,421 low-interest (1.75%) loan related to the Bundle 1 - Trunk Sewer Replacement Projects. p. 34
- j 1275-13** Authorization to execute Assistance Agreement with Kentucky Infrastructure Authority for a low-interest (1.75%) loan related to the Bundle 3 - Storm Water Improvement Projects. (L1275-13) (Martin)

This is a request to execute Assistance Agreement with Kentucky Infrastructure Authority for a \$4,657,640 low-interest (1.75%) loan related to the Bundle 3 - Storm Water Improvement Projects. p. 35

- k** **1277-13** Authorization to execute Assistance Agreement with Kentucky Infrastructure Authority for a low-interest (1.75%) loan related to the Expansion Area 2A Pump Station and Force Main Project. (L1277-13) (Martin)
This is a request to execute Assistance Agreement with Kentucky Infrastructure Authority for a \$6,000,000 low-interest (1.75%) loan related to the Expansion Area 2A Pump Station and Force Main Project. p. 36
- l** **1279-13** Authorization to accept award from the Kentucky Office of Homeland Security for public safety dive team equipment under the 2013 State Homeland Security Grant Program for the Division of Fire and Emergency Services. (L1279-13) (Gooding/Mason)
This is a request to accept award in the amount of \$30,000 from the Kentucky Office of Homeland Security for public safety dive team equipment under the 2013 State Homeland Security Grant Program for the Division of Fire and Emergency Services. No matching funds are required. Budget amendment in process. p. 37
- m** **1280-13** Authorization to execute Clinical/Practical Education Agreement with Eastern Kentucky University College of Health Sciences. (L1280-13) (Mason)
This is a request to execute Clinical/Practical Education Agreement with Eastern Kentucky University College of Health Sciences relative to a master's degree level nursing student who will be working with the LFUCG Heroin Task Force. There is no budgetary impact. p. 38
- n** **1281-13** Authorization to execute an Interlocal Cooperation Contract with the State of Texas to allow public entities outside of Texas to purchase information resources technologies through DIR Contracts which were competitively bid and awarded. (L1281-13) (Slatin/O'Mara)
This is a request to execute an Interlocal Cooperation Contract with the State of Texas to allow public entities outside of Texas to purchase information resources technologies through DIR Contracts which were competitively bid and awarded. There is no budgetary impact. p. 39

- o** **1284-13** Authorization to accept award from the Kentucky Office of Homeland Security for water and dive operation boat under the 2013 State Homeland Security Grant Program for the Division of Fire and Emergency Services. (L1284-13) (Gooding/Mason)
 This is a request to accept award in the amount of \$48,000 from the Kentucky Office of Homeland Security for water and dive operation boat under the 2013 State Homeland Security Grant Program for the Division of Fire and Emergency Services. No matching funds are required. Budget amendment in process.
 p. 40
- p** **1285-13** Authorization to execute agreement with Professional Recovery Consultants, Inc. ("PRC") to provide collection services of various overdue accounts. (L1285-13) (Cook/O'Mara)
 This is a request to execute agreement with PRC to provide collection services of various overdue accounts. There is no direct cost to LFUCG as PRC will be compensated at a contingency rate of 17.85% of amounts actually collected. p. 41
- q** **1286-13** Authorization to approve General Term Order (GTO) for 2014 for the Fayette County Clerk and the Fayette County Sheriff as required for the expenditures of these offices to be processed by the Department of Local Government. (L1286-13) (O'Mara)
 This is a request to approve General Term Order (GTO) for 2014 for the Fayette County Clerk and the Fayette County Sheriff as required for the expenditures of these offices to be processed by the Department of Local Government. There is no budgetary impact. p. 42
- r** **1287-13** Authorization to execute agreement with Windstream for co-location of telecommunication services and support related to the Central Kentucky 911 Network (CKy911net) managed by LFUCG. (L1287-13) (Mason)
 This is a request to execute agreement with Windstream for co-location of telecommunication services and support related to CKy911net managed by LFUCG. The impact for FY 2014 is \$68,000. Funds are budgeted. p. 43
- s** **1290-13** Authorization to execute subrecipient agreements with various organizations approved for funding under the Memorandum of Agreement (MOA) with the Attorney General of Kentucky for use of national foreclosure settlement funds. (L1290-13) (Gooding/Hamilton)

This is a request to execute subrecipient agreements with various organizations approved for funding under the MOA with the Attorney General of Kentucky for use of national foreclosure settlement funds. Funds in the amount of \$400,000 are budgeted. p. 44

- t 1292-13** Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Safety Officer (Grade 108N) and creating one (1) position of School Crossing Guard Coordinator (Grade 111N). (L1292-13) (Maxwell/Graham)
This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Safety Officer (Grade 108N) and creating one (1) position of School Crossing Guard Coordinator (Grade 111N). The impact for FY 2014 (13 pay periods) will be a cost savings of \$2,934. p. 45
- u 1293-13** Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Director Enhanced 911 (Grade 119E) and creating one (1) position of Director Enhanced 911 (Grade 122E). (L1293-13) (Maxwell/Graham)
This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Director Enhanced 911 (Grade 119E) and creating one (1) position of Director Enhanced 911 (Grade 122E). The impact for FY 2014 (13 pay periods) will be a cost savings of \$3,476. p. 46
- v 1294-13** Authorization to amend Sections 21-5 and 22-5 of the Code of Ordinances by abolishing one (1) position of Attorney (Grade 117E), abolishing one (1) position of Staff Assistant Sr. (Grade 108N) and creating one (1) position of Attorney Sr. (Grade 121E) in the Department of Law. (L1294-13) (Maxwell/Graham)
This is a request to amend Sections 21-5 and 22-5 of the Code of Ordinances by abolishing one (1) position of Attorney (Grade 117E), abolishing one (1) position of Staff Assistant Sr. (Grade 108N) and creating one (1) position of Attorney Sr. (Grade 121E) in the Department of Law. The impact for FY 2014 (13 pay periods) will be a cost savings of \$8,940. p. 47
- w 1301-13** Authorization to establish Ops-Core, Inc., as a sole source provider contract for purchase of FAST ballistic helmets and up-armor side covers for a period of one year. (L1301-13) (Gooding/Mason)
This is a request to establish Ops-Core, Inc., as a sole source provider contract for purchase of FAST ballistic helmets and up-armor side covers for a period of one year. There is no budgetary impact. p. 48

- x 1304-13** Authorization to accept award from the Kentucky Office of Homeland Security for the Hazardous Devices Unit under the 2013 State Homeland Security Grant Program in the Division of Police. (L1304-13) (Gooding/Mason)
This is a request to accept award in the amount of \$86,000 from the Kentucky Office of Homeland Security for the Hazardous Devices Unit under the 2013 State Homeland Security Grant Program in the Division of Police. No local match is required. Budget amendment in process. p. 49
- y 1308-13** Authorization to amend Sections 21-5 of the Code of Ordinances by abolishing one (1) position of Fleet Operations Supervisor (Grade 115E) and creating one (1) position of Administrative Officer (Grade 118E) in the Division of Facilities & Fleet Management, effective upon passage of Council. (L1308-13) (Maxwell/ Reed)
This is a request to amend Sections 21-5 of the Code of Ordinances by abolishing one (1) position of Fleet Operations Supervisor (Grade 115E) and creating one (1) position of Administrative Officer (Grade 118E) in the Division of Facilities & Fleet Management, effective upon passage of Council. The impact for FY2014 (13 pay periods) is a cost of \$4,451 funded from the Division's Vehicle Repairs & Maintenance account. p. 50
- z 1309-13** Authorization to designate AK Associates as the sole source vendor for expansion and service of the current 9-1-1 system supporting the Central Kentucky 911 Network (CKy911net), managed by LFUCG. (L1309-13) (Mason)
This is a request to designate AK Associates as the sole source vendor for expansion and service of the current 9-1-1 system supporting the CKy911net, managed by LFUCG. The cost for FY 2014 is not to exceed \$150,000 and will be offset by partnering agencies individual payments and E-911 Fund revenues. Funds are budgeted. p. 51
- aa 1311-13** Authorization to execute agreement awarding a Class B (Education) Stormwater Quality Projects Incentive Grant to the Living Arts and Science Center, Inc. (L1311-13) (Martin)
This is a request to execute agreement awarding a Class B (Education) Stormwater Quality Projects Incentive Grant to the Living Arts and Science Center, Inc., for an amount not to exceed \$33,751. Funds are budgeted. p. 52
- bb 1314-13** Authorization to receive a donation of a donation from the Friends of the Lexington Mounted Police (FOLMP) in regards to a donation of two (2) gooseneck 4-Star horse trailers for the Lexington Division of Police, Mounted Unit. (L1314-13) (Bastin/Mason)

This a request to receive a donation of a donation from the Friends of the Lexington Mounted Police (FOLMP) in regards to a donation of two (2) gooseneck 4-Star horse trailers for the Lexington Division of Police, Mounted Unit. Value of donated items is \$21,250. There is no budgetary impact. p. 53

- cc** **1316-13** Authorization to approve an ordinance establishing a Downtown Lexington Management District. (L1316-13) (Atkins)
 This is a request to approve an ordinance establishing a Downtown Lexington Management District for the purpose of enhancing and promoting the downtown environment. The management district would focus on services that go above and beyond what the LFUCG is able to provide. There is no budgetary impact. p. 54
- dd** **1317-13** Authorization to amend Neighborhood Action Match Agreement with Hill-n-Dale Neighborhood Association. (L1317-13) (Gooding/Hamilton)
 This is a request to amend Resolution 25-2013 to extend the completion date of the project to December 31, 2014. There is no budgetary impact. p. 55

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

11

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
1292-13	73907	Police	To provide funds for one position of School Crossing Guard Coordinator (111N) by abolishing one position of Safety Officer (108N). 1101 2,934.00CR 2,934.00CR
1293-13	73909	Emergency Management/ Enhanced 911	To provide funds for one position of Director Enhanced 911 (122E) by abolishing one position of Director Enhanced 911 (119E). 4204 348.00 4204 3,477.00CR 3,129.00CR
1293-13	73910	Emergency Management/ Enhanced 911	To adjust payroll recovery for reclassification of Director Enhanced 911 from Grade 119E to Grade 122E. 1101 348.00CR 348.00CR
1294-13	73913	Law	To provide funds for one position of Attorney Senior (121E) by abolishing one position of Staff Assistant Senior (108N) and one position of Attorney (117E). 1101 19,463.00 1101 28,403.00CR 8,940.00CR
1308-13	74020	Facilities and Fleet Management	To provide funds for one position of Administrative Officer (118E) by abolishing one position of Fleet Operations Supervisor (115E). 1101 4,451.00 1101 4,451.00CR .00

EFFECT ON FUND BALANCES

FUND 1101	12,222.00	INCREASE TO:	GENERAL SERVICES DISTRICT FUND
FUND 4204	3,129.00	INCREASE TO:	ENHANCED 911 FUND

BUDGET AMENDMENT REQUEST LIST

JOURNAL	73988	DIVISION	Social Services Administration	Fund Name	General Fund
				Fund Impact	13,000.00
					13,000.00CR
					.00

To provide funds for custodial services for the remainder of fiscal year for the Family Care Center.

JOURNAL	74000-01	DIVISION	Streets and Roads	Fund Name	General Fund
				Fund Impact	1,028.00
					1,028.00CR
					.00

To provide funds for professional services for weather radar to provide a more site specific detailed forecast by recognizing revenues received.

JOURNAL	74029-30	DIVISION	Streets and Roads	Fund Name	General Fund
				Fund Impact	1,145.62
					1,145.62CR
					.00

To provide funds for overtime by recognizing reimbursement for overtime worked during the Japan Summer Festival.

JOURNAL	CB00000118	DIVISION	Engineering	Fund Name	General Fund
				Fund Impact	7,040.00
					7,040.00CR
					.00

To provide funds for part-time temporary Clerk (Grade 0Z11) in Engineering by reducing funds for one vacant Engineering Bonds Officer (Grade 111N).

JOURNAL	73994	DIVISION	Grants and Special Projects	Fund Name	US Department of HUD
				Fund Impact	646.49
					646.49CR
					.00

To amend Emergency Solutions 2012 to reflect actual expenditures.

JOURNAL	73997	DIVISION	Grants and Special Projects	Fund Name	US Dept of Transportation
				Fund Impact	7,095.28
					7,095.28CR
					.00

To amend Motor Carrier Safety Assistance Program (MCSAP) 2013 to reflect actual expenditures.

JOURNAL	73991-92	DIVISION	Grants and Special Projects	Fund Name	US Dept of Homeland Sec
				Fund Impact	30,000.00
					30,000.00CR
					.00

To establish grant budget for State Homeland Security Dive Team.

JOURNAL	73996	DIVISION	Grants and Special Projects	Fund Name	US Dept of Homeland Sec
				Fund Impact	5,681.28 5,681.28CR .00

To amend Chemical Stockpile Emergency Preparedness Program (CSEPP) 2011 to reflect actual expenditures.

JOURNAL	74027-28	DIVISION	Grants and Special Projects	Fund Name	US Dept of Homeland Sec
				Fund Impact	86,000.00 86,000.00CR .00

To establish grant budget for State Homeland Security - Police 2014.

JOURNAL	74031-32	DIVISION	Grants and Special Projects	Fund Name	US Dept of Homeland Sec
				Fund Impact	48,000.00 48,000.00CR .00

To establish grant budget for State Homeland - Fire 2014.

JOURNAL	74033	DIVISION	Grants and Special Projects	Fund Name	US Dept of Homeland Sec
				Fund Impact	23,600.00 23,600.00CR .00

To amend Chemical Stockpile Emergency Preparedness Program (CSEPP) 2012 to provide for EOC and JIC computer replacement project, the purchase of AM radio highway advisory signs, and additional public outreach projects.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	.00
Fund	3120	US Department of Housing & Urban Development	.00
Fund	3160	US Department of Transportation	.00
Fund	3200	US Department of Homeland Security	.00



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE

Jim Gray
Mayor

William O'Mara
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: William O'Mara, Commissioner
Department of Finance & Administration

DATE: November 11, 2013

SUBJECT: Fayette County Sheriff – 2013 Urban Service Property Tax

Approval is requested for the attached agreement between the Lexington-Fayette Urban County Government and the Fayette County Sheriff related to property tax collection.

The Lexington-Fayette Urban County Government shall pay the Sheriff the sum of \$350,000 for the ad valorem urban services tax collection services being provided; said sum is to be considered a commission paid for the collection of taxes. The sum shall be payable as follows: \$190,000 on or before November 9, 2013; \$100,000 on or before December 14, 2013; and \$60,000 on or before January 11, 2014. The parties understand and agree that the Sheriff will report this sum as commissions subject to KRS 64.350(1) and the Government in turn shall receive the twenty-five (25%) payment from the state on the Sheriff's commission, pursuant to KRS 64.350(1), in the amount of \$87,500.

I am available if you have additional questions.

/lyb




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

Jim Gray
Mayor

Charles H. Martin, P.E.
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

From: 
Charles H. Martin, P.E., Acting Commissioner

Date: November 8, 2013

Re: Requesting authorization to execute an agreement awarding a Class B (Education) Stormwater Quality Projects Incentive Grant to The University of Kentucky Research Foundation, at a total cost not to exceed \$22,299.00.

The grant application of The University of Kentucky Research Foundation was reviewed and recommended by the Water Quality Fees Board at its July 11, 2013 meeting. Funding is provided by revenue from the Water Quality Management Fee and is fully budgeted and available in the Fund:

4052 303204 3373 78112 WQINCENTIVE_14 WQ_GRANT 2014

This grant requires a minimum 50% cost share by the grant recipient above the first \$2,500. The Grant Award Agreements require the Mayor's signature.

Grant Project Description

The project involves the design and installation of a rain garden, curriculum and implementation which incorporates the rain garden for undergraduate and graduate students, and monitoring of the rain garden.

Questions regarding this agreement should be directed to Christopher Dent at 859-425-2521.

Attachment

Pc: Ed Gardner, Department of Law
Julie Mantrom, Division of Water Quality
Susan Plueger, P.E., Division of Water Quality



Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

To: Sally Hamilton, CAO
Mayor Jim Gray
Councilmembers

From: Rodney Ballard, Director *RB*
Division of Community Corrections

Date: November 14, 2013

Subject: Approval of Purchase of Replacement Bryan Boiler from TMI Sales

Requesting approval of the purchase of a replacement Bryan Boiler from TMI Sales. This is to replace the boiler that was destroyed by fire in August 2013. TMI Sales is the sole source provider for Bryan Boilers in the state of Kentucky. At the recommendation project manager Roger Cunningham we are only ordering the boiler portion since the heating box is not damaged and can be reused.

Funds are fully budgeted in 6021-160906-001-73204 Claims_2014.

cc: Clay Mason, Commissioner
Department of Public Safety



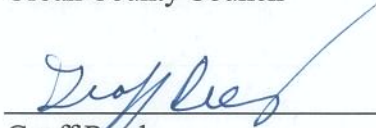
Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

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: November 12, 2013

RE: Lease Agreement with Council of Three Rivers American Indian Center, Inc. / WIA Indian and Native American Employment and Training for space within Central Kentucky Job Center at 1055 Industry Road.

I am requesting Urban County Council approval to enter into a lease agreement with Council of Three Rivers American Indian Center, Inc. / WIA Indian and Native American Employment and Training for space located at 1055 Industry Road within the Central Kentucky Job Center. The area is located on the first floor of the building and consists of approximately 111 s/ft of office space. Their mission within this facility is to assist individuals to gain employment.

The initial term of this agreement will be for a period of nine (9) months, beginning October 1, 2013 and ending on June 30, 2014 with an option of automatic annual renewal for four (4) additional one (1) year terms. The organization shall pay Fair Market Value for use of the space at a rental rate of \$1,168.20 per year.

LEASE AGREEMENT OVERVIEW

Occupant: Council of Three Rivers Indian Center, Inc. / WIA Indian and Native American Employment and Training

Location: Central Kentucky Job Center

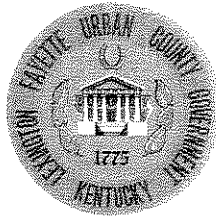
Address: 1055 Industry Road

OVERVIEW	
S/ft of space occupied	111
S/ft of shared space (occupant's pro-rata share)	0
Total S/ft	111
Annual pro-rata share of utilities, O&M and CIP (approx. \$3.10 S/ft)	\$344.10
Annual base (approx. \$7.43 S/ft)	\$824.10
Established Annual Fair Market Value (\$/ft)	\$10.53
Annual Fair Market Value (FMV) of Space	\$1,168.20
Recommended Annual Adjustment to FMV	-\$0.00
RECOMMENDED ANNUAL RENTAL RATE	\$1,168.20
Current annual rental rate	\$0.00
Difference	\$1,168.20

JUSTIFICATION FOR WAIVER

Commissioner Beth Mills recommends that Council of Three Rivers Indian Center, Inc. / WIA Indian and Native American Employment and Training pay Fair Market Value for use of the space.

- Agency has been located on the first floor of the facility for a number of years.
- Their mission within this facility is to assist individuals gain employment.
- Commonwealth of Kentucky Department for Employment Services and other like agencies are located within the facility



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: NOVEMBER 15, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AMENDMENT
TO AGREEMENT WITH GREENHOUSE17 (FORMERLY KNOWN AS
BLUEGRASS DOMESTIC VIOLENCE PROGRAM) FOR SERVICES TO
BE PROVIDED UNDER THE LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT ARREST AND ENFORCEMENT PROJECT**

On October 27, 2011 (Resolution 478-2011), Council approved acceptance of federal funds from the U.S. Department of Justice, Office on Violence Against Women for the Lexington-Fayette Urban County Government Arrest and Enforcement Project, and execution of a subrecipient agreement with Bluegrass Domestic Violence Program (now known as GreenHouse17) for the provision of mental health services for victims of domestic violence and the employment of a part-time victim advocate.

With the approval of the Office on Violence Against Women, the Agreement has been amended to provide Greenhouse17 with supplementary funds for an extended period of performance to provide additional services to victims of domestic violence. New award amount is \$56,480 with an expiration date of December 31, 2013.

Funds are in process of being budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY
3140	900304	0001	71101	ARREST 2012	2012	FED GRANT

Council authorization to execute the Amendment to Agreement with GreenHouse17 is hereby requested.


Irene Gooding, Director

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



Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Gray
Mayor

Charles Martin, PE
Acting Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM: Charles Martin, P.E., Director *Ch Martin*
Division of Water Quality

DATE: November 13, 2013

SUBJECT: Leestown West Pump Station Decommissioning
Property Acquisition for New Gravity Line

The purpose of this memorandum is to request a resolution authorizing the acceptance of Deeds of Easement and property acquisition for the Leestown West Pump Station Decommissioning gravity line.

This project will allow the LFUCG to decommission and remove the Leestown West pump station and replace it with approximately 350 feet of 8" gravity line. The subject acquisitions will provide the sanitary sewer easements to construct the new gravity line.

The two sanitary sewer easements are located at:

156 Venture Court – Owned by the Switzer Family Ltd. Venture
157 Venture Court – Owned by West Suburban Industrial Park

There is no cost to the LFUCG for these two easements.

Memorandum's of Understanding and related exhibits are attached.

If you have any questions or need additional information, please let us know.

C: Steve Farmer, PE

Lexington Fayette Urban County Government
Department of Environmental Quality and Public Works
Division of Water Quality

MEMORANDUM OF UNDERSTANDING

County: FAYETTE	Item No.	Parcel No.
Project No:	Project Name: Leestown West Pump Station Decommission	Property Address: 157 Venture Court

Property Owner(s): Switzer Family Ltd. Venture
811 Corporate Drive, Suite 303
Lexington, Kentucky 40503

This Memorandum of Understanding contains all the representations and agreements made between the parties hereto and upon which they relied in completing the proposed transaction. The deed conveys a permanent and a temporary construction easement as shown on the attached Exhibit A (15' proposed sanitary sewer easement), Exhibit B (40' temporary construction easement), and the legal description for the proposed sanitary sewer easement and the temporary construction easement. There shall be no compensation for the easements.

The temporary construction easement within this agreement is for the sole purpose of providing the LFUCG contractor and/or sub-contractor the necessary area to accomplish their work. The temporary construction easement does not include rights for utility relocations outside of the right-of-way limits. Any property that is disturbed will be restored to as good a condition or better than when the construction began. The temporary easement shall terminate at the completion of the project.

Access to the rear of the property shall be maintained at all times. The LFUCG shall be responsible for repairing any disturbed areas within the construction easement. The existing asphalt pavement shall be replaced as shown on Exhibit C. The existing pavement shall be saw-cut and removed and replaced with a pavement section of 9" dense graded aggregate, 2" of bituminous base, and 1" of bituminous surface. A longitudinal edge key shall be provided along the saw-cut pavement. The LFUCG shall be responsible for repairing any portions of the parking lot or sewer trench that settle within one year as a result of the project. The LFUCG shall be responsible for any damaged pavement as a result of future maintenance or repairs to the sewer line or manholes.

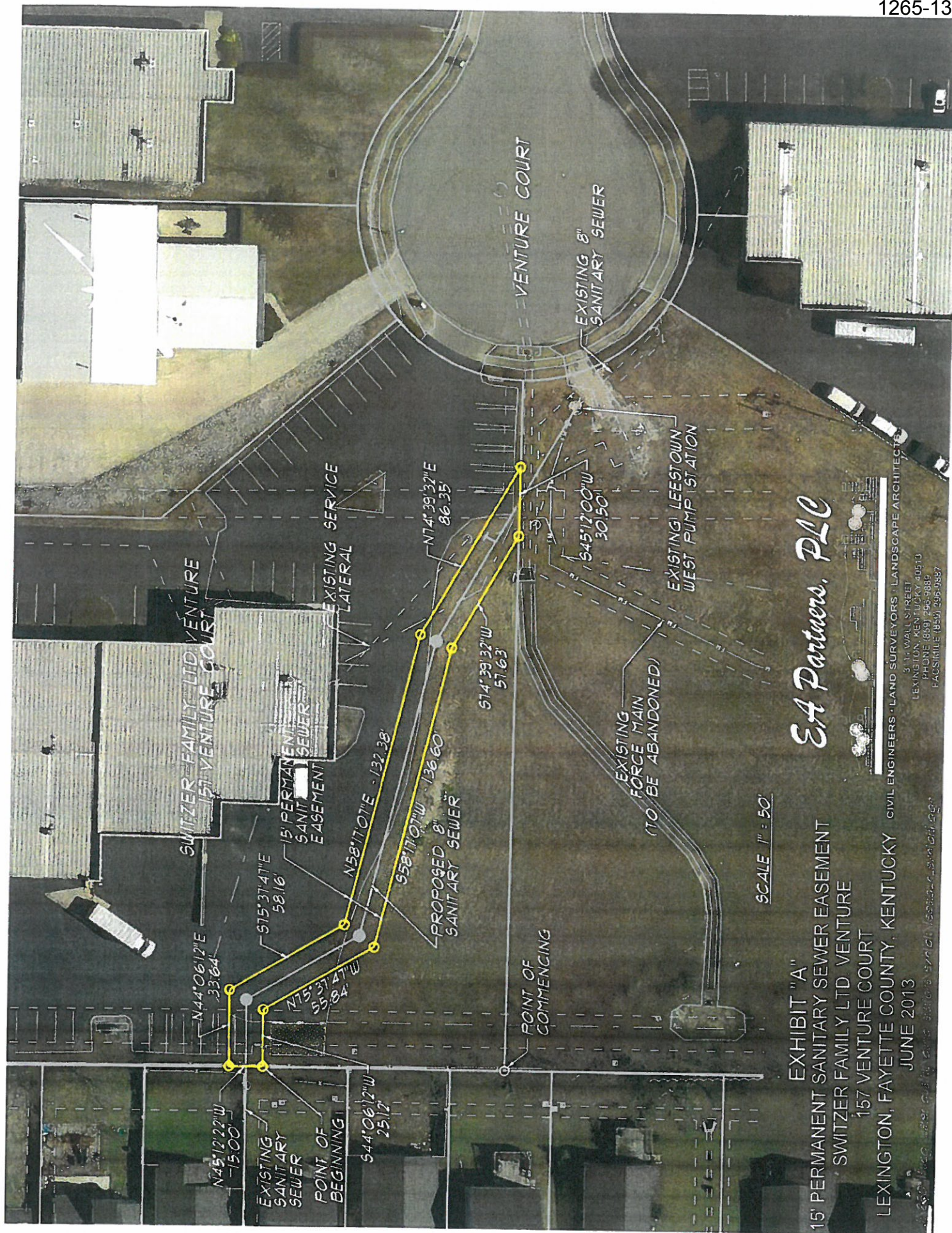
The LFUCG requests permission to access the property, within the temporary construction easement, for the purposes of performing rock soundings associated with a Geotechnical Investigation.

This Memorandum of Understanding, together with the Construction Plans, the Deed of Conveyance and any other documents referenced in these instruments, represent all the terms and conditions of the agreement between the Lexington-Fayette Urban County Government and the Property Owner(s), which was reached without coercion, threats or other promises by either party.

By their signature on this document, the agent representing the Lexington Fayette Urban County Government certifies that they have no direct, indirect, present or contemplated interest in this property and in no way will benefit from this acquisition.

This Memorandum of Understanding was signed this _____ day of _____, 2013

Signature of agent(s) for Lexington Fayette Urban County Gov.		Signature of Property Owner(s)



EA Partners, PLLC

SCALE 1" = 50'

EXHIBIT "A"

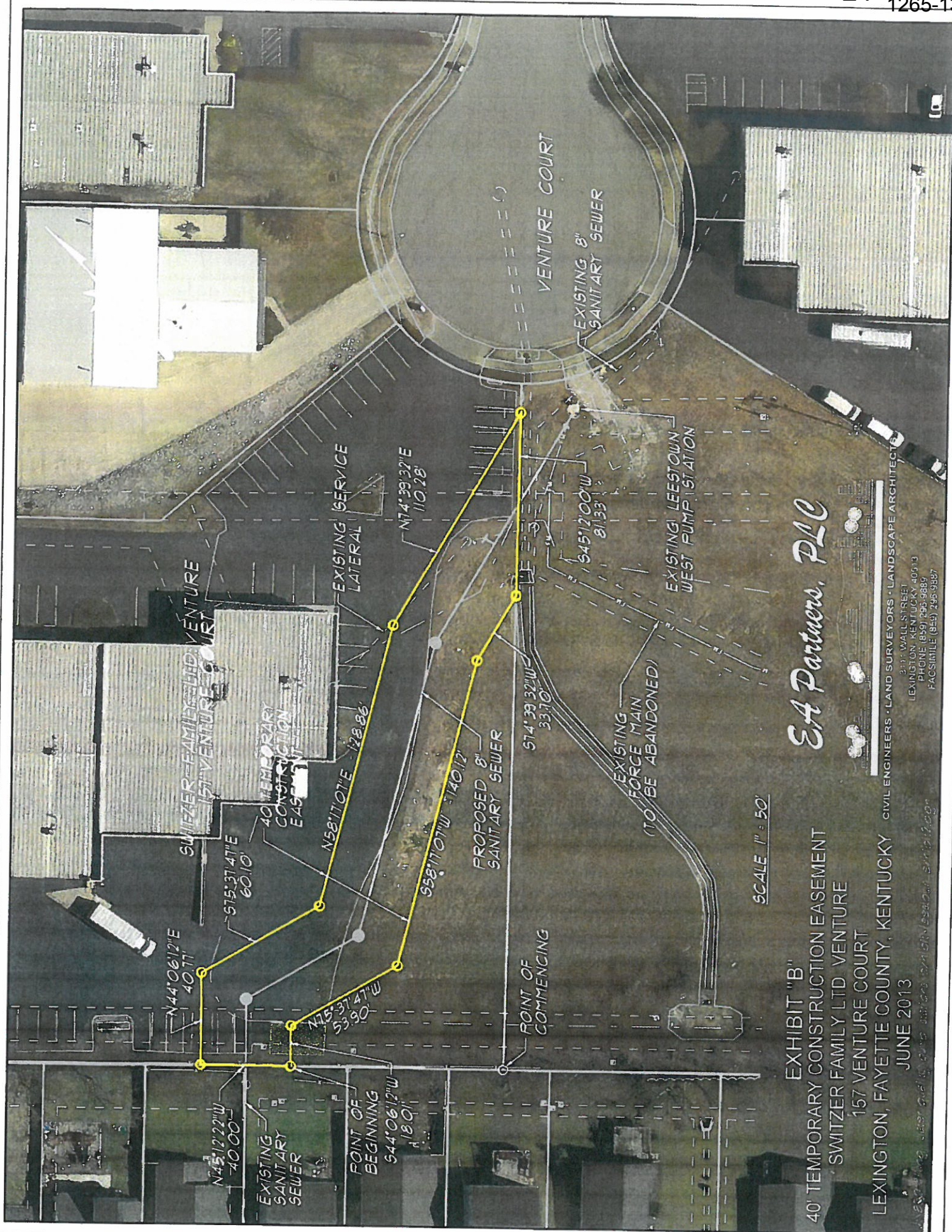
15' PERMANENT SANITARY SEWER EASEMENT
SWITZER FAMILY LTD VENTURE
157 VENTURE COURT
LEXINGTON, FAYETTE COUNTY, KENTUCKY
JUNE 2013

CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
311 WALL STREET
LEXINGTON, KENTUCKY 40510
PHONE (606) 253-0885
FACSIMILE (606) 253-0887

June 13, 2013

15' Permanent Sanitary Sewer Easement
Switzer Family LTD. Venture
157 Venture Court
Lexington, Fayette County, Kentucky

COMMENCING AT A POINT in the grantor's southwestern property corner; thence with the grantor's western property line North 45 degrees 12 minutes 22 seconds West, 106.74 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said property line North 45 degrees 12 minutes 22 seconds West, 15.00 feet to a point; thence leaving said property line with the proposed sanitary sewer easement North 44 degrees 06 minutes 12 seconds East, 33.64 feet to a point; thence South 75 degrees 37 minutes 47 seconds East, 58.16 feet to a point; thence North 58 degrees 17 minutes 07 seconds East, 132.38 feet to a point; thence North 74 degrees 39 minutes 32 seconds East, 86.35 feet to a point in the grantor's southern property line; thence with said property line South 45 degrees 12 minutes 00 seconds West, 30.50 feet to a point; thence leaving said property line with the proposed sanitary sewer easement South 74 degrees 39 minutes 32 seconds West, 57.63 feet to a point; thence South 58 degrees 17 minutes 07 seconds West, 136.60 feet to a point; thence North 75 degrees 37 minutes 47 seconds West, 55.84 feet to a point; South 44 degrees 06 minutes 12 seconds West, 25.12 feet to the **POINT OF BEGINNING** and containing 0.10 acres.



EA Partners, PLLC

EXHIBIT "B"
40' TEMPORARY CONSTRUCTION EASEMENT
 SWITZER FAMILY LTD VENTURE
 157 VENTURE COURT
 LEXINGTON, FAYETTE COUNTY, KENTUCKY
 JUNE 2013

CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
 311 W. MAIN STREET
 LEXINGTON, KY 40504-4091
 PHONE (606) 259-8888
 FACSIMILE (606) 259-9887

June 13, 2013

40' Temporary Construction Easement
Switzer Family LTD. Venture
157 Venture Court
Lexington, Fayette County, Kentucky

COMMENCING AT A POINT in the grantor's southwestern property corner; thence with the grantor's western property line North 45 degrees 12 minutes 22 seconds West, 94.24 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said property line North 45 degrees 12 minutes 22 seconds West, 40.00 feet to a point; leaving said property line with the proposed construction easement North 44 degrees 06 minutes 12 seconds East, 40.77 feet to a point; thence South 75 degrees 37 minutes 47 seconds East, 60.10 feet to a point; thence North 58 degrees 17 minutes 07 seconds East, 128.86 feet to a point; thence North 74 degrees 39 minutes 32 seconds East, 110.28 feet to a point in the grantor's southern property line; thence with said property line South 45 degrees 12 minutes 00 seconds West, 81.33 feet to a point; thence leaving said property line with the proposed construction easement South 74 degrees 39 minutes 32 seconds West, 33.70 feet to a point; thence South 58 degrees 17 minutes 07 seconds West, 140.12 feet to a point; thence North 75 degrees 37 minutes 47 seconds West, 53.90 feet to a point; South 44 degrees 06 minutes 12 seconds West, 18.01 feet to the **POINT OF BEGINNING** and containing 0.27 acres.



Lexington Fayette Urban County Government
Department of Environmental Quality and Public Works
Division of Water Quality

Page 1 of 1

MEMORANDUM OF UNDERSTANDING

County: FAYETTE	Item No.	Parcel No.
Project No:	Project Name: Leestown West Pump Station Decommission	Property Address: 156 Venture Court

Property Owner(s): West Suburban Industrial Park
811 Corporate Drive, Suite 303
Lexington, Kentucky 40503

This Memorandum of Understanding contains all the representations and agreements made between the parties hereto and upon which they relied in completing the proposed transaction. The deed conveys a permanent and a temporary construction easement as shown on the attached Exhibit A (15' proposed sanitary sewer easement), Exhibit B (40' temporary construction easement), and the legal description for the proposed sanitary sewer easement and the temporary construction easement. There shall be no compensation for the easements.

The temporary construction easement within this agreement is for the sole purpose of providing the LFUCG contractor and/or sub-contractor the necessary area to accomplish their work. The temporary construction easement does not include rights for utility relocations outside of the right-of-way limits. Any property that is disturbed will be restored to as good a condition or better than when the construction began. The temporary easement shall terminate at the completion of the project. The existing force main easement that runs through the property, and is being abandoned, shall be released through the LFUCG Council.

The LFUCG requests permission to access the property, within the temporary construction easement, for the purposes of performing rock soundings associated with a Geotechnical Investigation.

This Memorandum of Understanding, together with the Construction Plans, the Deed of Conveyance and any other documents referenced in these instruments, represent all the terms and conditions of the agreement between the Lexington-Fayette Urban County Government and the Property Owner(s), which was reached without coercion, threats or other promises by either party.

By their signature on this document, the agent representing the Lexington Fayette Urban County Government certifies that they have no direct, indirect, present or contemplated interest in this property and in no way will benefit from this acquisition.

This Memorandum of Understanding was signed this _____ day of _____, 2013

Signature of agent(s) for Lexington Fayette Urban County Gov.		Signature of Property Owner(s)



EA Partners, PLLC

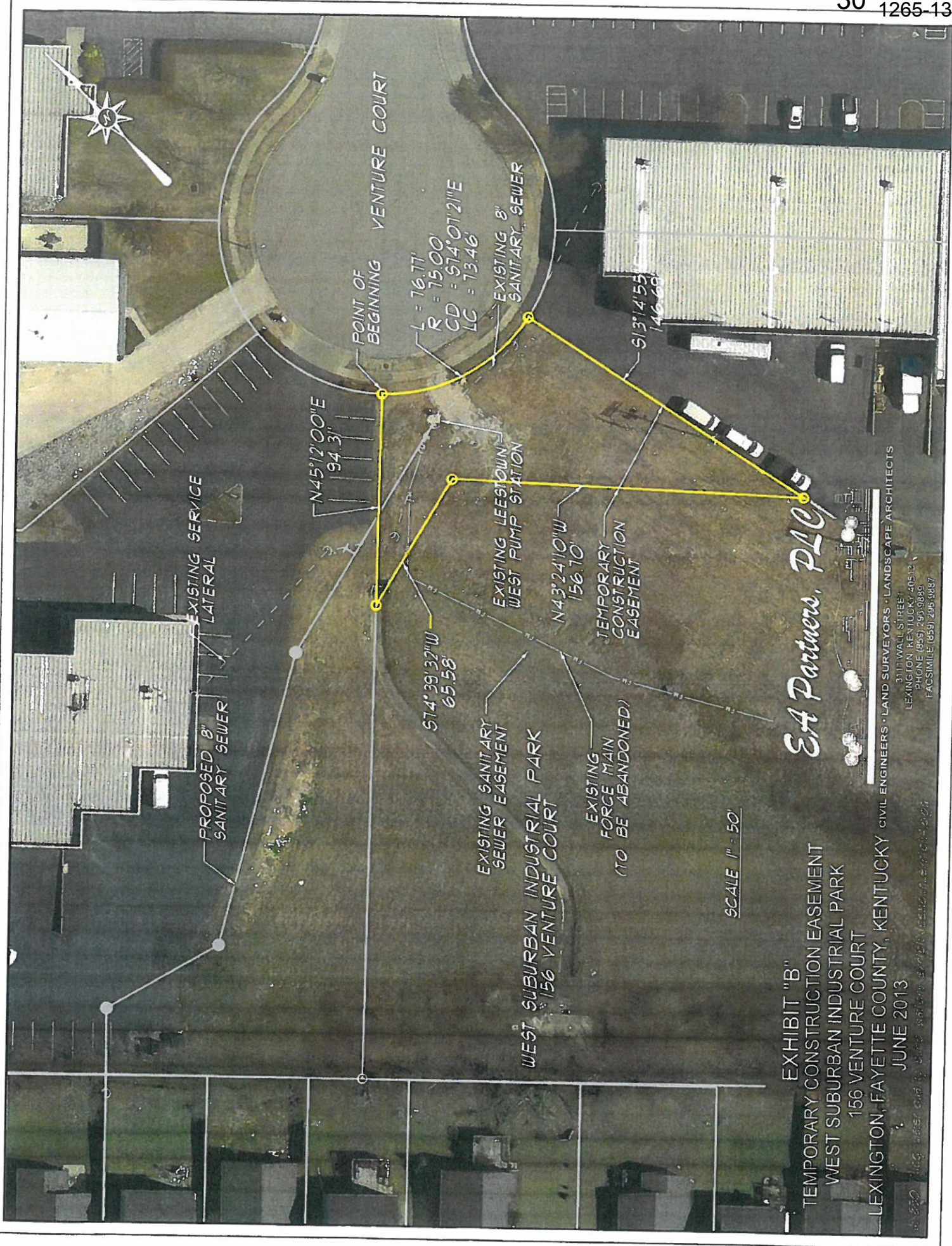
EXHIBIT "A"
 PERMANENT SANITARY SEWER EASEMENT
 WEST SUBURBAN INDUSTRIAL PARK
 156 VENTURE COURT
 LEXINGTON, FAYETTE COUNTY, KENTUCKY
 JUNE 2013

CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
 3111 WALL STREET
 LEXINGTON, KY 40503
 PHONE 859.265.9889
 FACSIMILE (859) 265-9587

June 13, 2013

Permanent Sanitary Sewer Easement
West Suburban Industrial Park
156 Venture Court
Lexington, Fayette County, Kentucky

COMMENCING AT A POINT in the existing southern right of way of Venture Court, said point being the grantor's northeastern property corner; thence with the grantor's northern property line South 45 degrees 12 minutes 00 seconds West, 38.40 feet to the **TRUE POINT OF BEGINNING**; thence leaving said property line with the proposed sanitary sewer easement North 74 degrees 39 minutes 32 seconds East, 15.25 feet to a point; thence South 45 degrees 12 minutes 00 seconds West, 30.50 feet to a point; thence South 74 degrees 39 minutes 32 seconds West, 15.25 feet to a point in the grantor's northern property line; thence with said property line North 45 degrees 12 minutes 00 seconds East, 30.50 feet to the **POINT OF BEGINNING** and containing 299 square feet.



E4 Partners, PLLC

EXHIBIT "B"
 TEMPORARY CONSTRUCTION EASEMENT
 WEST SUBURBAN INDUSTRIAL PARK
 156 VENTURE COURT
 LEXINGTON, FAYETTE COUNTY, KENTUCKY
 JUNE 2013

CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
 3111 WALL STREET
 LEXINGTON, KENTUCKY 40512
 PHONE (859) 296-9899
 FACSIMILE (859) 296-9897

SCALE 1" = 50'

June 13, 2013

Temporary Construction Easement
West Suburban Industrial Park
156 Venture Court
Lexington, Fayette County, Kentucky


BEGINNING AT A POINT in the grantor's northeastern property corner, said point also lying in the southern right of way of Venture Court; thence with said right of way 76.77 feet along a curve to the left having a radius of 75.00 feet and a chord which bears South 74 degrees 07 minutes 21 seconds East, 73.46 feet to a point in the grantor's eastern property line; thence leaving said right of way with said property line South 13 degrees 14 minutes 55 seconds West, 146.69 feet to point; thence leaving said property line with the proposed construction easement North 43 degrees 24 minutes 10 seconds West, 156.70 feet to a point; thence South 74 degrees 39 minutes 32 seconds West, 65.58 feet to a point; grantor's northern property line; thence with said property line North 45 degrees 12 minutes 00 seconds East, 94.31 feet to the **POINT OF BEGINNING** and containing 8,590 square feet.



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Mayor Jim Gray
Sally Hamilton, Chief Administrative Officer
Urban County Council members


From: Lori Houlihan, Special Events Liaison

Date: November 15, 2013

Re: Authorization of Lease Agreement for 2014 Martin Luther King Day Celebration

This is to request authorization of a rental agreement with Lexington Center Corporation for the 2014 MLK Day Celebration. This celebration will be held on Monday, January 20, 2014. The estimated expense is \$8,400. to help pay for services provided by Lexington Center. This expense is fully budgeted in the Special Projects budget.

The MLK Day Celebration will begin with a breakfast held in the Civic Center, followed by the Freedom March at 10:00 am. Marchers will return to the Civic Center for the Commemorative Program.

I appreciate your consideration of this item and request your approval.

FOLLOW MAYOR GRAY:

www.facebook.com/MayorJimGray

www.twitter.com/JimGrayLexKY



LEXINGTON DIVISION OF POLICE

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

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: November 19, 2013

RE: Emerson Network Power Contract -- Uninterruptable Power Supply (Battery Replacement)

Please find attached Emerson Network Power Renewal Contract for service of the uninterruptible power system that backs up Communications and Police Headquarters.

Emerson Network Power is a sole source vendor, in which, the battery replacement for the uninterruptable power supply (UPS) is purchased. The uninterruptable power supply located in the main computer room to the E911 Center is responsible for providing power to the Division of Police server farm, AS400, radio voting receivers and E911 equipment in the event of a power failure. The UPS is designed to hold power up for the aforementioned equipment until the emergency generator starts and delivers the necessary power for the equipment to continue operating until normal power is restored. The attached contract is for one (1) year, December 2013 -- December 2014.

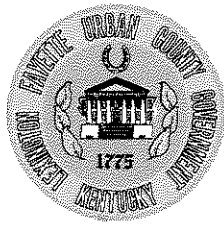
Upon approval and signing, please forward a signed copy to the Chief's Office. Cost of contract is fully budgeted.

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Clay Mason, Commissioner of Public Safety



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

Jim Gray
Mayor

Charles H. Martin, P.E.
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

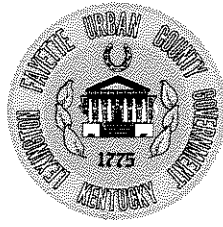
From: Charles H. Martin, P.E.
Charles H. Martin, P.E.
Director, Division of Water Quality
Acting Commissioner, Department of Environmental Quality and Public Works

Date: November 14, 2013

Re: Request for Authorization to Enter into an Assistance Agreement by and between Kentucky Infrastructure Authority and the Lexington-Fayette Urban County Government for a Low-Interest (1.75%) Loan Related to the Bundle 1 – Trunk Sewer Replacement Projects

The purpose of this memorandum is to request authorization to enter into an Assistance Agreement by and between Kentucky Infrastructure Authority and the Lexington-Fayette Urban County Government. This agreement will allow the LFUCG to accept a low-interest (1.75%) loan through the Federally Assisted Wastewater Revolving Loan Fund Program, Fund A in the amount of \$10,194,421 related to the above referenced loan application. The trunk sewer replacement projects included in the agreement consist of: Eastlake; Century Hills; West Hickman Trunk A, and Woodhill.

Application was made after receiving authorization from the Urban County Council via Resolution 548-2012.




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

Jim Gray
Mayor

Charles H. Martin, P.E.
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

From: 

Charles H. Martin, P.E.
Director, Division of Water Quality
Acting Commissioner, Department of Environmental Quality and Public Works

Date: November 14, 2013

Re: Request for Authorization to Enter into an Assistance Agreement by and between Kentucky Infrastructure Authority and the Lexington-Fayette Urban County Government for a Low-Interest (1.75%) Loan Related to the Bundle 3 – Storm Water Improvement Projects

The purpose of this memorandum is to request authorization to enter into an Assistance Agreement by and between Kentucky Infrastructure Authority and the Lexington-Fayette Urban County Government. This agreement will allow the LFUCG to accept a low-interest (1.75%) loan through the Federally Assisted Wastewater Revolving Loan Fund Program, Fund A in the amount of \$4,657,640 related to the above referenced loan application. The storm water improvement projects included in the agreement consist of: Anniston-Wickland; Wallhampton; Cardinal Laramie; Rogers Road; Idle Hour, and, Perimeter Park.

Application was made after receiving authorization from the Urban County Council via Resolution 548-2012.



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

Jim Gray
Mayor

Charles H. Martin, P.E.
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

From:



Charles H. Martin, P.E.
Director, Division of Water Quality
Acting Commissioner, Department of Environmental Quality and Public Works

Date: November 14, 2013

Re: Request for Authorization to Enter into an Assistance Agreement by and between Kentucky Infrastructure Authority and the Lexington-Fayette Urban County Government for a Low-Interest (1.75%) Loan Related to the Expansion Area 2A Pump Station and Force Main Project

The purpose of this memorandum is to request authorization to enter into an Assistance Agreement by and between Kentucky Infrastructure Authority and the Lexington-Fayette Urban County Government. This agreement will allow the LFUCG to accept a low-interest (1.75%) loan through the Federally Assisted Wastewater Revolving Loan Fund Program, Fund A in the amount of \$6,000,000.00 related to the Expansion Area 2A Pump Station and Force Main Project.

Application was made after receiving authorization from the Urban County Council via Resolution 548-2012.



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**

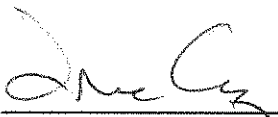
DATE: NOVEMBER 20, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
IN THE AMOUNT OF \$30,000 FROM THE KENTUCKY OFFICE
OF HOMELAND SECURITY FOR PUBLIC SAFETY DIVE TEAM
EQUIPMENT UNDER THE 2013 STATE HOMELAND SECURITY
GRANT PROGRAM FOR THE DIVISION OF FIRE AND
EMERGENCY SERVICES**

On July 9, 2013 (Resolution No. 374-2013), Council approved submission of a grant application to the Kentucky Office of Homeland Security requesting federal funding from the Fiscal Year 2013 Homeland Security Grant Program. This federally funded program, originating from the Department of Homeland Security, provides financial assistance to the states to prevent, respond to, and recover from acts of terrorism.

The Kentucky Office of Homeland Security has offered LFUCG an award in the amount of \$30,000 for purchase of Public Safety Dive Team Equipment to enhance rescue capabilities of the Division of Fire and Emergency Services. Approved equipment includes six dry suits, equipment for topside air management, and a communications box. No matching funds are required.

Council authorization to accept the award is hereby requested.



Irene Gooding, Director

Xc: Clay Mason, Commissioner, Department of Public Safety



Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

TO: Mayor Jim Gray
Members, Urban County Council

FROM: Clay Mason, Commissioner
Department of Public Safety

DATE: November 20, 2013

RE: Clinical/Practical Education Agreement with
Eastern Kentucky University, College of Health Sciences

Attached is a Clinical/Practical Education Agreement between Eastern Kentucky University, College of Health Sciences, and the Lexington-Fayette Urban County Government. The proposed agreement is required by the ECU College of Health Sciences when it has a student placed in any facility, agency or organization as part of the student's educational experience. In this case, a master's degree level nursing student will be working with the LFUCG Heroin Task Force.

Eastern Kentucky University will be responsible for any liability insurance. There is no budgetary impact for the Lexington-Fayette Urban County Government.

Attachment




Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

William O'Mara
Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM: 
Todd Slatin, Director
Division of Central Purchasing

DATE: November 19, 2013

RE: Interlocal Cooperation Contract Agreement with the State of Texas

Please find attached this Interlocal Cooperation Contract to be entered into by and between LFUCG and the State of Texas, acting by and through their Department of Information Resources, 300 West 15th Street, Suite 1300, Austin, Texas 78701 [DIR], pursuant to the authority granted and in compliance with the provisions of the Interlocal Cooperation Act, Texas Government Code, Section 2054.0565, for out of state Customers.

The purpose of this Interlocal Cooperation Contract is to allow public entities outside of Texas to purchase information resources technologies through DIR Contracts, which were competitively bid and awarded.

The attached agreement is being forwarded by the Division of Central Purchasing for Council approval, and Mayor Gray's signature.

Attachment

cc: William O'Mara, Commissioner of Finance
Sally Hamilton, CAO



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: NOVEMBER 20, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
IN THE AMOUNT OF \$48,000 FROM THE KENTUCKY OFFICE
OF HOMELAND SECURITY FOR WATER AND DIVE
OPERATION BOAT UNDER THE 2013 STATE HOMELAND
SECURITY GRANT PROGRAM FOR THE DIVISION OF FIRE
AND EMERGENCY SERVICES**

On July 9, 2013 (Resolution No. 374-2013), Council approved submission of a grant application to the Kentucky Office of Homeland Security requesting federal funding from the Fiscal Year 2013 Homeland Security Grant Program. This federally funded program, originating from the Department of Homeland Security, provides financial assistance to the states to prevent, respond to, and recover from acts of terrorism.

The Kentucky Office of Homeland Security has offered LFUCG an award in the amount of \$48,000 for purchase of rescue watercraft to be used to enhance the Division of Fire and Emergency Services rescue capabilities. No matching funds are required.

Council authorization to accept the award is hereby requested.

Irene Gooding, Director

Xc: Clay Mason, Commissioner, Department of Public Safety



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

William O'Mara
Commissioner

MEMORANDUM

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

FROM: Rusty Cook *RC*
Director of Revenue

DATE: November 22, 2012

SUBJECT: Professional Recovery Consultants, Inc. ("PRC") Collection Agreement

The Division of Revenue/Department of Law requested the issuance of RFP 17-2013 related to the collection of various overdue accounts. The recommended provider is Professional Recovery Consultants, Inc. ("PRC"). We are requesting that the Council authorize the Mayor to sign an agreement with PRC related to the collection services. There is no direct cost to LFUCG as PRC will be compensated at a contingency rate of 17.85% per amounts actually collected.

cc William O'Mara
Commissioner of Finance



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE

Jim Gray
Mayor

William O'Mara
Commissioner

MEMORANDUM

TO: Urban County Council Members
Mayor Jim Gray

FROM: William O'Mara, Commissioner
Department of Finance

DATE: November 19, 2013

SUBJECT: Fayette County Sheriff and Fayette County Clerk – 2014 General Term Orders

Every year the Urban County Council approves a calendar year General Term Order (GTO) for the Fayette County Clerk and the Fayette County Sheriff. The GTO is basically an authorization form that summarizes maximum annual expenditures for personnel, operating and capital and is used by the Department of Local Government as a guideline for approval of reimbursement of expenditures. The 2014 GTO's need to be approved in order for the expenditures of these offices to be processed by the Department of Local Government. The following table summarizes the revised budget outlines in the GTO's.

		2014 GTO - Sheriff		2014 GTO – Co. Clerk
Receipts		\$ 10,100,000.00		\$ 5,800,000.00
Surplus		\$ 200,000.00		\$ 1,600,000.00
Total Funds Available		\$ 10,300,000.00		\$ 7,400,000.00
Personnel		\$ 7,750,000.00		\$ 5,451,366.74
Operating		\$ 1,850,000.00		\$ 1,048,633.26
Equipment		\$ 700,000.00		\$ 900,000.00
Total Expenditures		\$ 10,300,000.00		\$ 7,400,000.00



Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

November 20, 2013

TO: Mayor Jim Gray and Urban County Council

FROM: Clay Mason, Commissioner of Public Safety

RE: CKy911net Co-location Agreement with Windstream

The Department of Public Safety is requesting authorization for the Mayor to execute an agreement with Windstream for co-location of telecommunication services and support related to the Central Kentucky 911 Network (CKy911net) managed by LFUCG.

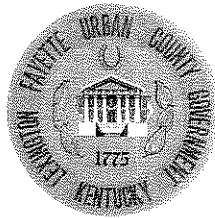
The agreement includes implementation cost not to exceed \$20,000 and ongoing monthly recurring cost not to exceed \$8,000. The total cost for the present and future fiscal years is offset by partnering agency's individual payments and LFUCG's E911 Fund revenues as budgeted within the Division of Enhanced 911.

All CKy911net expenses (software, hardware, installation, training, maintenance and service) meet all state specifications and are acceptable expenses as outlined by regulations created by the Commonwealth of Kentucky.

The following documents are attached:

1. Administrative review form. (Blue sheet)
2. Windstream description of charges.

Please return completed documents to my attention for final disposition.



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: NOVEMBER 21, 2013


**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
SUBRECIPIENT AGREEMENTS WITH VARIOUS
ORGANIZATIONS APPROVED FOR FUNDING UNDER THE
MEMORANDUM OF AGREEMENT WITH THE ATTORNEY
GENERAL OF KENTUCKY FOR USE OF NATIONAL
FORECLOSURE SETTLEMENT FUNDS**

On September 26, 2013 (Resolution No. 522-2013), Council authorized approval of Memorandum of Agreement with the Attorney General of Kentucky accepting funds under the National Mortgage Foreclosure Settlement for use in initiatives that help displaced families, prevent foreclosures, and create affordable housing opportunities. The following organizations were approved for funding: (1) Fayette County Local Development Corporation in the amount of \$100,000 for property acquisitions to build and/or acquire housing for low-income renters; (2) Hope Center in the amount of \$125,000 for completion of necessary repairs to men's homeless shelter located at 360 West Loudon Avenue; (3) The Salvation Army in the amount of \$50,000 for support of the emergency shelter and transitional living center; (4) Lexington Habitat for Humanity in the amount of \$125,000 for construction of housing for low-income families for homeownership. The Attorney General's Office has approved the subrecipient agreements for these organizations.

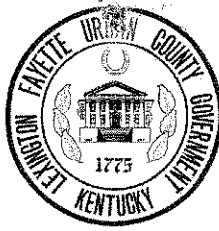
Funds are budgeted as follow:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF	AMOUNT
3400	900207	0001	71101	KY LPS 2014	STA GRANT	2014	100,000
3400	900311	0001	71101	KY LPS 2014	STA GRANT	2014	125,000
3400	900205	0001	71101	KY LPS 2014	STA GRANT	2014	125,000
3400	900317	0001	71101	KY LPS 2014	STA GRANT	2014	50,000

Council authorization to execute subrecipient agreements is hereby requested.


Irene Gooding, Director

Xc: Sally Hamilton, Chief Administrative Officer



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: November 20, 2013

SUBJECT: Abolish/Create Positions - Division of Police

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Safety Officer (Grade 108N) and creating one (1) position of School Crossing Guard Coordinator (Grade 111N) effective upon passage of Council.

The Division of Police requests this action to reorganize and restructure the Division in order to serve the public in a more efficient and effective manner. The Division of Police states that with this action, there are three (3) remaining incumbents in the positions of Safety Officer that have been reassigned, and the Safety Officer positions will also be eliminated by attrition. The School Crossing Guard Coordinator will be responsible for the School Crossing Guard program and sixty-five (65) positions of School Crossing Guard P/T.

The fiscal impact for FY2014 (13 pay periods) will be a cost savings of \$2,934.06 including benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/(Decrease)
Vacant	Safety Officer	\$38,154.85	\$0	(\$38,154.85)
Vacant	School Crossing Guard Coordinator	\$0	\$33,527.64	\$33,527.64
Total Annual Impact/ Salary and Benefits (\$5,868.13)				

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

Attachments

Log # 14-0027




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: November 20, 2013

SUBJECT: Abolish/Create Positions - Division of Emergency Management/E-911

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Director Enhanced 911 (Grade 119E) and creating one (1) position of Director Enhanced 911 (Grade 122E) effective upon passage of Council.

Upon the request of the Department of Public Safety, and in accordance with Section 21-2 (d) of the Code of Ordinances, the Division of Human Resources conducted a classification study on the vacant position using a Position Analysis Questionnaire (PAQ) and position audit. The position was analyzed by staff using the whole job rank and factor comparison methods. The outcome is a recommended change in pay grade as described in this action.

The fiscal impact for FY2014 (13 pay periods) will be a cost savings of \$3,476.07 including benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/(Decrease)
Vacant	Director Enhanced 911 (Grade 119E)	\$85,774.17	\$0	(\$85,774.17)
Vacant	Director Enhanced 911 (Grade 122E)	\$0	\$80,292.18	\$80,292.18
Total Annual Impact/ Salary and Benefits \$(6,952.15)				

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

Attachments

Log # 14-0028



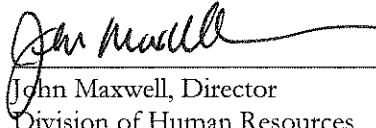
Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

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: November 20, 2013

SUBJECT: Abolish/Create positions – Department of Law

The attached actions amend Sections 21-5 and 22-5 of the Code of Ordinances by abolishing one (1) position of Attorney (Grade 117E), abolishing one (1) position of Staff Assistant Sr. (Grade 108N) and creating one (1) position of Attorney Sr. (Grade 121E), all in the Department of Law, effective upon passage of Council.

The Department of Law's need to fill one (1) an Attorney Sr. position outweighs its need to fill two (2) lower level positions.

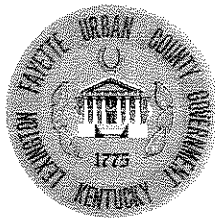
The fiscal impact for FY 2014 (13 pay periods) will be a cost savings of \$8,939.69 including benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Attorney	\$46,819.47	-----	(\$46,819.47)
Vacant	Staff Assistant Sr.	\$35,171.37	-----	(\$35,171.37)
Vacant	Attorney Sr.	-----	\$74,097.34	\$74,097.34
Total Annual Impact/ Salary and Benefits (\$17,879.38)				

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

Attachments

Log #14-0029



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: NOVEMBER 21, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ESTABLISH OPS-CORE,
INC., AS A SOLE SOURCE PROVIDER CONTRACT FOR PURCHASE OF
FAST BALLISTIC HELMETS AND UP-ARMOR SIDE COVERS FOR A
PERIOD OF ONE YEAR**

The Division of Police is requesting Council authorization to establish Ops-Core, Inc. as a sole source provider contract for purchase of FAST ballistic helmets and up-armor side covers for a period of one year.

The Division of Police has tested several helmets and has determined that the FAST ballistic high cut helmet is the product that meets the ballistic needs of the Emergency Response Unit. The helmet is lightweight, has a liner system that will accommodate headband style communications, and includes side covers for added head/face protection. Ops-Core, Inc., is the only vendor for this helmet. Each helmet with ballistic side covers costs approximately \$1,030.

Council authorization to establish Ops-Core, Inc. as a sole source provider for purchase of FAST ballistic helmets and side covers for a period of one year is hereby requested.



Irene Gooding, Director

Xc: Clay Mason, Commissioner, 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: NOVEMBER 21, 2013

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
IN THE AMOUNT OF \$86,000 FROM THE KENTUCKY OFFICE
OF HOMELAND SECURITY FOR THE HAZARDOUS DEVICES
UNIT UNDER THE 2013 STATE HOMELAND SECURITY
GRANT PROGRAM IN THE DIVISION OF POLICE**

On July 9, 2013 (Resolution No. 374-2013), Council approved submission of a grant application to the Kentucky Office of Homeland Security requesting federal funding from the Fiscal Year 2013 Homeland Security Grant Program. This federally funded program, originating from the Department of Homeland Security, provides financial assistance to the states to prevent, respond to, and recover from acts of terrorism.

The Kentucky Office of Homeland Security has offered LFUCG an award in the amount of \$86,000 to enhance the response of the Hazardous Devices Unit— Bomb Squad in the Division of Police. Funds will be used to purchase a 4x4 truck at an estimated cost of \$65,000. The truck is sized appropriately to safely pull the Total Containment Vessel. Additional approved equipment includes explosive magazines, explosive day boxes and related items.

Total cost of this project is \$86,000. No local match is required.

Council authorization to accept the award is hereby requested.


Irene Gooding, Director

Xc: Clay Mason, Commissioner, Department of Public Safety



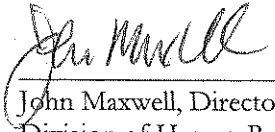
Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

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: November 21, 2013

SUBJECT: Abolish/Create positions – Division of Facilities & Fleet Management

The attached action amends Sections 21-5 of the Code of Ordinances by abolishing one (1) position of Fleet Operations Supervisor (Grade 115E) and creating one (1) position of Administrative Officer (Grade 118E) in the Division of Facilities & Fleet Management, effective upon passage of Council.

The Division of Facilities & Fleet Management states that the higher level position is needed to manage increasing customer demands and complexities involved in the administration of the Fleet Management section.

The fiscal impact for FY 2014 (13 pay periods) will be a cost of \$4,451.39 including benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Fleet Operations Supervisor	\$ 51,597.31	-----	\$ (51,597.31)
Vacant	Administrative Officer	-----	\$ 58,617.44	\$ 58,617.44
Total Annual Impact/ Salary and Benefits \$8,902.78				

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

Attachments

Log #14-0030



Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

November 20, 2013

TO: Mayor Jim Gray and Urban County Council

FROM: Clay Mason, Commissioner of Public Safety

RE: Sole Source procurement for Equipment expansion

The Department of Public Safety is requesting designation of AK Associates as the sole source vendor for the expansion and service of the current 9-1-1 system supporting the Central Kentucky 911 Network (CKy911net), managed by LFUCG. The existing system is currently supporting twelve (12) partnering counties and is posed for expansion in relation to grants distributed by the Kentucky CMRS Board. Per the manufacturer (Solacom), AK Associates is the sole source provider and is certified to maintain, upgrade and install the related software, hardware and peripherals.

The cost of the expansion's equipment, software and installation in the present fiscal year is not to exceed \$150,000 and ongoing per-seat maintenance cost will not exceed \$1,300 per seat per year. The total cost for the present and future fiscal years is offset by partnering agencies individual payments and LFUCG's E-911 Fund revenues as budgeted within the Division of Enhanced 911.

All CKy911net expenses (software, hardware, installation, training, maintenance and service) meet all state specifications and are acceptable expenses as outlined by regulations created by the Commonwealth of Kentucky.

The following documents are attached:

1. Administrative review form. (Blue sheet)
2. AK Associates / Solacom implementation description of charges.
3. Sole Source Procurement Certification

Please return completed documents to my attention for final disposition.

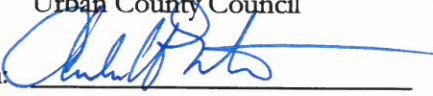


Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Jim Gray
Mayor

Charles H. Martin, P.E.
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

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

Date: November 20, 2013

Re: Requesting authorization to execute an agreement awarding a Class B (Education) Stormwater Quality Projects Incentive Grant to The Living Arts and Science Center, Inc., at a total cost not to exceed \$33,751.00.

The grant application of The Living Arts and Science Center, Inc. was reviewed and recommended by the Water Quality Fees Board at its July 11, 2013 meeting. Funding is provided by revenue from the Water Quality Management Fee and is fully budgeted and available in the Fund:

4052 303204 3373 78112 WQINCENTIVE_14 WQ_GRANT 2014

This grant requires a minimum 50% cost share by the grant recipient above the first \$2,500. The Grant Award Agreements require the Mayor's signature.

Grant Project Description

The project involves the development and presentation of additional comprehensive curriculum and program activities to incorporate water quality, stormwater issues, and water conservation topics into the Living Arts and Science Center's ongoing educational programming and public outreach campaigns.

Questions regarding this agreement should be directed to Christopher Dent at 859-425-2521.

Attachment

Pc: Ed Gardner, Department of Law
Julie Mantrom, Division of Water Quality
Susan Plueger, P.E., Division of Water Quality

**LEXINGTON DIVISION OF POLICE**

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

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: November 22, 2013

RE: Donation - Friends of the Lexington Mounted Police (FOLMP)

Please find attached letter from the Friends of the Lexington Mounted Police (FOLMP) in regards to a donation of two (2) gooseneck 4-Star horse trailers for the Lexington Division of Police, Mounted Unit. Value of donated items is \$21,250.

We are requesting Mayor Gray and the Urban County Council's approval to accept the donation of items from the Friends of the Lexington Mounted Police.

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

A handwritten signature in cursive script that reads "R. Bastin". Below the signature is a small circular stamp containing the initials "RB".

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: Mayor Jim Gray
Urban County Council

From: 
Wesley Holbrook, Policy Analyst

Date: November 22, 2013

Re: Council to approve the establishment of the Downtown Lexington Management District.

This is to request Council to approve an ordinance establishing a Downtown Lexington Management District.

In 1990 KRS 91.750 was created which is the legislation governing the establishment of management districts in Kentucky. This statute permits the LFUCG, through an ordinance adopted by its Council, to establish a management district only after at least 33% of the owners of real property who represent 51% of the assessed value of property within the proposed boundary have signed a petition indicating that they are in favor of the concept.

Management districts are designated geographical zones within which services can be provided above and beyond the level currently offered by the local government. The goal of the Downtown Lexington Management District ("DLMD") is to enhance and promote the downtown environment. The DLMD will make downtown a more attractive place to work, live, visit, shop, and locate a business. Further, a program of well-managed, supplemental services will enable downtown businesses to assure their employees of a high quality environment in which to work, live and recreate.

The purpose of creating the DLMD is to increase pedestrian traffic, increase residents, increase commercial occupancy rates and increase vibrancy in downtown Lexington. Management districts have a proven track record of success across the country. The proposed management district would focus on services that go above and beyond what the LFUCG is able to provide.

There will be no budgetary impact.

FOLLOW MAYOR GRAY:

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

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: NOVEMBER 22, 2013


**SUBJECT: AUTHORIZATION TO AMEND NEIGHBORHOOD ACTION MATCH
AGREEMENT WITH HILL-N-DALE NEIGHBORHOOD
ASSOCIATION**

On November 18, 2010, the Urban County Council, per Resolution No. 630-2010, authorized the award of \$10,000.00 in Neighborhood Action Match Program funds to the Hill-N-Dale Neighborhood Association for the construction of a bus shelter on Southland Drive. The project was delayed to ensure proper placement and coordination with the Southland Drive bike lane project and other agencies.

On January 31, 2013 (Resolution No. 25-2013), Council approved an extension of the completion date of this project through December 31, 2013.

The Association has requested an amendment to extend the completion date of the project to December 31, 2014. This project is being coordinated with the bike lane project for which state approvals were delayed.

Council authorization to amend the contract is requested.



Irene Gooding
Director

**Neighborhood Development Funds
December 3, 2013
Work Session**

Amount	Recipient	Purpose
\$ 160.00	West End Community Empowerment Project, Inc. 498 Georgetown Street Lexington, KY 40508 Dora Hudson	To provide funds for the 4th Annual Autumn Nights Fashion Show Benefit.
\$ 875.00	Lexington Humane Society 1600 Old Frankfort Pike Lexington, KY 40504 Susan Malcomb	To provide support for care to animals in need.
\$ 1,075.00	Living Arts & Science Center 362 N. Martin Luther King Blvd. Lexington, KY 40508 Heather Lyons	To provide assistance with renovation costs associated with revitalization of the grounds.



Public Safety Committee

November 5th, 2013

Summary and Motions

Chair Peggy Henson called the meeting to order at 1:04pm. Committee Members Shevawn Akers, Harry Clarke, Chuck Ellinger, Bill Farmer, Ed Lane, Diane Lawless, Jennifer Mossotti, George Myers and Kevin Stinnett were present.

1. Approval of Summary

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

2. Division of Police Home Fleet Policy

Chief Bastin from the Division of Police came to the podium to present on the Home Fleet Policy. The last update was May 7th. Bastin explained that identifying the savings is not as simple as it may seem on the surface because of all the variables that are constantly changing, the number of officers, the age of the fleet and fuel prices, which seems to change every month.

Bastin identified an 8.27% reduction in mileage driven, a 4.18% reduction in fuel cost and a 3.44% reduction in fuel consumption from September 2012 to September 2013. In May, they reported a 9.57% reduction in mileage driven and an 8.4% reduction in fuel consumption. Savings decreased during the summer months because the summer is a busier time for police. Miles traveled was reduced by 8.27% while fuel cost reduced by 4.18% and gallons used lowered by 3.44%. As vehicles get older, the maintenance costs go up as well. New cruisers are budgeted to replace some of the oldest vehicles, which should offset some of the high maintenance costs. The operational costs, fuel and maintenance decreased between 2012 (FY12/13) and 2013 (FY13/14) by \$28,404.

Crime is comparable to the previous year so the home fleet policy has not increased crime. There are actually more officers with cars now than there were in May. Officers who live outside the county line do reimburse the city based on mileage from the time they leave the county until they return, which provided about \$101,000 in payment to the city over the last year. The current collective bargaining contract allows officers to use their vehicles during an approved off duty job by paying \$50 per month, which totaled about \$65,000.

The Division measured real money (fuel, off-duty employment and maintenance) cost savings of \$93,404. The projection in insurance claims savings was \$119,290. After pulling actual numbers for 2010, 2011, 2012 and 2013, the projection was more than what the Division experienced in previous years. The original total of projected savings was \$831,950. This period has not shown us that amount of savings.

Stinnett asked if changes were made to this policy, how that would be handled with regards to the collective bargaining contract and would we need to go back to the bargaining table. Gardner explained that the policy is in the contract and in order to change it, we would have to go through formal bargaining or work through the union. He would have to take more time to consider what renegotiating would look

like but he believes that it might not require the full committee. Stinnett asked if this has effected morale and has it been a game changer for officers. Bastin said he doesn't believe it has been a game changer. For example, it has not effected crime rates but he does believe it has had some effect on officers. Ultimately the division sees savings of about \$220,000. Stinnett recalled the projected savings was about \$800,000 and obviously the actual is short of that. He said council needs to determine if we want to reconsider this policy or look at a hybrid of it. He did point out how the 5,000 calls that were done by off duty officers last year, prior to the home fleet policy, cannot be measured. He asked, is \$200,000 worth having more of a police presence in the community? Lawless supported Stinnett's thoughts. Lawless asked if this would require the entire contract to be renegotiated. Gardner said the entire contract would not have to be renegotiated but they would have to ask the union if they were willing to go back to the table. If the contract was amended, Gardner said the council would have to provide direction for those changes. Mossotti, a supporter of the home fleet, broke down the \$200,000 savings and the 5,000 off-duty calls to cost about \$40 per call and said that is worth having the home fleet. She hopes this can be looked at before two years from now when the contract is up.

Henson agreed the cost savings is not worth limiting the home fleet and compared it to how many accidents are possibly prevented with more cruisers driving around. For example, on New Circle Road people drive slower when they see a police car no matter if it is on or off duty. She asked for the administration's comments. O'Mara explained where the savings estimate of \$800,000 came from, which was all based on 15% less miles driven, with a slightly different perspective. Numbers showed to be about 12.5% so you could look at costs and consider if you were to add 12.5% additional miles to the total miles driven. The fleet itself continues to age as the vehicles are used so if you assumed about a 12.5% increase in mileage, you could assume the same for maintenance and fuel costs. The estimated hard cost (fuel and maintenance) savings was \$444,000, so if you reduce that to 12.5%, instead of 15%, a more accurate estimate would have been \$370,000. The soft costs (depreciation and insurance) were measured by level of mileage. If you increase that by the estimated 12.5% (\$223,000) savings, the depreciation would accelerate 12.5% faster towards the vehicle having to be replaced. The estimated insurance savings of \$119,000 can be thrown out completely. Now we are looking at \$593,000 in estimated savings instead of \$800,000. The overall measurement is very difficult because of all the changing variables. The actual numbers presented today are correct when compared year to year but when you consider adding those costs back in, the value must be considered.

Lane mentioned another way to consider costs and saving, using the rate per mile the IRS estimates it costs to run a car, which includes depreciation, gas, tires, etc. This would be a third way to measure the savings and that it should be considered. Lane also mentioned that with the home fleet policy, officers were given a pay raise. He asked if the administration supported the plan or wanted to consider changing it. Emmons first clarified that officers are still allowed to take their vehicles home, they are just not allowed to drive them off duty. This is more about labor relations and respecting collective bargaining. The savings may not be what we estimated but there was a savings and there will be a cost if we went back to the old system. Today, the administration's position is to leave the agreement as is but if the home fleet policy remains a priority when its time to negotiate a new contract, it will be reconsidered.

Mossotti asked if response time was lower. Chief Bastin said they would have to look at those numbers but he estimated that the response time has not changed much.

Mike Sweeney, president of the Fraternal Order of Police, explained that the home fleet was a great recruiting tool. The pay raise should not justify the restricted home fleet because the pay raise only

brought salaries to where they should be. In March, he emailed the council to support funding and solve the brown out problem. He highlighted that only 76 off duty calls have been made in 2013 compared to the 5,000 last year. If even one life is saved by an off-duty officer, it's worth it. Members of the police have given up a lot to try to help the city save money and now, you find yourself in a surplus. He finished by saying it only takes a letter agreement to make this change.

Stinnett asked if the FOP had gone to the administration with this request. Sweeney confirmed they had not. Stinnett then asked if Sweeney had polled members of the FOP about this possible change. The FOP has not but Sweeney said it could be done and mentioned that he did not see this being a problem with the members. He said that Louisville has a home fleet policy, which requires officers to pay in order to use their vehicles during off-duty employment. The others pay nothing.

Lane reminded Sweeney the budget is very tight and will remain tight. The fund balance is not actually a surplus because we bonded \$30 million and the remaining fund balance was bonded money not spent, not extra revenue the city collected. We do need to remain fiscally responsible. Ellinger agreed with Lane for the most part but did say that he supports the home fleet. Ellinger asked for clarification of what the officers could and could not do. Sweeney responded that officers now are only allowed to use their car to and from work. They can choose to pay a monthly fee of \$50 to use their vehicles to and from off duty jobs. Prior to the change, there were no limitations except driving outside the county and they did not pay for their gas. Currently, if an officer is driving their vehicle for an off-duty job, and they respond to a call, the officer can request overtime. Sweeney said that he has not requested overtime in the 6-7 calls he has responded to in that situation. Ellinger said that by supporting the home fleet, there are a lot of indirect savings we aren't claiming.

Akers ask if the Police contract was renegotiated, what would happen with our fire contract. Emmons said he cannot predict what the LFD might request but would imagine that they would make a request to change their contract as well, which is why he had mentioned respecting the contract until it is time to renegotiate. Akers asked if these kind of changes have been done in the past and Gardner explained that there have been letters of agreement that Sweeney refers to but never to this financial impact before. He recalled the negotiations took about 18 months so the contract was not taken lightly. Akers asked if O'Mara could provide the perspective he spoke to earlier on paper so the council could refer to it. Lawless believes public safety is the number one service our city provides. She recalls that council did approve the contract and mentioned a possible motion taking place to reissue the home fleet. Gardner explained that the statute is clear that the administration is responsible. If we consider a letter of agreement to amend the contract we would need direction. Generally letters of agreement have only been to clarify certain terms, not for something this large in the contract.

Henson suggested that the council might submit a letter recommending the administration reconsider this aspect of the contract. She did say she thought the change in the home fleet policy was a mistake. Mossotti mentioned making a resolution to forward to the administration. Gardner thought that might be okay though he does not recall anything that formal taking place in the past. Mossotti explained there is a lot of support from the council to have this reconsidered. She asked if it will be tabled for another two years? Emmons said if there wasn't a strong correlation between a spike in crime and the home fleet policy and the savings were real, it made sense to continue with the policy as is but they will take a look at it and have a conversation with the FOP. Stinnett reconfirmed the administration would discuss this policy and come back to the council.

O'Mara said if you used the approach that Lane referred to, there would be a hard cost of \$533,000. If you used 12.5%, savings would come to about \$590,000 and that does include depreciation. Stinnett said each year collective bargaining is done to save more money but asked what is being done to realize these savings and how will we make up those savings if the projected is not realized each year? Even if the mileage rate is used, that still puts the estimated savings about \$300,000 short and that needs to be made up somewhere.

Lane agreed with legal's opinion to leave the negotiating to the administration and the FOP and thinks Sweeney would agree to that also because previously he did not want the Council to be involved in negotiations.

Akers asked how many new cruisers plan to be purchased. Mason said they will purchase about 40 vehicles, which will replace old ones.

3. Fire Stations and ISO Ratings

Assistant Fire Chief Hoskins came to the podium to present on Fire Stations and Insurance Service Office (ISO) Ratings. Currently, there are 23 fire stations. Since 1997, four stations have been opened, two in 2001 and two in 2005. The previous four were added between 1984 and 1997, three of which were in rural areas of the county. Since the 1970's, Lexington has grown by almost 70% in population, the LFD's Sworn staff increased by about 40%, the civilian staff decreased by about 41%, fire incidents increased about 157%, EMS incidents increased almost 300%, our engine company only grew 30% and ladder trucks have not grown.

The location of a station is determined by response time. The National Fire Protection Association Pamphlet 1710 sets the standard response time of 4 minutes for the first company on scene and the balance of assignment on scene in 8 minutes for 90% of fire incidents, as well as EMS incidents. Currently, the LFD is just over 4 minutes in both fire and EMS incidents for first responders.

Hoskins highlighted a recent study by the Underwriters Laboratories Firefighter Safety Research Institute that found new or modern construction has shorter flashover times, faster collapse times and shorter escape times for occupants and firefighters compared to homes constructed in the 1970's. We have fire stations in established areas of the city but we fall a little short in the newly developed areas.

ISO assigns a split rating to fire departments, such as Lexington's, that provide service to the urban services area as well as rural areas. Class ratings range from one to ten. There are different requirements for areas ISO considers built up, which require an engine company within 1.5 miles and a ladder company within 2.5 miles. Rural areas only require an engine company within five miles. The October 2012 ISO study rated Lexington a Class 2 (within five miles of a fire station and 1,000 feet of a hydrant) for the urban services area and Class 9 (property with the nearest hydrant beyond 1,000 feet) for the rural areas. Industrial and commercial insurance rates are affected by ISO ratings when the city is rated between one and three. Residential doesn't seem to be affected if the rating drops below four or five.

ISO only makes recommendations to improve your class rating, not specific recommendations. In order to achieve a Class 1 rating, ISO suggested Lexington needs nine engine companies, which translates to nine more fire stations in order to house the engines and the crews, as well as the addition of one ladder company. The LFD proposes the next fire stations to be located in Masterson Station, then Polo Club and Hays Boulevard to keep pace with development. Maps were included in the presentation highlighting

areas (in white) that are currently not in reach of a four minute response time. The immediate plan would be to build these three fire stations, 24, 25, and 26, lowering the Lexington Fire Department's response time below the national standard with evenly distributed engines throughout the city, which therefore lowers our class rating. Our training facility lost 25% of the ISO score because we do not have a four story high training tower. It was torn down a few years ago because it was unsafe.

Hoskins finished the presentation by saying the LFD has no seat at the table as areas are developed when other elements such as parks, schools and libraries are considered. They do not grow as the city does.

Lane asked how many stations have closed since the Urban County Government merger. Hoskins stated everything is still open. Lane is a strong proponent of relocating current stations as well as adding more to improve response times everywhere. The biggest cost of relocating a station is the building. Lane asked how much it costs to operate a station fully staffed with an engine only and then with an engine and a ladder. Hoskins said about \$650,000 for an engine company fully staffed, \$450,000 for an ambulance and \$685,000 for a ladder company, plus the additional start up costs. Lane highlighted that a lot of the growth is taking place in his district but he wants to improve overall efficiency and enhance response times through-out Lexington while also making sure current stations are in appropriate locations. Hoskins said the stations that are close together are based on population density. He mentioned the last time the ISO visited the LFD was about 20 years ago and that they did not know when the next time they would return but it does not cost the city for their evaluation. Historically, ISO makes an effort to evaluate a department every 10 years.

Lane asked about water supply and the flow rate in the amount of gallons per minute. Hoskins mentioned that the water supply is not the city's to manage and therefore they do not determine the flow rate though the LFD does have a good working relationship with Kentucky American Water and when an inadequate flow rate is identified, they do resolve those issues. Some properties are not even within a half of a mile of a fire hydrant and the LFD has considered acquiring a tanker truck to transport water to those areas.

Clarke said it was obvious this is not new information and asked if a report could be created identifying all the costs associated for the three additional fire stations as well the next step. Akers asked if homeowners' insurance rates go up if they are outside the four minute response time. Hoskins said that ISO uses road miles and that has effected some people. Mason stepped in saying that some insurance companies are using GPS technology based on hydrants and not using ISO for their information. Akers asked how we can be more proactive and less reactive to population growth and if the LFD was talking about this 10 years ago. Hoskins said they always knew they would be short in some of these developing areas but there was no funding and no property to say this is where a station could go. Hoskins said they do have an idea where a station could go that would serve Masterson Station but there have not begun any formal discussions. Currently, the Meadowthorpe station serves all from the West Main Street viaduct to the Scott County line out Leestown Road. Regardless of a new station in the Masterson area, Meadowthorpe's station would still have a need and a district to serve. Akers asked, hypothetically, if there was consent for a new station, how long it would take to get it up and running. Hoskins estimated about one year; if everything falls together really well. Mossotti asked Hoskins to add possible locations and estimated timelines with acquisitions of properties to the report Clarke requested.

4. DEM Emergency Preparedness

Director Dugger came to the podium to present on DEM Emergency Preparedness. She began by saying that Division of Emergency Management touches every part of our community. Emergency preparedness is a never ending circle made up of planning, preparedness, response, recovery, mitigation, then back to planning and so forth, which continues to go around as the Division constantly improves.

Planning must include all the stakeholders and agencies, for example reaching all health related entities. It is more than how we would respond to the citizens, it is also how we would continue daily operations. Planning allows for more resiliency meaning that a community can respond and recover adequately. Planning includes continuity plans, recovery plans, donation management plans, individual agencies plans and implementation plans. DEM also assists with support plans for day cares and schools and approves their emergency response plans. Having knowledge of all available resources to determine what we are capable of is a key element of planning as well as conducting hazard and risk assessments by evaluating the threat and vulnerability. Risks in Fayette County range from tornados, earth quakes, hazardous materials, the BGAD Chemical Stockpile and terroristic threats at public events, etc. It is important to identify critical systems like utilities, health and medical, and transportation and then concentrate on single points of failure. Evaluating consequences also supports more thorough plans for emergencies.

Preparedness plays a large role in planning. The population must be considered. For example, on average, about one third of the population has a disability. It is also important that response agencies train and practice together. Currently DEM has a Monthly Coordinator Training meeting. Evaluations are done following actual events to learn what can be changed or done better and then consider implementation. DEM continuously monitors the weather and other possible threats.

DEM's primary focus for response is the management and coordination of the operation center. We develop and maintain situational awareness to provide information to the Mayor and the Council so priorities can be determined. Dugger noted the 15 core emergency support functions were included in the packet. DEM is also responsible for alert and notification systems, which include 27 outdoor warning sirens and the use of phones and radio as well as social media. Recovery is separated into short term and long term needs. Short term, the first 60 days, are the immediate needs like water, food and power. Long term begins to focus on rebuilding the community and the economy.

Mitigation is the final piece to complete the circle of Emergency Management. Mitigation planning is the effort to reduce the loss of life and property by lessening the impact of disasters. It includes storm water and flood management plans, greenways master plans, hazard mitigation plans and prevention plans.

Motion by Farmer to adjourn. Seconded by Ellinger. Motion passed without dissent.

Meeting adjourned at 3:01 pm.

Submitted by Hilary Angelucci, Legislative Aide.

Environmental Quality Committee
November 12, 2013
Summary

Chair Stinnett called the meeting to order at 11:00am. Council Members Stinnett, Mossotti, Gorton, Akers, Farmer, Scutchfield, Clarke and Lane were present. Council Members Myers and Henson were absent.

I. October 8, 2013 Committee Summary

Motion by Gorton to approve the October 8, 2013 meeting summary. Seconded by Clarke. Motion passed without dissent.

II. Energy Investment Fund

Stinnett asked for clarification on the current fund balance. O'Mara commented that the money approved by Council was included in the number presented.

Mossotti asked what EECBG stands for. Bush stated Energy Efficiency and Conservation Block Grant.

Farmer asked about what the initial cost is (Mgt slide 10 year savings bullet). Bush stated the cost to implement the change. Farmer asked about the DAC tune up. Bush said this is where they sense that their control strategy for that building has changed or needs to be reevaluated. Farmer asked for clarification on the green lights. Bush said we currently lease them from KU to maintain. Farmer asked if the resources were available to purchase. Bush stated that this was originally part of the fund balance discussion but did not think it was included. Farmer stated that we should absolutely purchase them.

Akers asked about the Dunbar windows. Bush said Parks requested \$150K from fund balance to replace the windows. He has not seen the quotes but feels they would be replaced with a more modern double paned window. Akers asked if they were funding the HVAC? Bush stated that they are coordinating their efforts and will have to go through a bid process. They do know that replacing it will improve efficiency in that building.

Lane asked the ideal criteria in the management sheet, specifically how we verify what the costs of operating different components of a building are and what we will save. Bush explained that there were four different methods ways, the first a whole building approach, prescriptive, data logging or building simulation. It depends very much on the project and is one of the things decided up front. Lane asked if they were able to pull utility information and how much information they were able to get from our current accounting system. Bush said quite a lot and elaborated on some of the information received. Lane asked how frequently they look at the operating cost on different buildings. Bush said he gets a

monthly batch file from the utility companies on all 84 accounts monthly to review and investigate as needed.

III. Change Order Amendment CAO 15R

Vernon Azevedo provided an overview of change orders, the current process and the recommended modifications to CAO policy 15R. The Division of Water Quality recommends the following approvals:

Tier 1: 5.0% Cumulative Contract Award

-RMP or Construction Manager

Tier 2: 5.1% to 10.0% Cumulative Contract Award

-RMP/Construction Manager/Directors of DWQ & Purchasing

Tier 3: >10.0% Cumulative Contract Award or >\$1,000,000

-LFUCG Council

Time Extension: RMP Manager and Director of DWQ

Mossotti asked if we could reduce the number of change orders if we didn't always choose the lowest bidder for projects. Slatin commented on the bid process, stated that approximately 95% of our bids are awarded to the lowest bidder but there are times when they choose the best value option, but disagrees that selecting the lowest bid results in more change orders. Martin added that change orders are directly proportional to the quality of the plans and specifications as advertised. There are occasions where companies may attempt to low ball them, part of the review process is to identify huge outliers.

Lane stated that he didn't normally feel that he had enough information to approve the basic contract or change orders because he was not part of the selection process. He tried to base it on track record, etc. He feels that council does not receive a lot of details for change orders that come forward for approval. He thinks the policy is good. Suggested that under item #1, would like the cover memorandum to be prepared by the person that drew the original plans. He would also add that a copy of each document would be provided to CMs.

In follow up to Mossotti's question, Akers asked if we are sure we include everything when we create RFPs or RFQs so that the bids received are accurate. Vernon agreed with Charlie that there is a direct relationship between the quality of bid documents, contract documents. The better job we do on design and management throughout the process reduces the potential for change requests and change orders. Martin added that sometimes it is not a factor of the quality of work that the design engineer did but a factor

of our desire (Council or Administration). A sidewalk could be in bad shape so someone asks, can you replace, add handicap ramp, etc. and solving additional problems while we are already there and results in a change order.

Scutchfield suggested that the updates be sent to Council periodically so that they did not have several places to look (online, etc.). She asked if 10% was what other cities typically look at. Azevedo commented on what other entities do. The major difference between others and Lexington, is that the Division of Water Quality is a division of government and others are not, they are utilities who go to their governing body.

Clarke asked if this would apply to all change orders in the government, not just water quality of consent decree. Hamilton said that the initial plan was to only do this for remedial measures items. The reason being is that Internal Audit recently did an audit on change orders and pointed out that we needed to strengthen what was being reported to Council. They want to start here and see how it works before changing the change order process for all of government.

Motion by Mossotti to support the Division of Water Quality recommendation on the change order process for remedial measures only. Seconded by Scutchfield. Motion passed without dissent.

Lane added that he is hopeful that his changes can be included but no motion was made for this.

IV. Climate Adaptation Follow Up

Scott Shapiro provided an update from the Administration on the presentation at the last committee meeting where they were asked to look at the resilient communities of America agreement. Shapiro said they met with several departments and it seems clear to the Administration that it is not necessary to sign this agreement because the city seems to be making very good progress in these elements. There is one section that requests the city to take over something which we have no control over and they are concerned about that. FEMA has guidelines that we are following currently.

Stinnett asked why it would not be appropriate to sign it if we are already doing it anyway. Shapiro said there were some concerns over energy security, they asked for movement on an issue that the city has no control over.

V. Monthly Financials

Schoninger asked O'Mara about the Sanitary Sewers Construction Fund. It appears that there is a negative balance. Is it safe to assume that a rate increase be proposed. O'Mara stated that he would not assume that at all. They have been fortunate with grant funding,

cash reserves and are working closely with Martin and his group on cash flow analysis. We do not want to borrow money or have rate increases until we have to pay the bills.

Stinnett asked for an update on the KIA loan process. Martin said he has been requesting the loan documents from KIA and delivered commitment documents for three of the loans yesterday. Council should see blue sheets on those very soon. The goal is to get the binding agreement letters in place in time for the last meeting on December 10, 2013.

VI. Items Referred

There were no changes or additions to the items in committee list.

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

Submitted by Stacey Maynard, Council Administrator

**Planning & Public Works Committee
November 12, 2013 Summary**

Chair Farmer called the meeting to order at 11:00am. Council Members Mossotti, Gorton, Ellinger, Kay, Ford, Lawless, Beard and Clarke were present. Henson was absent.

I. October 8, 2013 Committee Summary

Motion by Beard to approve the October 8, 2013 committee summary. Seconded by Ellinger. Motion passed without dissent.

II. Capital & Maintenance of LFUCG Major Roadways

Wente provided an updated to the committee on questions asked at the last meeting. Major and minor arterials were reviewed, not including collector roads. The average assessed rating was 88, which is an excellent rating. The percentage that would require resurfacing was 5%, with an estimated cost of \$1.4MM. Roads rated between 65 and 75 was effectively 9% of major and minor arterials, the estimated cost is roughly \$2.2MM in resurfacing costs. Wente offered to provide a list of roads and map them out in GIS form if the committee would like.

Farmer stated that this sums up the discussion and comes down to a policy and implementation decision. Farmer asked Wente if he wanted to bring something else later. Wente stated that this was just for discussion moving forward if the council wanted to add a line item to the budget for this purpose as opposed to using individual district funds to cover. He added that a number of these streets are already slated for resurfacing in the spring. Alumni is one of them and UK has proposed a complete overhaul from Nicholasville Road to Tates Creek.

Stinnett asked if there was a list of these roads and the last time they were repaved and what it cost that could be used to develop a plan for budgeting purposes going forward. Wente said he was trying to accommodate that in this information and is where the \$1.4MM came in. He does not have the information on the last time and cost. Stinnett added that he was looking for an annual number that could be used during budget planning. Wente feels the \$1.4MM number would be sufficient to cover the roads that are at a greatest need. Stinnett asked what the following year would need. Wente said if we budgeted the \$1.4MM, he did not think we would need nearly that much the next year. Stinnett wants to be able to come up with an annual recommendation. Wente said that is a moving target. At this point, he feels the \$1.4MM would be significant to address the current need and could address later for a lower amount going forward. Stinnett asked what roads make up the \$1.4MM. Wente said sections of Liberty, Fourth, Maxwell, Alumni, Old Paris Pike, sections of Man O' War, etc. He will provide the list. Stinnett asked how often major roads were done, was it the same as residential streets. Wente said that is correct.

Stinnett wants to get to a real number for the upcoming year and also a number that can be used going forward to avoid coming back to this every year and getting behind like we are now. Martin added that in order to get to an annual replacement, we need to modify our approach because failure does not occur on a predictable manner. If we are using a paving rating system, some streets will not fail as quickly as others do. We need to rate the most heavily travelled roads in a different way.

Beard asked if there was a bigger picture for Alumni, i.e. four lanes. Wente said that there have been preliminary drawings for realignment but the width would stay the same (from Bates Creek to Nicholasville). UK would be the contractor and then deed that portion of the road to the city for maintenance. We would have to budget for the shoulder work on the additional parts of the road.

Farmer added that this will serve as a heading for what to fund and requested that we use it in that fashion going forward.

III. Elm Tree Lane Sidewalk

Wente provided an update on the information gathered on the condition of the sidewalk, lighting and overall condition of the road. There is a definite need of repair of this section of the sidewalk. The sidewalk replacement would cost approximately \$4300, tree trimming would be roughly \$500 to address the issue and assist in illuminating that corridor. He is still in discussion with Traffic Engineering to get a cost to increase the lumens on the two fixtures that exist on the corridor. The only other question is the funding source for the improvements.

Ford asked if the administration would have a recommendation to bring to committee for the funding source. The sidewalk needs to be replaced and is in this state due to neglect over the years. Farmer added that there were two recommendations in the packet, MAP or NDF, and between the two he feels that we should ask the Administration to use MAP funds. Paulsen added that they were working with KU to see if they could help in some way with the lighting and this could result in a lower cost for LFUCG. Farmer confirmed that they could have a more definitive number by the December meeting.

Motion by Ford to authorize the administration to use MAP funds to repair the sidewalk. Seconded by Ellinger. Motion passed without dissent.

Akers asked if there was a neighborhood association that could contribute to the cost of the repairs. Ford stated that this was a matter of infrastructure and is the responsibility of the government to maintain. Akers asked who did the lighting assessment. Paulsen stated that he did it and that he has worked on these types of issues in the past.

IV. Design Excellence Task Force

Kay provided an overview of the DETF recommendations and highlights of the report out for the committee.

Bill Lear commented on the recommendations of the task force. He is supportive of the concept and most of the standards and guidelines. However, there are some issues that he and others are not comfortable with. First, there is not a long line of people wanting to build new things in downtown Lexington at this time. The idea of creating new regulations and restrictions at a time when you are not in high demand is not the right way to go. If there is great demand, you can put more restrictions in place and people will comply if they want to be there bad enough. The point is that any new guidelines or restrictions need to be coupled with real incentives to generate interest. What has emerged is lip service but no actual proposals. The only incentive that has been mentioned with any specificity is having some process to make it easier for people to work through the guidelines that do not exist. The second thing is that he feels this should be staff driven. What has evolved is a board driven process with the majority of the board being design professionals. This results in approvals being based on the opinion of design professionals on the board rather than a set of guidelines that can be reviewed. The process is overly dependent on a board which could delay the process or deny ideas that meet the criteria.

Knox Van Nagle commented on the recommendations of the task force. She agrees with Lear that there are some issues that need to be resolved. There needs to be more clarity given to building demolition within the design excellence district. We need a development incentives package. We need to determine how the guidelines will interact with ongoing parking, traffic (such as two-way streets) and public space planning efforts downtown. To move the design excellence program forward without resolving these issues will result in the creation of an environment that will demand improved development quality and added expense without the regulatory clarity, financial programs and collaboration with our master planning efforts in order to make it a success. They request that they slow down this effort to focus on these issues.

Farmer stated that there will be a meeting for public input on November 14th, the task force will meet again on November 18th and this could come up again in a more complete form at the December 3rd meeting.

Gorton commented on item #6 (the board) she feels there should be discussion around whether the board should include a citizen who does not live or work downtown and is not a design, planning or historic preservation person, just a plain old citizen. Gorton added that the council should have approval of the nominees to

the board. Gorton agreed with Lear on incentives and that we cannot go forward until something is flushed out on incentives.

Mossotti suggested that there should be someone on the board with a real estate background. She feels everyone has the same goal to revitalize the downtown, when impediments are added it makes it more difficult for people to come here. Someone with a real estate background can offer suggestions as they do this every day so they know what people like and what they are looking for. Mossotti agrees that there needs to be some type of incentive offered.

Akers asked how this board would relate the existing BOAR and the courthouse area design review board. Kay stated that the courthouse overlay would be absorbed by this new board and would cease to function. The others would continue to function with the exception that if you are in an H1 overlay zone, then those rules would prevail. Akers think we all want great design and architecture but does not know that implementing or enforcing increased guidelines will help. She feels this will only increase the cost to be downtown.

Clarke asked for examples of incentives. Lear said number one is parking. In the most progressive cities there are a lot of parking structures that are built publicly or in a public-private partnership. The cost of parking is the number one issue in downtown. Lear feels we should TIF everything we can downtown and the government should do this rather than leave it up to the developer to initiate. Another issue is solid waste, chances are you will pay the full urban service rate for garbage collection and not get it from the Urban County Government, resulting in having to pay a private service to pick up. Van Nagel added that if they could have a couple of months, and the DDA would agree, they could organize a group to come up with some kind of report about what is out there and what would be feasible, along with a cost. Van Nagle feels we need to define better what Lexington can do and what it will cost so that we can at least have some sort of strategic plan and an idea to work into the process.

Lawless agrees with Lear on the TIF money. Lawless added that one of the barriers she has seen is that when a project is ready to go, there are a lot of hoops to jump through resulting in delays to the project or no completion. She feels this is a good working document. She agreed again with Lear about parking. Lawless wanted to address the amendment to the B2a parking at some point. She thinks there are places in B2a that would work well and places that would not work at all. This has to be something that we look at. She thinks this is a great document and there are some things we will love about it and some things that people may not love so much.

Akers agreed that we talk about incentives but do not do anything with them. Akers agrees with Van Nagle that there should be a group to review the options. Akers

asked about staffing, will these be new positions in the Division of Planning. Kay stated that the infill position formerly existed in Planning but was eliminated during budget reductions. The other position, in part, would replace the person that staffed the courthouse overlay. It is not a new position but an expanded position. Akers asked why this would not be the DDA. Fugate commented on the differences between the DDA and the Planning Division. Fugate stated that the infill facilitator would be not just in planning but in the commissioner's office and would deal with all permitting functions. The DDA was created to work on economic development functions. In the past, DDA staff may have taken this on but it is really an internal function. Akers asked if all development gets a facilitator or only downtown development. Paulsen stated that this person would focus on projects downtown but would also work on other projects around town. Akers asked if the guidelines were applicable to the entire city. Kay said that as proposed they are applicable to downtown zones. Akers asked if a design excellence officer would focus on all projects or downtown, added that it doesn't seem like there would be enough to keep them busy. Paulsen stated that they think there will be plenty for them to do and offered examples of things they could do to help with design plans. They are asked for help that we currently cannot provide without hiring an outside entity to help.

Gorton asked about small area plans, which have been housed in planning and outside people were hired to help with small area plans. She did not think the small area plans would be part of design excellence. Paulsen said they are not a part of it. They are a lot more in depth and require a lot more work than our staff can supply. They are talking about projects that do not fall into this category. This individual could cover these requests and cover the downtown area, as well as others that come in that do not qualify as a small area plan. King commented on the difference between urban design and planning. We have not had any urban design planners. King stated that it is important that the design excellence person be in planning. The advantage of having the facilitator housed on the commissioner's office, is that there are so many things this person would do that cross all of government. He feels this new person could manage this part of the design excellence program, would bring urban design expertise services not currently provided and review public works projects to see if we can turn them into visual assets. Gorton asked Farmer to have King to send his thoughts via email for inclusion in the packet for the next meeting. Farmer agreed that this would be a great opportunity for the council to become familiar with not only this work product but other things that they need to take action on.

Lawless added that she would like the North Nicholasville small area plan that was started before she came onto Council and was abandoned to be done. She understood that there was funding for two small area plans and would like to put a plug in for this one because it is necessary.

Clarke mentioned the potential for something special on Southland Drive. They have been begging for help and having someone in government that could do this would be extremely valuable. This is the kind of thing that can help throughout the city and would be an important step forward.

Beard stated that this may be much ado about nothing and asked how we would get anybody to come down here and do anything without real money. Why would they come here when they could go to Hamburg or Beaumont. He feels this is not going to happen. He has been in 37 meetings and this did not come out as they thought it would and feels it has wasted a lot of time. Farmer suggested that it could be much ado about something we want to get right in the future. Beard asked if that was 2084. Farmer said the opportunity lies ahead of them and feels that the conversation about a facilitator has been valuable and if that is the only thing to come from this, then it was worth it.

Akers thinks the conversations about the staffing are needed and should be part of a separate discussion from the downtown proposal of the task force. Akers commented on the Distillery District and issues surrounding the development of that area.

Farmer stated that the package before them was to help downtown but if the committee desires to send to full council, the funding of a facilitator, then that is what will happen. We need infill and we need to find ways to incentivize it and make it happen.

Kay commented on the discussion. He would encourage the task force to make decisions and changes as needed after input from this meeting and public input. He is hopeful that a modified set of materials can be brought back to committee for further changes or referral to the full Council.

Farmer stated that this conversation will be continued in December.

V. Agenda Addendum – B1 ZOTA Report

Farmer commented on the process involved up to this point and added that this could be moved forward to the full Council for approval.

Lawless would like the Public Safety Committee to look at a way to provide oversight to rehabilitation homes and will make a motion at work session to refer this item.
Motion by Clarke to move the B1 ZOTA to full council. Seconded by Ellinger. Motion passed without dissent.

VI. Items Referred

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

Submitted by Stacey Maynard, Council Administrator