

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, September 9, 2014

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
September 8 – September 15, 2014**

Monday, September 8

No Meetings

Tuesday, September 9

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

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

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

Wednesday, September 10

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

Police & Fire Pension Meeting.....9:00 am
Council Chamber – 2nd Floor Government Center

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

Thursday, September 11

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

Friday, September 12

No Meetings

Monday, September 15

No Meetings

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
August 26, 2014**

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

I. Public Comment – Issues on Agenda

II. Requested Rezonings/Docket Approval

Motion by Akers to approve the docket. Seconded by Ellinger. Motion passed without dissent.

Motion by Akers place #11 on the docket without a hearing. Seconded by Farmer. Motion passed without dissent.

Motion by Farmer to place #12 on the docket without a hearing. Seconded by Lane. Motion passed without dissent.

III. Approval of Summary

Motion by Stinnett to approve the August 19, 2014 work session summary. Seconded by Farmer. Motion passed without dissent.

IV. Budget Amendments

Motion by Stinnett to approve budget amendments. Seconded by Ellinger. Motion passed without dissent.

V. New Business

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

Motion by Ellinger to correct language in item F (should read abolishing an unclassified position and creating a classified position). Seconded by Farmer. Motion passed without dissent.

VI. Continuing Business/Presentations

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

VII. Council Reports

VIII. Mayor's Report

Motion by Akers to approve the Mayor's Report. Seconded by Farmer. Motion passed without dissent.

IX. Public Comment – Issues Not on Agenda

Motion by Ellinger to go into closed session pursuant to KRS 61.810 (1)9c) for the purpose of discussing pending litigation. Seconded by Farmer. Motion passed without dissent.

Motion by Scutchfield to return from closed session. Seconded by Stinnett. Motion passed without dissent.

X. Adjournment

Motion by Scutchfield to adjourn at 4:50pm. Seconded by Myers. Motion passed without dissent.

**Lexington-Fayette Urban County Council
Work Session Agenda
September 9, 2014**

- 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. 9-11**
- V. New Business – Yes, p. 12-36**
- VI. Continuing Business/ Presentations**
 - a** Proclamation: Ovarian Cancer Awareness
 - b** Neighborhood Development Funds, September 9, 2014, p. 37
 - c** General Government Committee, August 12, 2014, p. 38-40
 - d** Planning & Public Works Committee, August 12, 2014, p. 41-45
 - e** Economic Development Committee of the Whole, August 19, 2014, p. 46-51
 - f** Social Services & Community Development Committee, August 26, 2014, p. 52-54
 - g** Presentation: Compensation Study Policy Update; By: Tammy Walters, Division of Human Resources, p. 55-93
- VII. Council Reports**
- VIII. Mayor's Report – Yes**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a **0867-14** Authorization to create section 9-20.1 of the Code of Ordinances prohibiting the use of sky lanterns (also known as Chinese lanterns, kongming lanterns, wish lanterns, sky candles and fire balloons) and providing for a penalty in an amount not to exceed \$250.00 effective (30) days from passage. (L0867-14)(Jackson/Mason)
This is a request to create section 9-20.1 of the Code of Ordinances prohibiting the use of sky lanterns (also known as Chinese lanterns, kongming lanterns, wish lanterns, sky candles and fire balloons) and providing for a penalty in an amount not to exceed \$250.00 effective (30) days from passage. There is no budgetary impact. p. 13
- b **0869-14** Authorization to submit an application to the Kentucky Division of Emergency Management requesting federal funds under the Federal Emergency Management Agency's Flood Mitigation Assistance/Pre-Disaster Mitigation Programs in the amount of \$871,537.50 for purchase and demolition of six residential properties along Eastland Park Tributary. (L0869-14)(Gooding/Holmes)
This is a request to submit an application to the Kentucky Division of Emergency Management requesting federal funds under the Federal Emergency Management Agency's Flood Mitigation Assistance/Pre-Disaster Mitigation Programs in the amount of \$871,537.50 for purchase and demolition of six residential properties along Eastland Park Tributary. A 25% local match is required. Funds are budgeted. p. 14
- c **0886-14** Authorization to amend the lease agreement with Ann Tower Gallery, LTD. to change the gallery space utilized by Ann Tower Gallery within the Downtown Arts Center located at 141-143 East Main Street from both the first and second floors to only the second floor. (L0886-14)(Reed)
This is a request to amend the lease agreement with Ann Tower Gallery, LTD. to change the gallery space utilized by Ann Tower Gallery within the Downtown Arts Center located at 141-143 East Main Street from both the first and second floors to only the second floor. The fiscal terms of the agreement remain the same. p. 15
- d **0898-14** Authorization to amend Section 21-5 of the Code of Ordinances by transferring one (1) position of Information Systems Specialist Sr. (Grade 114E) and its incumbent from the Division of Waste Management to the Division of Computer Services effective upon passage by Council. (L0898-14)(Holmes/Valicenti)
This is a request to amend Section 21-5 of the Code of Ordinances by transferring one (1) position of Information Systems Specialist Sr. (Grade 114E) and its incumbent from the Division of Waste Management to the Division of Computer Services effective upon passage by Council. p. 16

- e **0899-14** Authorization to approve the Facility Usage Agreement between the Lexington-Fayette Urban County Government, Kiddie Kapers Program and Fayette County Board of Education for use of the Norsworthy Auditorium on December 6. (L0899-14)(Chambers/Reed)
This is a request to approve the Facility Usage Agreement between the Lexington-Fayette Urban County Government, Kiddie Kapers Program and Fayette County Board of Education for use of the Norsworthy Auditorium on December 6 at a cost of \$1,466.85. Funds are budgeted. p. 17
- f **0900-14** Authorization to amend Ordinance 78-210 relating to the Turfland Town Center Development Area and to approve submission of the amended Turfland Town Center application to the Kentucky Economic Development Finance Authority. (L0900-14)(Atkins)
This is a request to amend Ordinance 78-210 relating to the Turfland Town Center Development Area and to approve submission of the amended Turfland Town Center TIF application to the Kentucky Economic Development Finance Authority. There is no budgetary impact. p. 18-19
- g **0901-14** Authorization to accept quote from Federal Signal Safety and Security System as a sole source vendor for the outdoor warning sirens at a cost of \$30,000. (L0901-14)(Dugger/Mason)
This is a request to accept quote from Federal Signal Safety and Security System as a sole source vendor for the outdoor warning sirens at a cost of \$30,000. Funds are budgeted. p. 20
- h **0903-14** Authorization to approve an updated Exchange of Information Agreement with The Kentucky Revenue Cabinet allowing for the sharing of information needed for official government purposes. (L0903-14)(Cook/O'Mara)
This is a request to approve an updated Exchange of Information Agreement with The Kentucky Revenue Cabinet allowing for the sharing of information needed for official government purposes. There is no budgetary impact. p. 21
- i **0904-14** Authorization to submit an application to the Kentucky Energy and Environment Cabinet, and accept award if offered, for the continuation of the Litter Abatement Grant Funding Program in Fayette County-FY 2015. (L0904-14)(Gooding/Holmes)
This is a request to submit an application to the Kentucky Energy and Environment Cabinet, and accept award if offered, for the continuation of the Litter Abatement Grant Funding Program in Fayette County-FY 2015. Budget Amendments 5954, 5955 and 5956 are in process. p. 22

- j **0905-14** Authorization to enter into Memorandum of Understanding for transportation services between FCPS and LFUCG Division of Family Services for transportation for students and their pre-school children for the current school year. (L0905-14)(Mills)
This is a request to enter into Memorandum of Understanding for transportation services between FCPS and LFUCG Division of Family Services for transportation for students and their pre-school children for the current school year at a cost not to exceed \$85,643.22. Funds are budgeted. p. 23
- k **0906-14** Authorization to accept a deed of easement at 256 Southland Drive from Central Bank for the installation of a traffic signal pole for the Southland/Regency Traffic Signal Rebuild Project. (L0906-14)(Hoskins-Squier/Holmes)
This is a request to accept a deed of easement at 256 Southland Drive from Central Bank for the installation of a traffic signal pole for the Southland/Regency Traffic Signal Rebuild Project at a cost not to exceed \$350.00. Funds are budgeted. p. 24
- l **0910-14** Authorization to enter into an agreement with SDGblue, LLC for Phase 1 of the implementation of the new LFUCG Occupational Tax System. (L0910-14)(Cook/O'Mara)
This is a request to enter into an agreement with SDGblue, LLC for Phase 1 of the implementation of the new LFUCG Occupational Tax System at a cost of \$131, 250. Funds are budgeted. p. 25
- m **0912-14** Authorization for the issuance and sale of Sewer System Revenue Refunding Bonds - Series 2014A in an aggregate principal amount not to exceed \$32,000,000 for the purpose of currently refunding the series 2009 bonds; and authorizing the issuance and sale of Sewer System Revenue Refunding Bonds - Series 2014B in a aggregate principal amount not to exceed \$13,000,000 for the purpose of advance refunding the series 2010 bonds. (L0912-14)(O'Mara)
This is a request to authorize the issuance and sale of Sewer System Revenue Refunding Bonds - Series 2014A in an aggregate principal amount not to exceed \$32,000,000 for the purpose of currently refunding the series 2009 bonds; and authorizing the issuance and sale of Sewer System Revenue Refunding Bonds - Series 2014B in a aggregate principal amount not to exceed \$13,000,000 for the purpose of advance refunding the series 2010 bonds. Funds are budgeted. p. 26
- n **0913-14** Authorization to enter into Facility Usage Agreements between the Lexington-Fayette Urban County Government and various youth baseball leagues. (L0913-14)(Chambers/Reed)
This is a request for LFUCG to enter into Facility Usage Agreements with various youth baseball leagues. There is no budgetary impact. p. 27

- o** **0921-14** Authorization to approve Federal Equitable Sharing Agreement and Certification with the Department of Justice and the Department of the Treasury for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest, which are equitably shared with participating law enforcement agencies. (L0921-14)(Bastin/Mason)
This is a request to approve the Federal Equitable Sharing Agreement and Certification with the Department of Justice and the Department of the Treasury for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest, which are equitably shared with participating law enforcement agencies. There is no budgetary impact. p. 28
- p** **0922-14** Authorization to execute an agreement awarding Class B (Infrastructure) Stormwater Quality Projects Incentive Grant to Lexmark International, Inc., at a total cost not to exceed \$350,000.00. (L0922-14)(Martin/Holmes)
This is a request to execute an agreement awarding Class B (Infrastructure) Stormwater Quality Projects Incentive Grant to Lexmark International, Inc., at a total cost not to exceed \$350,000.00. Funds are budgeted. p. 29
- q** **0924-14** Authorization to approve the Property Tax Collection Agreement between LFUCG and the Fayette County Sheriff for collection of ad valorem urban services tax collection services at a cost of \$350,000. (L0924-14)(O'Mara)
This is a request to approve the Property Tax Collection Agreement between LFUCG and the Fayette County Sheriff for ad valorem urban services tax collection services at a cost of \$350,000. Funds are budgeted. p. 30
- r** **0925-14** Authorization to execute an agreement with Free Contracting for Change Order #1 for the Ecton Park Sanitary Sewer Replacement Project for an amount of \$47,930 increasing the total contract amount to \$737,437.50. (L0925-14)(Martin/Holmes)
This is a request to execute an agreement with Free Contracting for Change Order #1 for the Ecton Park Sanitary Sewer Replacement Project for an amount of \$47,930 increasing the total contract amount to \$737,437.50. Funds are budgeted. p. 31-34
- s** **0927-14** Authorization to execute a Facility Usage Contract with the Fayette County Board of Education for the LFUCG Parks and Recreation, Extended School Program (ESP) and Recreational Enrichment and Learning (REAL) program. (L0927-14)(Chambers/Reed)
This is a request to execute a Facility Usage Contract with the Fayette County Board of Education for the LFUCG Parks and Recreation, Extended School Program (ESP) and Recreational Enrichment and Learning (REAL) program at a cost not to exceed \$203,000. Funds are budgeted. p. 35

t **0934-14** Authorization to execute an agreement with the Hilton Lexington for the location and catering services for the Kentucky Cyber Security Summit hosted in partnership with the Department of Homeland Security. (L0934-14)(Cottle/Valicenti)

This is a request to execute an agreement with the Hilton Lexington for the location and catering services for the Kentucky Cyber Security Summit hosted in partnership with the Department of Homeland Security at a cost not to exceed \$12,000. p. 36

BUDGET AMENDMENT REQUEST LIST

JOURNAL	80260	DIVISION	Parks and Recreation	Fund Name	Donation Fund
				Fund Impact	4,500.00
					4,500.00CR
					.00

To provide funds for Construction-Park Area by decreasing Construction-Athletic Facility in order provide funds in the correct account.

JOURNAL	80411	DIVISION	Parks and Recreation	Fund Name	Donation Fund
				Fund Impact	30,000.00
					30,000.00CR
					.00

To provide funds in the correct department for improvements to the James Lane Allen Fountain of Youth in Gratz Park.

JOURNAL	80364	DIVISION	Grants and Special Projects	Fund Name	US Department of HUD
				Fund Impact	16,565.71
					16,565.71CR
					.00

To amend CDBG - FY 2012 (Administration) to provide for expected expenditures in the correct account.

JOURNAL	80365	DIVISION	Grants and Special Projects	Fund Name	US Department of HUD
				Fund Impact	18,365.14
					18,365.14CR
					.00

To amend CDBG - FY 2012 (Rehab operations) to provide for expected expenditures in the correct account.

JOURNAL	80211-12	DIVISION	Grants and Special Projects	Fund Name	Grants - State
				Fund Impact	30,457.00
					30,457.00CR
					.00

To amend Law Enforcement - FY 2015 to reflect actual grant award.

JOURNAL	80285-86	DIVISION	Grants and Special Projects	Fund Name	Grants - State
				Fund Impact	199,437.46
					199,437.46CR
					.00

To amend Fire Training - FY 2010 to reflect actual revenue and expenses.

JOURNAL	80287-88	DIVISION	Grants and Special Projects	Fund Name	Grants - State
				Fund Impact	367,248.30
					367,248.30CR
					.00

To amend Fire Training - FY 2011 to reflect actual revenue and expenses.

JOURNAL	80289-90	DIVISION	Grants and Special Projects	Fund Name Fund Impact	Grants - State 499,180.62 499,180.62CR .00
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To amend Fire Training - FY 2013 to reflect actual revenue and expenses.

JOURNAL	80291-92	DIVISION	Grants and Special Projects	Fund Name Fund Impact	Grants - State 361,413.78 361,413.78CR .00
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To amend Fire Training - FY 2012 to reflect actual revenue and expenditures.

JOURNAL	80402-03	DIVISION	Grants and Special Projects	Fund Name Fund Impact	Grants - State 346,238.99 346,238.99CR .00
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To amend Police Training - FY 2010 to reflect actual revenue and expenditures.

JOURNAL	80404-05	DIVISION	Grants and Special Projects	Fund Name Fund Impact	Grants - State 429,526.82 429,526.82CR .00
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To amend Police Training - FY 2012 to reflect actual revenue and expenses.

JOURNAL	80406-07	DIVISION	Grants and Special Projects	Fund Name Fund Impact	Grants - State 692,905.81 692,905.81CR .00
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To amend Police Training - FY 2013 to reflect actual revenues and expenses.

JOURNAL	80409-10	DIVISION	Grants and Special Projects	Fund Name Fund Impact	Grants - State 767,871.18 767,871.18CR .00
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To amend Police Training - FY 2014 to reflect actual expenses and revenue.

JOURNAL	80463-64	DIVISION	Grants and Special Projects	Fund Name Fund Impact	Grants - State 589.18 589.18CR .00
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To amend Law Enforcement - FY 2013 to reflect actual expenditures and revenue.

JOURNAL	80465-66	DIVISION	Grants and Special Projects	Fund Name Fund Impact	Grants - State 481,837.48 481,837.48CR .00
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To amend Police Training - FY 2011 to reflect actual revenue and expenses.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1103	Donation Fund	.00
Fund	3120	US Department of Housing and Urban Development	.00
Fund	3400	Grants - State	.00

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

12

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
898-14	80499	Computer Services/ Waste Management	To provide funds for one civil position of Informations Systems Specialist Senior in the Division of Computer Services by decreasing funds for one civil position of Informations Systems Specialist Senior in the Division of Waste Management. 1115 42,062.00 1115 42,062.00CR .00CR

EFFECT ON FUND BALANCES

FUND 1115	.00	NO IMPACT TO:	URBAN SERVICES DISTRICT FUND
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Date: August 19, 2014

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



From: Chief Keith L. Jackson

The Division of Fire & Emergency Services is requesting authorization to create a section 9-20.1 of the Code of Ordinance prohibiting the use of sky lanterns; also know as Chinese lanterns, Kongming lanterns, wish lanterns, sky candles, and fire balloons. These devices are banned in many states either by fire codes, firework codes, or a specific legislation ban; including Austria, Australia, Brazil, New Zealand, Spain, Germany and parts of Canada. The section 9-20.1 should include a penalty in an amount not to exceed \$250.00 effective thirty (30) days from passage. These lanterns can travel a significant distance from the point of release which creates a serious fire and safety hazard because of the potential to start an unintended fire on or off the property from which they are released.



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: AUGUST 20, 2014

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION
TO THE KENTUCKY DIVISION OF EMERGENCY MANAGEMENT
REQUESTING FEDERAL FUNDS UNDER THE FEDERAL
EMERGENCY MANAGEMENT AGENCY'S FLOOD MITIGATION
ASSISTANCE/PRE-DISASTER MITIGATION PROGRAMS**

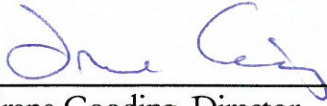
The Division of Water Quality has prepared an application requesting federal funds from the Kentucky Division of Emergency Management under the Federal Emergency Management Agency's Flood Mitigation Assistance/Pre-Disaster Mitigation Assistance programs.

Federal funds in the amount of \$871,537.50 (75%) are being requested to support the cost of acquisition and demolition of up to six residential properties on Clarksdale Court along Eastland Park Tributary. These properties have experienced repeated home flooding for an extended period time. A 25% local match in the amount of \$290,512.50 is required. Source of local match is Fund 4052.

Total project cost is \$1,162,050.

The Flood Mitigation Assistance Program was created as part of the National Flood Insurance Reform Act of 1994 with the goal of reducing claims under the National Flood Insurance Program. The Pre-Disaster Mitigation Grant Program provides funds for implementation of mitigation projects prior to a disaster event.

Council authorization to submit application is hereby requested.



Irene Gooding, Director

Xc: David Holmes, Commissioner of the Department of Environmental Quality and Public Works



15
0886-14

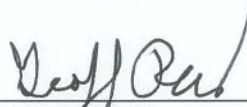
Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner

MEMORANDUM

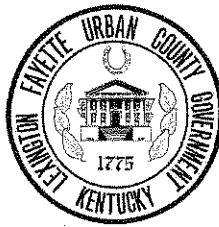
TO: Mayor Jim Gray
Sally Hamilton, CAO
Urban County Council

FROM: 
Geoff Reed
Commissioner of General Services

DATE: August 20, 2014

RE: Amendment #2 to lease agreement with Ann Tower Gallery, LTD. (Contract #4688; R-713-2001) to reduce the gallery space within the Downtown Arts Center.

I am requesting Urban County Council approval for amendment #2 to the lease agreement with Ann Tower Gallery, LTD for space within the Downtown Arts Center located at 141 – 143 East Main Street. The current gallery lease identifies approximately 969 S/ft on the first and 1,415 S/ft on the second floor of the facility. The gallery has expressed a desire to remain in the Downtown Arts Center, vacating the first floor space and moving the gallery to the second floor area. They will continue their occupancy on a month-to-month basis paying the current annual rent of \$6,684.44 (\$557.04 per month) and the first floor space will be vacated on or before December 31, 2014. Advance written notification to vacate the second floor space will be required by either party making the request.




Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Sally Hamilton
Chief Administrative Officer

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: August 22, 2014

SUBJECT: Transfer position – Division of Waste Management and Computer Services

The attached action amends Section 21-5 of the Code of Ordinances by transferring one (1) position of Information Systems Specialist Sr. (Grade 114E) and its incumbent from the Division of Waste Management to the Division of Computer Services effective upon passage by Council.

Council authorization is being requested to move this position from the Division of Waste Management to the Division of Computer Service. The position will continue to report to Computer Services and work at Waste Management and will continue to be funded from Waste Management.

If you have questions or need additional information, please contact Alisha Lyle at 258-3957.

Attachment

Log #15-0020



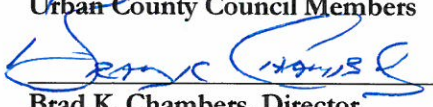
- Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner, General Services

MEMORANDUM

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

FROM: 
Brad K. Chambers, Director
Parks and Recreation

RE: Facility Usage Contract

DATE: August 22, 2014

This is a request for Council approval of Facility Usage Agreements between the Lexington-Fayette Urban County Government, Kiddie Kapers Program and Fayette County Board of Education.

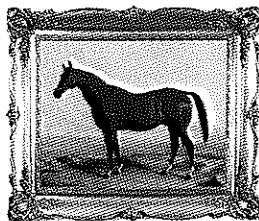
This Facility Usage Contract is for the purpose of using Norsworthy Auditorium on Saturday December 6, 2014 for our Kiddie Kapers program.

The cost of the program is \$1,466.85 and will be funded from account 1101-707604-7324-71302.

Please contact me if there are any questions.

CC: Geoff Reed

/df



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Mayor Jim Gray
Lexington-Fayette Urban County Council

From: Kevin Atkins 
Chief Development Officer

Date: August 22, 2104

Subject: Amend Turfland Town Center TIF Ordinance 78-210

This is a request to amend Ordinance 78-210 relating to the Turfland Town Center Development Area. The amended ordinance also includes the Master Development Agreement and Local Participation Agreement for the TIF project.

Turfland Town Center Development requested to amend their TIF application for the mixed-use development at the former Turfland Mall on Harrodsburg Road. The total capital investment for the project is estimated to be approximately \$41.1 million. Public infrastructure cost supported by TIF revenues is estimated to be approximately \$8.5 million. Public infrastructure for the project will include: land preparation, demolition and clearance, site preparation, remediation, utilities, sanitary sewers, storm sewers, parking, landscaping, fencing, water lines, meter, hydrants, sidewalk replacement, survey and geotechnical services, street lighting, as well as soft costs and contingency.

We are requesting approval to submit the amended Turfland Town Center TIF application to the Kentucky Economic Development Finance Authority for the project. This request also includes approval of the Master Development Agreement and the Local Participation Agreement for the Turfland Town Center TIF.

During the last several weeks representatives from LFUCG and the developer have been working through the development agreement. That working group consisted of:

- Jim Parsons, Attorney, Taft Law Firm
- Janet Graham, Commissioner of Law, LFUCG
- David Barberie, Managing Attorney, LFUCG
- Kevin Atkins, Chief Development Officer, LFUCG
- John Farris, President, Commonwealth Economics (representing the developer)
- Ron Switzer, Partner, Switzer, McGaughey & Company (developer)

FOLLOW MAYOR GRAY:

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

The project will include:

1. 85,000 square feet of office space
 2. 85,000 square foot medical clinic
 3. 117,400 square feet of retail and restaurant space
- Parties agree that the private financing for the project shall not constitute a debt of the LFUCG or a pledge of the full faith and credit of the LFUCG and that LFUCG shall have no obligation toward the payment of any developer's costs for the project beyond the pledge of incremental revenues.
 - Project TIF would be activated January 1, 2015 with reimbursements from the incremental revenues generated by the TIF to begin in calendar year 2016.
 - Local and state TIF incremental revenues would be used to pay costs in order as follows:
 1. \$8,200 yearly reimbursement to LFUCG for administering the TIF.
 2. Public infrastructure cost incurred by the developer not to exceed \$8.5 million.
 - LFUCG will not reimburse the developer above the incremental revenues generated by the project.

**Lexington-Fayette Urban County Government**

Department of Public Safety
Division of Emergency Management

Jim Gray
Mayor

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

MEMORANDUM

TO: Mayor Jim Gray
Lexington Fayette Urban County Council

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

RE: Sole Source Vendor for Federal Signal Corporation

DATE: August 22, 2014

I am requesting acceptance of the quote from Federal Signal Safety and Security Systems as a sole source vendor for the emergency outdoor warning siren system. The current outdoor warning siren system was originally installed in 1979-1988; Federal Signal was the vendor that was chosen at that time. In 1996 the emergency outdoor warning sirens were removed from fire stations and reinstalled in large parks, but to save costs the sirens were repaired and reused. Sirens have been slowly added to the system since 1998. Federal sirens are not compatible and unable to be mixed with other brands of sirens. These sirens have now aged to the point that upgrades are critical but have to be completed with existing Federal Signal parts.

In our FY15 budget request we requested capital money to upgrade and replace 3 of the emergency outdoor warning sirens. This request was approved and the funds are available in our budget.

If you have any questions or need any additional information, please contact me at 425 2490.

xc: Clay Mason, Commissioner of Public Safety
Federal Signal Corporation File



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 Jr., Director *RC*
Division of Revenue

DATE: August 8, 2014

SUBJECT: Exchange of Information Agreement

The Kentucky Revenue Cabinet has requested an updated Exchange of Information Agreement with Lexington-Fayette Urban Co. Government (LFUCG). The agreement allows the Kentucky Revenue Cabinet and the Division of Revenue of LFUCG to share information needed for official government purposes only.

Please approve the contract and execute the attached copies.

If you have any questions, please contact me at 258-3354.

cc William O'Mara, Commissioner of Finance



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: AUGUST 26, 2014

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT
APPLICATION TO THE KENTUCKY ENERGY AND
ENVIRONMENT CABINET, AND ACCEPT AWARD IF
OFFERED, FOR THE CONTINUATION OF THE LITTER
ABATEMENT GRANT FUNDING PROGRAM IN FAYETTE
COUNTY—FY 2015**

The 2002 Kentucky General Assembly enacted legislation (House Bill 174) providing for litter cleanups to be conducted two times each year on city streets as part of each county's solid waste management plan. The bill created a source of revenue for eligible cities and counties to address roadside litter. The revenue to each county is based upon a formula using the county's miles of public roads, the county's rural population, and the county's total population as a proportion of the state's total miles of public roads, rural population, and total population.

The Kentucky Energy and Environment Cabinet has not provided Fayette County with an estimated award for 2015 Litter Abatement Grant Funding. The amount of \$149,036.20 is the amount awarded in 2014. If approved, the state financial assistance will be used to support personnel costs of employees whose jobs include the picking up of roadway litter (Division of Waste Management and Division of Streets and Roads), the costs of inner-city and rural Adopt-A-Spot programs, and educational programs. The application is due November 1.

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

Irene Gooding, Director

Xc: David Holmes, Commissioner, Department of Environmental Quality and Public Works



23

0905-14

Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

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

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

DATE: August 27, 2014

RE: MOU for transportation services: FCPS and LFUCG Division of Family Services

This is a request for the Mayor to authorize and sign an MOU with Fayette County School to provide transportation for students and their pre-school children who are enrolled in the Family Care Center Parent Resource program for the current school year for a cost not to exceed \$85, 643.22. Funds for this service are fully budgeted.




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

Jim Gray
Mayor

David L. Holmes
Commissioner

MEMORANDUM

To: Jim Gray, Mayor
Urban County Council

From: James R. Wray 
Engineering Technician Principal

Date: August 25, 2014

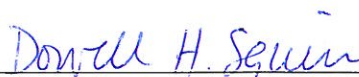
Re: Resolution Authorizing Acceptance of a Deed of Easement
Southland/Regency Traffic Signal Rebuild
Central Bank - 256 Southland Drive

The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed of easement as referenced above. It is needed for installing a traffic signal pole to avoid underground utilities at this intersection. Cost is not to exceed \$350.

Funds for the payment of this easement are currently budgeted in Division of Traffic Engineering, 2014 Bond Funds; account 2603-303602-3603-91611 TRAFSIG_UP_2014.



David L. Holmes
Commissioner, Department of
Environmental Quality and Public Works



Dowell Hoskins-Squier
Director, Division of Traffic Engineering



25
0910-14
0910-14


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, Director 
Division of Revenue

DATE: August 29, 2014

SUBJECT: Project Management Consulting Services for the new LFUCG OTS

The Division of Revenue requests approval of the Project Management Consulting Services for implementation of the new LFUCG Occupational Tax System (OTS), as outlined in the Statement of Work, Phase 1.

cc William O'Mara, Commissioner of Finance



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

William O'Mara
Commissioner

TO: Mayor Jim Gray
Members, Urban County Council

FROM: William O'Mara, Commissioner *WOM*
Department of Finance and Administration

DATE: August 28, 2014

SUBJECT: Ordinance Authorizing Issuance Sanitary Sewer Revenue Refunding Bonds

Authorization is requested in the issuance and sale of Sewer System Revenue Refunding Bonds (the "Series 2014A") in an aggregate principal amount not to exceed \$32,000,000 for the purpose of currently refunding the series 2009 bonds, (II) Authorizing the issuance and sale of Sewer System Revenue Refunding Bonds, series 2014B in an aggregate principal amount not to exceed \$13,000,000 for the purpose of advance refunding the series 2010 bonds. This Ordinance, the ordinance authorizing the new Trust Agreement and the companion resolution authorizing the advertising for bids (collectively the "Bond Legislation") provides for a new mechanism to issue Sewer System Revenue Bonds. From this time forward, the Bond Legislation provides for the financing of Sewer System improvements by the issuance of Sewer System Revenue Obligations under a Trust Agreement (the "Trust Agreement") between the Lexington Fayette Urban County Government and The Bank of New York Mellon Trust Company, N.A. (the "Trustee"). This new mechanism to issue Sewer System Revenue Bonds reflects changes in Kentucky State Law, financing standards, market expectations and financing techniques and provides the Lexington Fayette Urban County Government greater flexibility in financing and investing and improved cash management, from and after the date of the issuance of the Series 2014 Bonds.

Adoption of the Bond Legislation is required for the issuance of the Series 2014 Bonds.

Attachment

wo/lyb



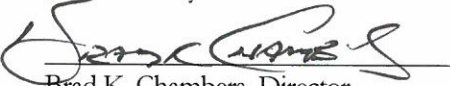
Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner, General Services

MEMORANDUM

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

FROM: 
Brad K. Chambers, Director
Parks and Recreation

RE: Facility Usage Agreement

DATE: August 27, 2014

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

These agreements are for the purpose of providing youth sports for the community by utilizing park facilities. The Agreements are for the fall leagues. The agreements have been used successfully for several years.

Please contact me if there are any questions.

CC: Geoff Reed

/df

**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: August 29, 2014

RE: Federal Equitable Sharing Agreement and Certification

Please find attached Federal Equitable Sharing Agreement and Certification with the Department of Justice, The Department of the Treasury. This agreement sets forth the requirements for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest, which are equitably shared with participating law enforcement agencies. This agreement also requires the submission of any discrimination cases involving the Division of Police, which has been submitted by the Department of Law (see attached letter). The attached agreement is a prerequisite to receiving any equitably shared cash, property, or proceeds. Due to the time restraint on this agreement, we are requesting this documentation be expedited through the Legistar process, with two readings requested at the September 11th Council Meeting. I have attached two (2) original agreements requiring the Mayor's signature.

There will be no budgetary impact. However, until this agreement is signed and delivered, the Division of Police will not be in compliance with the Federal Government. Upon approval and signing, please forward one original agreement to the Chief's Office.

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

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

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Clay Mason, Commissioner of Public Safety

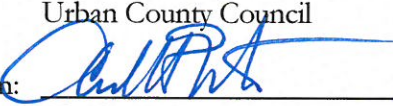


Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Jim Gray
Mayor

David Holmes
Commissioner

To: Mayor Jim Gray
Urban County Council

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

Date: August 21, 2014

Re: Requesting authorization to execute an agreement awarding a Class B (Infrastructure) Stormwater Quality Projects Incentive Grant to Lexmark International, Inc., at a total cost not to exceed \$350,000.00.

The grant application of Lexmark International, Inc. was reviewed and recommended by the Water Quality Fees Board at its October 17, 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

This grant requires a minimum 10% cost share, for costs associated with the Design Phase, by the grant recipient. The Grant Award Agreements require the Mayor's signature.

Grant Project Description

The objectives for this project include design and construction for removal of existing parking lot and return it to a grassed area, a bioretention basin for water quality and water quantity control, and storm sewers to convey flows to the basin.

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

Attachment

Pc: Michael Cravens, Department of Law
Julie Mantrom, Division of Water Quality
Christopher Dent, P.E., Division of Water Quality




Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

William O'Mara
Commissioner

TO: Mayor Jim Gray
Members, Urban County Council

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

DATE: September 2nd, 2014

SUBJECT: Fayette County Sheriff-2014 Urban Service Property Tax

Approval is requested for the attached agreement between the Lexington-Fayette Urban County Government and the Fayette County Sheriff for the collection of property taxes.

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 agreement is unchanged from previous years.

I am available if you have any questions or need additional information, please contact me.

wo/lyb

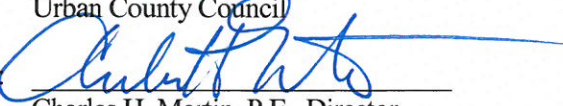


Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Jim Gray
Mayor

David Holmes
Commissioner

To: Mayor Jim Gray
Urban County Council

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

Date: August 29, 2014

Re: Request Authorization to Execute an Agreement with Free Contracting for Change Order #1 for the Ecton Park Sanitary Sewer Replacement Project.

The Division of Water Quality requests approval of Change Order #1 with Free Contracting for additional work to the Ecton Park Sanitary Sewer Replacement Project. Change Order #1 for \$47,930 increases the original contract amount of \$689,507.50 to \$737,437.50. The sum of this Change Order is equal to 7% of the original contract amount.

Description of Change Order

1. Line Item # 3 Cleanout increase quantity by 1.
Add: \$500.00
2. Line Item #11 Cut and Cap Existing Sewer Line increase quantity by 5.
Add: \$500.00
3. Line Item #19 Flowable Fill increase quantity by 116 CY.
Add: \$23,200.00
4. Line Item #22 Additional Soil Excavation as Ordered by Engineer increase by 6.2 CY.
Add: \$155.00
5. Line Item #24 Safety Fence Increase by 807 LF.
Add: \$4,035.00
6. Line Item #30 Wooden Privacy Fence increase by 38 LF.
Add: \$1,520.00
7. Line Item #48 Stream Crossing Pump Around increase by 7 LS
Add: \$3,000.00
8. 331 LF of security fencing
Add: \$3,310.00
9. 16.2 CY of additional concrete required at stream crossing.
Add: \$3,240.00
10. 150 SF of concrete apron at 941 Turkeyfoot Road
Add: \$1,500.00
11. 2 additional back trap valves.
Add: \$320.00
12. Used 40 LF less of 6" lateral at 600 Galaxie Drive
Deduct: \$3,800.

13. 25 LF of 6" Lateral at 608 Galaxie Drive.
Add: \$2,375.00
14. 55 LF of 6" Lateral at 933 The Curtilage.
Add: \$5,225.00
15. Fill retention area per LFUCG.
Add: \$2,850.00

Total Cost of Change Order #1: \$47,930.00

The change order is fully budgeted and funds are located in the account shown below.

4003 303408 3462 92811 2013 LFUCG ECTONPARK CONSTRUCT - \$41,043.46

4003 303408 3462 92811 2012 LFUCG SSREHAB_2012 CONSTRUCT - \$6,886.54

cc: David Holmes, Commissioner, Department of Environmental Quality & Public Works
Rick Day, Division of Water Quality Construction Manager
Jeff Baumgardner, Division of Water Quality Inspector
Lisa McFadden, Division of Water Quality Program Manager

CONTRACT HISTORY FORMContractor: Free ContractingProject Name: Ecton Park Trunk ReplacementContract Number and Date: #365-2013Responsible LFUCG Division: Division of Water Quality**CHANGE ORDER DETAILS****Summary of Previous Change****Orders To Date****Dollar Amount****Percent Change to
Original Contract**A. Original Contract Amount: \$ 689,507.50B. Cumulative Amount of
Previous Change Orders: \$ 0.000% %
(Line B / Line A)C. Total Contract Amount
Prior to this Change Order: \$ 689,507.50**Current Change Order**D. Amount of This Change Order: \$ 47,930.007% %
(Line D / Line A)E. New Contract Amount
Including this Change Order: \$ 737,437.50107% %
(Line E / Line A)**SIGNATURE LINES**Project Manager: Date: 8-29-2014Reviewed by: 

Date: _____

Division Director: Date: 9-2-14



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

Jim Gray
Mayor

David Holmes
Commissioner

Change Order Signature Sheet

Change Order # 1
Contract # 365-2013
Add \$ 47,930.00

Ecton Park Sanitary Sewer Replacement
Lexington Fayette-Urban County Government
Division of Water Quality

SIGNATURES TO CHANGE ORDER ACCEPTED

Date: 9.2.14

By: [Signature] President
Rhonda Fister, Free Contracting

RECOMMENDED

Lexington Fayette-Urban County Government

Date: 8.29.2014

By: [Signature]
Rick Day, P. E. Construction Manager

REVIEWED

Lexington Fayette-Urban County Government

Date: 8.2.14

By: [Signature]
Charles Martin, P. E. Division Director

APPROVED

Lexington Fayette-Urban County Government

Date: _____

By: _____
Jim Gray, Mayor



Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

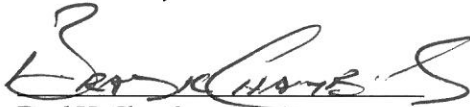
Jim Gray
Mayor

Geoff Reed
General Services Commissioner

Evelyn Bologna, Acting Director
Division of Parks and Recreation

MEMORANDUM

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

From: 
Brad K. Chambers, Director

RE: Facility Usage Contract Amendment

Date: September 2, 2014

This is a request for Council approval of a Facility Usage Contract between the Fayette County Board of Education and the LFUCG Parks and Recreation, Extended School Program (ESP) and Recreational Enrichment and Learning (REAL) program.

This Facility Usage Contract is for the purpose of using FCPS facilities for our ESP and REAL program. This contract covers the 2014-2015 school year and will expire June 30, 2015 or the last day of school for students. An honorarium is paid from the ESP fund in lieu of rental fees.

This agreement is to include the purchase of snacks from FCPS food service to include the school year up until June 30, 2015.

The cost of this action shall not to exceed \$203,000 which includes the honorarium and snacks. Funds are budgeted.

Please contact me if there are any questions.

CC: Geoff Reed
Commissioner of General Services



Lexington-Fayette Urban County Government
CHIEF INFORMATION OFFICE

Jim Gray
Mayor

CIO
Aldona Valicenti

MEMORANDUM

TO: Mayor Jim Gray

FROM: Aldona Valicenti, CIO *AV*
Office of the CIO

DATE: September 3, 2014

RE: Agreement with Hilton for Cyber Security Summit

Lexington-Fayette Urban County Government, in partnership with the Department of Homeland Security, is hosting a Kentucky Cyber Security Summit. The mission of the summit is to bring stakeholders together in an effort to prepare and react to cyber security threats. Leaders in the field of cyber security will brief attendees on how to effectively respond to cyber breaches. Summit attendees will also receive detailed information regarding the impact of Kentucky House Bill 5 on their organization's IT operations.

Event will be held at the downtown Lexington Hilton from 8-4:30pm on October 6, 2014.

Requesting the Mayor execute an agreement with Hilton Lexington/Downtown for the location and catering services not to exceed \$12,000.

Neighborhood Development Funds
September 9, 2014
Work Session

Amount	Recipient	Purpose
\$ 900.00	The Lexington Humane Society's Second Chances Fund 1600 Old Frankfort Pike Lexington, KY 40504 Susan Malcomb	To provide funds for animals in extreme need of surgery, intensive care, attention and loving homes they deserve.
\$ 925.00	The Plantory, Inc. 501 West Sixth Street, Suite 250 Lexington, KY 40508 Angela Baldrige	To assist with their new Community Wellness Programming.
\$ 1,700.00	Leukemia & Lymphoma Society 301 E. Main Street, Suite 100 Louisville, KY 40202 Shane Stuber	To support the Light the Night fundraising event.
\$ 1,350.00	African American Forum, Inc. 1202 Highland Park Drive Lexington, KY 40505-3314 John Cole, III	To provide support for their annual African American Ball.
\$ 500.00	MLK Neighborhood Assoc., Inc. 425 Johnson Avenue Lexington, KY 40508 Travis Robinson	To provide support for their Johnson Highway Day Block Party & Fundraiser.
\$ 500.00	Copperfield Neighborhood Assoc., Inc. PO Box 910772 Lexington, KY 40514 Jason Heck	To assist with the purchase of LED lights for the neighborhood entryway.

General Government Committee

August 12, 2014

Summary and Motions

Chair Kay called the meeting to order at 11:00 AM. All Committee members were present except Akers and Lawless. Henson and Stinnett also attended but were not part of the quorum.

1. Approval of Summary for the March 4, 2014

Gorton recommended a change to page 5 of the summary. Motion by Myers to approve the summary as amended. Seconded by Lane. Motion passed without dissent.

2. Wireless Devices Policies

Aldona Valicenti presented an update to the committee regarding the procurement, security issues, and use of wireless devices. She reviewed the revision timeline of the draft CAO policy; a draft policy is currently being reviewed by the Department of Law.

A wireless request form will be required for requests. Management will approve the device, Computer Services will assist with choice of phone and carrier, and the device will be shipped to Computer Services to be inventoried. Employees will be required to sign an Acceptable Usage Agreement.

Valicenti further reported on the status of a Bring Your Own Device policy. This issue is being reviewed for policy formulation at the state level, and the LFUCG is awaiting the outcome of that effort before moving forward with a policy.

In response to a question from Lane, Valicenti stated that devices often have multiple accounts. In the event a device is lost or stolen, we must consider how the LFUCG's data would be protected. She further stated that devices paid for by the LFUCG are assumed to be utilized for business, and personal use would be incidental.

Myers discussed the possibility of the LFUCG providing an allowance for employees rather than procuring cell phones. Valicenti responded that stipends would typically be offered to all employees. Myers requested that Valicenti investigate the University of Kentucky's policy in this regard.

In response to a question from Kay, Valicenti stated that managers would be responsible to review and approve employee requests for devices.

Kay asked about next steps in the process. Valicenti stated that the CAO policy related to wireless devices is currently being reviewed by the Department of Law, and is expected to become an official policy in September 2014.

3. Coroner's Office Salary & Classification

CAO Hamilton updated the committee on the request from Henson regarding Coroner's office hazardous pay. John Maxwell commented on the issue, and stated that the Coroner's office staff qualify for hazardous duty pay, but the ordinance does not currently allow unclassified employees to receive hazardous duty pay. Maxwell recommended amending the ordinance to address this issue; the amendment is currently being reviewed by the Department of Law.

In response to a question from Gorton, Maxwell stated that the Coroner's office provided information meeting the criteria used to determine the appropriateness of a hazardous duty supplement. Gorton requested that the proposed ordinance amendment be brought to the next meeting.

Lane requested salary information for the Coroner's office, and asked for the information to be sent to him. Maxwell reported on the amount of hazardous duty pay in question, and the number of LFUCG employees currently receiving hazardous duty pay.

Stinnett asked how the compensation study considered experience. Maxwell commented that the study looked at the employee's time in their current position for experience. Stinnett asked if outside experience was taken into consideration. Maxwell stated that outside experience should have been taken into account when employees were hired. Stinnett asked how salary ranges compare to other cities, stated that he would like to see how the Coroner's office salaries compare to other cities, and questioned the correctness of the salary ranges.

Kay suggested keeping this item on the agenda pending the availability of further information.

Henson stated that there may not be parity between the job duties being performed by the Coroner's office in comparison with other Coroner's offices. Maxwell further explained the methodology of the study.

Kay requested a draft of the subject ordinance.

Gorton does not want to lose sight of the fact that there are 2 issues, salary study and hazardous duty pay. She does not want the hazardous pay to get caught up in the compensation study. Gorton feels that this piece can move forward once there is a change to the ordinance.

Lane asked if the Coroner had to have any special training, and requested information regarding licensure requirements. Maxwell did not have this information available.

Gary Ginn commented on the issue, and provided salary comparisons with nearby cities.

Myers asked Maxwell what cities were used for the compensation study. Maxwell said there were eleven cities, and confirmed that the same cities were used for comparison in the compensation study and the study of the Coroner's hazardous duty pay.

4. Alcohol Sales on Election Day

Gorton introduced the item, and explained that the state legislature has provided cities with the authority to repeal bans on alcohol sales on Election Day. She stated that many cities have already repealed their ordinances.

Motion by Gorton, seconded by Lane, to approve an ordinance repealing section 3-21(e) of the Code of Ordinances pertaining to the sale, giving away or delivery of alcoholic beverages on any primary or regular election day, and renumbering the Code of Ordinances accordingly. Motion passed unanimously.

5. Items Referred

On a motion by Gorton, seconded by Lane, the "Alcohol Sales on Election Day" item was removed. Motion passed unanimously.

Craig Bencz noted that the "Neighborhood Parks Task Force" item was previously removed by the committee, and remains on the list due to a scrivener's error.

Myers requested that the University Kentucky's policy on cell phones be brought to the next meeting.

The meeting was adjourned at 12:02 p.m.

Planning and Public Works Committee Meeting
August 12, 2014
Summary and Motions

Chair Bill Farmer Jr. called the meeting to order 1:02 p.m. All committee members except Mossotti and Lawless were in attendance. Akers, Scutchfield, and Stinnett were also in attendance.

1. July 1, 2014 Special Committee Summary

Motion by Beard, second Ellinger to approve the July 1, 2014 Special Committee summary.
Motion passed unanimously.

2. University of Kentucky Master Plan Update

Judy Needham, Facilities Planning Manager for the University of Kentucky, presented the components of the University of Kentucky Master Plan.

Farmer asked if the planning process started before UK President Capiluto started his tenure. Needham responded that the planning process began in summer of 2012 when UK started their housing initiative and subsequently made the decision to move forward with a master plan update. UK's Board accepted the master plan in October 2013.

Needham stated that UK reviewed their borders, and how those areas affect Lexington. Over 70 meetings and charettes were held within one year with community stakeholders. Current renovation and/or expansion of academic facilities include the Gatton Expansion (April 2016 expected completion), University Lofts at Bolivar (March 2015 expected completion), and the Academic Science Building (Fall 2016 expected completion).

In response to a question from Farmer, Needham commented that the Chemistry/Physics building will remain and will be used for first and second-year programs and classes.

Needham presented new student housing projects, including Champions Court I and II, Woodland Glen, Limestone Park, and other new facilities.

Farmer asked how many beds are being added by these projects. Needham responded that 5,733 total beds will exist on campus with the new projects, not including other facilities in the planning phase. UK has a goal of providing a total of 9,000 beds on campus.

Needham reported that a total renovation of the Student Center will be completed by December 2017, and a new Commons building will be completed in Fall of 2015 near the library. The university has also focused on mobility throughout the campus and multi-modal safety, with an emphasis on pedestrian and transit improvements as well as regional connectivity.

In response to a comment by Farmer, Needham noted that studies and traffic counts are underway to identify the best solution for Rose Street.

Needham stated that the university has formally requested the transfer of ownership of Washington Avenue from the LFUCG back to UK for greenspace reclamation and to enhance pedestrian usage of the space. UK is working with the Fire Department to ensure adequate access for emergency vehicles in the reconfigured area. Improvements are also being planned for Alumni Drive, which are programmed for completion within one year.

Needham reported that a landscape plan is also being implemented to provide for cohesive greenspace connectivity throughout the campus.

Beard asked if the Law school was planned for relocation to Scott Street. Needham responded that the project is approved to move forward for expansion and renovation, but requires fundraising.

Gorton made positive comments about the plan, and in favor of the planning process for Rose Street. Needham responded to a question from Gorton regarding improvements adjacent to Washington Avenue. Gorton asked if the streets within UK's boundaries are city-owned, and Needham stated that ownership varied on streets throughout the campus. Gorton spoke in favor of the proposed roundabouts and the protection of the Arboretum.

In response to questions from Stinnett, Needham stated that the proposed Alumni Drive roundabouts are at University Drive and Commonwealth Drive, which is a proposed street near where Sports Center Drive currently connects to Alumni Drive. She stated that the improvements are being studied, and construction should begin by early Spring 2015. Once improvements are completed, UK would like to transfer ownership of the right-of-way to the LFUCG.

Stinnett asked for the total cost of improvements being completed by UK, and Needham responded that \$1 billion in improvements are authorized and underway.

Henson spoke in favor of the improvements, and requested information regarding the economic impact of the improvements. Needham stated that UK does not have a calculated total of economic impact.

In response to a question from Farmer, Needham stated that Alumni Drive would be slightly realigned for safety and to accommodate the proposed roundabouts. Farmer spoke in favor of the improvements, and of potentially including public art as part of the right-of-way improvements.

3. P-1 Text Amendment for Mobile Food Vendors

Akers introduced the item, and stated that this item is being brought forth to allow food trucks to operate in the P-1 zone per requests from food truck operators and business owners, and introduced Chris King to present the item.

King reviewed the history of this item, and reviewed current zones and requirements that allow mobile food units as principal and/or accessory uses. He stated that this amendment to the code would allow food trucks to serve existing uses in professional office zones, and presented four alternatives: 1) unrestricted accessory use; 2) unrestricted accessory use when 500' or greater from residential zoning (conditional otherwise); 3) conditional use (Board of Adjustment approval required); or 4) unrestricted accessory use in a designated "Professional Office Project".

King stated that, should the Committee choose to move forward with one of these options, it would be considered by the Planning Commission within 60 days, and then move forward to the Council for final approval.

In response to a question from Akers, King stated that the LFUCG does not currently have a mapped inventory of Professional Office Projects.

Henson voiced concerns regarding the appearance of food trucks, and the fact that some set up outside dining areas near the food truck. King responded that the appearance cannot be regulated, and tables and chairs are allowed as long as they do not impede the traffic circulation or parking requirements for the site. He stated that signage could be regulated through the Code.

Kay spoke in support of moving forward with Alternative 2.

Gorton reviewed each alternative's requirements with King, and asked Akers to provide additional background for this item. Akers provided examples of requests for food trucks in professional office zones.

Gorton requested information regarding creating additional restrictions on Alternative 4, and King responded that staff must first create a mapped inventory of Professional Office Projects. Gorton inquired regarding the possibility of placing a threshold within the requirement, such as minimum number of employees in the Professional Office Project. King responded that it would be difficult to enforce this requirement.

In response to a question from Stinnett, King stated that food trucks currently operating in P-1 zones are presumed to be operating illegally, and reviewed the streamlined approval process for food truck operations. He stated that the food truck requirements are different if they seek to locate on public rights-of-way. Stinnett asked why food trucks would be accessory to principal uses in P-1, and King responded that P-1 zones do not otherwise allow retail/restaurant uses as principal uses.

Stinnett and King commented regarding noise issues related to the use of generators, and the challenges in regulating this issue.

Farmer commented that no action is required for this issue, and that may be the best option.

Ford requested clarification regarding retail uses in P-1 zones, and King stated that retail and restaurants are only allowed as incidental and accessory to principal uses. Per Ford's request, King reviewed zones where food trucks are currently allowed as principal and accessory uses. Ford asked if a pilot program is still operating for food trucks on public rights-of-way, and Farmer stated that the program was reauthorized for an additional year in December 2013. Ford noted that some of the areas where food trucks are currently allowed are underutilized.

In response to a question from Clarke, King stated that Alternative 2 would approve a much broader area, and clarified that Alternative 2 would include the area referenced in Alternative 4. Clarke asked how the request would proceed in Alternative 3, and King stated that the request must be authorized by the owner of the property.

Gorton asked for a new alternative that combines alternatives 2 and 4. King clarified the request, and discussed the possibility of amending Alternative 4 to include a minimum distance requirement from residential uses. Gorton and King requested the potential for minimum site acreage requirements.

Kay motioned, second Ellinger, to approve Alternative 2 – unrestricted accessory use when 500 feet or greater from residential zoning, and conditional if less than 500 feet – and forward to Council for consideration.

Gorton stated a concern that the Board of Adjustment could approve the accessory use when less than 500 feet from residential zoning, and clarified that any P-1 zoned property can apply.

In response to a question from Ford, King stated that the LFUCG generally cannot regulate the hours of the accessory use. King discussed the intent of P-1 uses as transitions between residential and higher-intensity commercial uses.

Kay asked for clarification regarding Board of Adjustment approvals, and King stated that any alternative requiring conditional approvals would involve the Board of Adjustment.

Motion failed via tie vote. Ellinger, Kay, Beard, and Clarke voted "yes". Farmer, Gorton, Ford, and Henson voted "no".

4. Municipal Aid Program

Stinnett introduced the item, and stated the need to review the administration of the program funds.

Commissioner O'Mara stated that the MAP fund represents Fayette County's share of the state gasoline tax, presented the allowed uses of the funds, and reviewed the budget process for the program.

In response to a question from Beard, O'Mara stated that state law required allocation of funds based on population rather than gallons of gasoline used.

O'Mara responded to a question from Stinnett and stated that MAP funds pay for a percentage of personnel costs for relevant divisions. Stinnett asked for a list of MAP projects over the past five years, and asked if MAP funds can be used for trails. CAO Hamilton is researching this with Law, and will report back to the committee.

5. Streetlight Installation Plan

Dowell Hoskins Squier reported that the calendar year goal for streetlight installation is 400, and 214 had been installed as of August 11, 2014. Kentucky Utilities has three crews actively installing lights, and 60 to 90 lights can be installed each month. She stated that the process is monitored on a weekly basis, and the timeline for installation is typically two months from the date the locations are marked.

Squier stated that a policy is being developed for adding new developments to the list of streetlight installations. There are currently 652 lights on the list, and approximately 450 still require installation.

Meeting adjourned at 2:53 PM.

ECONOMIC DEVELOPMENT COMMITTEE OF THE WHOLE

August 19, 2014
Meeting Summary

Chair Beard called the meeting to order at 1:04 PM. All members were present except Lawless.

1. May 13, 2014 Committee Summary

On a motion by Clarke, second Ellinger the summary of the May 13, 2014 Economic Development Committee of the Whole meeting as amended was approved unanimously.

2. Food Coordinator Presentation

Ashton Wright, the Local Food Coordinator provided an update on her efforts to date. She stated that the overall goals of her efforts are to

1. Develop a strategic plan for food related economic and agricultural development;
2. Improve nutritional health in the region; and
3. Increase coordination and collaboration within the food community.

She discussed relationship building efforts that should form the basis for the strategic plan and increased coordination. She identified numerous connections she has made in the community. She also discussed the Food Advisory Committee that is overseeing her work on a policy level.

Ms. Wright stated that she is working on several related initiatives including new market opportunities for increasing farm income; facilitating grower meetings; coordinating with and between KY Proud efforts and local restaurateurs.

Ms. Wright discussed efforts to market the "Bluegrass Farm to Table" initiative. She identified other projects including producing a map of Lexington restaurants who source local food; local food procurement efforts; winterizing the 5/3 Pavilion; and coordination with the upcoming American Farmland Trust Conference.

She discussed efforts to market locally grown and raised foods to consumers with an emphasis on underserved populations. She also discussed the launch of a social media campaign and a website.

Councilmember Lane discussed the agricultural areas within the 12th District and the tremendous impact agriculture has on Lexington.

Councilmember Clarke discussed the tremendous benefits this effort will have for all of Lexington in terms of nutrition for families and a more income for the farm community.

In response to a question from Councilmember Ellinger, Ms. Wright discussed the status of the mobile food outreach program.

Councilmember Myers discussed utilizing Wright's work into the Gainesway Small Area Planning process. He also discussed the food desert initiative as well as efforts to source more local food procurement for Community Corrections; Parks; the Family Care Center; and the Day Treatment Center. In response to a question from Myers, Ms. Wright discussed efforts to increase local sourced foods for the Fayette County School District procurement.

Councilmember Stinnett asked about outcomes and performance measures. In response Ms. Wright addressed the challenges of quantifying results. She stated that the Louisville program attempts to quantify relationship building efforts rather than attempting to quantify economic impacts.

Councilmember Stinnett and Kevin Atkins discussed where the Food Coordinator office should be housed.

Councilmember Ford discussed the availability of healthy nutritious foods for families particularly within the inner city.

In response to a question from Councilmember Mossotti, Ms. Wright stated that the most needed priority is local food production and processing facilities.

Councilmember Scutchfield discussed nutrition programs in schools and in the after school centers. Ms. Wright stated that starting on a small-scale in an after school program would be advantageous for many of the smaller family farms.

In response to questions from Councilmember Akers, Ms. Wright discussed methods to increase farm capacity as well as efforts to increase urban farming viability. Councilmember Akers discussed increasing urban farming capacity initiatives.

Councilmember Beard discussed the economics of locally sourced food sales. In response to a question from Councilmember Beard, Ms. Wright discussed distribution opportunities of locally sourced food at large food chains.

No action was taken on this presentation.

3. Downtown Development Authority

Jeff Fugate, President of the Downtown Development Authority (DDA) gave this presentation. He stated that the mission of the DDA is to promote physical and economic development to strengthen downtown Lexington as the cultural and economic heart of Central Kentucky.

Mr. Fugate stated that the DDA drives investment into the Central Business District and surrounding neighborhoods by providing actionable urban design and real estate analysis for both the public and private sectors. Mr. Fugate stated that the DDA is involved in community outreach, education and public involvement.

Mr. Fugate discussed several initiative including the Old Courthouse Redevelopment Plan, as well as various trails, parks and streetscape projects. He also discussed the recently updated website with reliable and creditable information and community data.

He discussed the need to update the Downtown Master plan, support provided to affordable housing initiatives; and support given to leasing & development efforts. Mr. Fugate also discussed the Limestone commercial corridor study and a 10 year downtown capital plan.

Councilmember Mossotti asked for examples of recent work of the DDA pertaining to redevelopment and leasing opportunities. In response Mr. Fugate stated that he could not give an example of a completed project yet. Mr. Fugate did discuss efforts to redevelop downtown commercial properties as well as to promote affordable housing projects throughout the community.

Councilmember Stinnett asked about the need to update Downtown Master Plan as it was not fully supported by the Council, nor was it ever adopted by the Council. In response, Mr. Fugate stated that it was the goal of the DDA to bring a plan that will be fully embraced by the Council, the Mayor and the community.

In response to a question from Councilmember Stinnett, Mr. Fugate discussed the current plans for the stabilization of the Old Courthouse. Mr. Fugate indicated that he would come back to the Council this winter with specific recommendations including a financing package.

In response to a question about parks, Mr. Fugate gave examples of how parks in other cities have revitalized their respective downtowns. Mr. Fugate stated that by the end of the year he will be providing to Council a feasibility study with financing recommendations by the end of 2014.

Councilmember Clarke stated that he very supportive of efforts to revitalize downtown. In response to questions from Clarke, Mr. Fugate discussed the linkages between the DDA and the Design Excellence effort as well as the JOBS fund program.

Councilmember Clarke discussed the need for the DDA to develop and utilize specific strategic goals with estimated timetables for implementation. Councilmember Clarke also addressed plans by the develop a 10 year downtown capital plan.

In response to a question from Councilmember Scutchfield, Mr. Fugate summarized the DDA FY 14 budget. He stated that about half of the \$ 750,000 annual budget was from local public funds. In response to a question from Councilmember Scutchfield, Mr.

Fugate discussed the relationship with and the differences between the DDA and the Downtown Lexington Corporation. In response to a question from Councilmember Scutchfield, Mr. Fugate attempted to describe a typical day at the DDA.

Councilmember Scutchfield discussed her concerns about the City allowing the Old Courthouse to fall into disrepair. Councilmember Scutchfield discussed the need for the DDA to be more project specific regarding the assistance it offers to redevelop the downtown area.

Councilmember Myers discussed plans for the DDA to engage in developments throughout the entire County. He also discussed plans to engage the DDA regarding the Gainesway Small Area Plan process. He also discussed the DDA strategy of driving private investment in neighborhoods. In response Mr. Fugate discussed DDA efforts to support affordable housing developments throughout the community.

Councilmember Ellinger discussed the 21c Hotel project and the potential for linking that project with the old Courthouse development. In response Mr. Fugate stated that he had had similar conversations with the 21c development team and will continue to engage that process. Mr. Fugate discussed the role DDA had regarding the HUD loan to the 21c project.

Councilmember Ford discussed the DDA priorities. In response to a question from Councilmember Ford about suspending the Rupp Arena project, Mr. Fugate stated that interest in the Town Branch trail and park is still very high.

Councilmember Ford discussed the need for the DDA and the City to concentrate efforts to stabilize the old Courthouse. In response Mr. Fugate stated that the DDA will bring specific plans back to the Council early this winter. He discussed its immediate, short term and long term rehabilitation efforts.

Jamshid Baradaran discussed plans for the Courthouse stabilization and the assessment of the facility presenting being completed.

Councilmember Lane discussed the lack of preventative maintenance at the old Courthouse and the lack of planning for the building's re use. He said it was an iconic building with tremendous importance.

In response to a question from Vice Mayor Gorton, Mr. Fugate discussed the long and short term maintenance and capital needs at the Old Courthouse. He discussed the physical assessment of the structure. Vice Mayor Gorton discussed the need for community support before the renovation can be realized.

Councilmember Kay discussed the problem of deferred maintenance at the Courthouse and other public facilities.

Councilmember Akers discussed the DDA input into the Distillery District project. In response to a question from Councilmember Akers, Mr. Fugate addressed infrastructure improvements needed for the Distillery District project.

Councilmember Lane stated that the old Courthouse had tremendous redevelopment potential. He stated that while the facility needs immediate attention, an investment in the Courthouse would benefit the entire community. He stated that the Courthouse had tremendous commercial redevelopment potential.

No action was taken on this presentation.

4. Kentucky World Trade Center

Edwin Webb, President of the Kentucky World Trade Center (KWTC) gave this presentation. He discussed the importance of world trade on the Kentucky and specifically the central Kentucky economy. He discussed the mission of the World Trade Center to expand global trade through education, networking and trade services.

Mr. Webb discussed some of the clients of the World Trade Center as well as services offered by the KWTC, including the Trade Navigation Services; the International MBA program available through the UK Gatton School; the WTC Trade Certification program; the Small Business Trade Readiness Assessment; and the numerous trade missions offered by the KWTC.

Mr. Webb stated that the US had a negative trade deficit from 2008-2010 of .69%, while Kentucky had a positive trade growth of 1.18% in the same time period. From 2011-2013 it grew in Kentucky by 25.9%, while the US grew at a rate of 6.7% in the same time period.

Mr. Webb stated that exports account for \$ 11.3 billion in gross domestic product, generating \$ 1 billion in State and local taxes in Kentucky. Webb also stated that exports support 125,000 jobs in Kentucky.

Councilmember Lane discussed the bright forecast for advanced manufacturing needs in the region.

Vice Mayor Gorton encouraged the Council and the Administration to identify local businesses that could benefit from assistance from the World Trade Center.

No action was taken on this presentation.

5. FY 15 Partner Agency Reporting Measures

Deferred until the November meeting

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6. JOBS Fund Update

Deferred until the November meeting

7. Items Referred to Committee

Deferred until the November meeting

The meeting adjourned at 2:53 PM

PAS 8.25.14

Social Services & Community Development Committee August 26, 2014 Summary

CM Ford called the meeting to order at 11:01 AM. CMs Ford, Akers, Ellinger, Lawless, Stinnett, Scutchfield, Myers, Beard, and Lane were present. CM Kay was absent. CMs Clarke and Henson also were in attendance.

Committee Summary

On a motion by CM Beard, second CM Akers, the summary of the April 22, 2014 Social Services & Community Development Committee meeting was approved unanimously.

Lexington Area Workforce Analysis

Billie Peavler, Executive Director with the Business and Education Network, presented the project scope related to the Workforce Study of Central Kentucky. She stated that an initial data analysis will be performed, followed by recommendations for action. Regional job demands within sectors will be identified and analyzed. Peavler reviewed the study timeline, which will be completed in December 2014 and presented to the community in January 2015. She stated that Council is considering appropriating \$50,000 to partially fund the study. The study will focus on effective outcomes, reduction of employment barriers, and mutual benefits for the public and private sector.

CM Ford clarified that the \$50,000 LFUCG expenditure for this item is being considered during the August 28, 2014 Council meeting (first reading, Resolutions).

In response to a question from CM Stinnett, Peavler stated that average salary information will be collected as part of the study. CM Stinnett stated that Internet access is a barrier that the study should address, and asked how community consensus of the study will be gained. Peavler responded that one of the tasks associated with the study is identifying stakeholders and ensuring they are engaged in meetings related to the study. CM Stinnett discussed the identification of educational opportunities.

CM Stinnett discussed ex-offenders' employment barriers, and asked if the study would compile a list of employers that hire ex-offenders. Peavler responded that this issue would not be addressed as part of the initial data collection for the study, but may be a countermeasure recommended for implementation in the study.

In response to a question from CM Akers, Peavler stated that community education is a partner in the study, including universities, public and private schools, and BCTC. She identified other study partners and stakeholders. CM Akers requested that the full list of stakeholders be provided. CM Akers identified other partners that should be included in the study, including Lextran, the social services community, and CTE. She suggested that Peavler meet with Commissioner Mills to discuss the findings presented in the Community Needs Study.

CM Henson commented on barriers to employment and recommended including the Office of Vocational Rehabilitation and other community partners in the study.

In response to a question from CM Myers, Peavler stated that the deliverables of the study will be the data, a report, and a suggested model for addressing the issues. She discussed future phases, which will include developing a team and countermeasures to address barriers to employment.

Partner Agency Outcomes Process – Year-End Report

Commissioner Mills presented the year-end report of FY14 partner agency outcomes. She stated that Amy Baker visited each agency twice during the fiscal year to discuss program success and observe the program's implementation. Approximately two-thirds of funded programs met their goals, thirty percent partially met their goals, and two programs did not meet their goals and returned funding to the LFUCG. Mills provided program and outcome examples, and discussed the Summer Lunch Program. She stated that a summary of each funded program and its outcomes is included in the committee packet.

CM Myers commended Mills for her work on the partner agency process. CM Akers also spoke favorably of the process, and of the Summer Lunch Program.

CM Ford reviewed recent LFUCG funding trends for social service partner agencies. Mills discussed the successes of Fayette County nonprofit agencies.

Office of Homelessness Prevention & Intervention – Update

Charlie Lanter, Director of the Office of Homelessness Prevention & Intervention ("Office"), provided an overview of his office's efforts over the past 90 days. He discussed the Housing First model, development of a Mental Health Court, and the transition of partner agency funding for emergency shelter funding from Social Services to the Office of Homelessness.

Motion by CM Lawless, second CM Myers, to allow five additional minutes for Mr. Lanter's presentation. Approved without dissent.

Lanter discussed the Homelessness Prevention & Intervention Board's scope of work, the Housing First model, and next steps in the process.

CM Akers asked for clarification regarding social media presence of the Office. In response to a question from CM Akers, Lanter stated that the Catholic Action Center does not utilize the HMIS system, and explained that the LFUCG does collect homelessness data in other ways, but would prefer that all agencies use HMIS.

In response to a question from CM Myers, Lanter discussed programs in comparable cities and the use of HMIS. He described the challenges of HMIS implementation, and how participation could be incentivized.

CM Clarke spoke in favor of the Housing First model, and asked for clarification regarding the housing inventory. Lanter stated that the RFP requests proposals for implementation, and discussed options for providing housing inventory.

In response to CM Ellinger, Lanter provided information regarding the RFP, and stated that the proposals are due by September 2, 2014. Implementation will begin in October 2014, with housing provided as soon as November 2014.

Items Referred to Committee

CM Myers asked that the language for *Increasing Commitment to Partner Programming* be amended to *Increasing Commitment to Partner Agency Funding*

CM Ford asked CAO Hamilton to work with the departments of Social Services and Planning to propose reorganization of the Office of Homelessness Prevention & Intervention to the Department of Social Services.

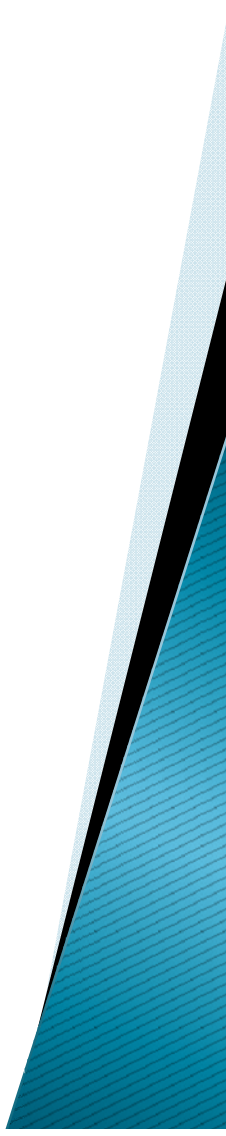
The meeting adjourned at 12:31 PM.

Division of Human Resources Compensation Study Implementation Update

**Council Work Session
September 9, 2014**

Entrance Rates (Ord 21–26; 22–23)

- ▶ **Current**
 - Minimum pay of the grade salary range specified for the class
 - Training and experience analysis
 - Inversion analysis
- ▶ **Recommendation**
 - Minimum of the range to the calculated rate, with a comparison to incumbents in the same classification/division.



Entrance Rates

Methodology

- ▶ Pay grade identified.
- ▶ Recognize experience beyond the minimums.
 - 2:1 for verifiable related experience
 - 1:1 for education at an accredited institution
 - Cap combined credit at seven years
- ▶ Recommended offer could be any amount from the minimum of the range to the calculated rate.

Entrance Rate Calculation Example

EXAMPLE:

Job Classification:

Equipment Operator Senior 614/512

Minimum Requirements:

2 year(s) of related experience and 12 years of education.

	Min	Mkt	Mid	Max
FY15 Proposed Pay Range:	\$ 31,827	\$ 38,192	\$ 39,784	\$ 47,740

Market Zone

Per-year rate based on 30-year scale for employees in this grade:

\$ 530

Years of Education Years of Related Experience

Verified:	12	7
Minimum:	12	2
Difference:	0	5

* For
Mercer using
comparative
FY13 Scale: \$ 30,106 purposes only

***In this case , the offer was capped at \$27,092 to prevent inversions. Offer was declined.**

Step 1. Calculate Experience Credit:

Total verified years beyond minimums(5) divided by two (2) = 2.50
Add years of education beyond minimums = 0.00
2.50

(Capped at 7 Years)

Step 2. Calculate Experience Adjustment to Minimum:

Experience credit (2.5) X Per-year rate based on 30-year scale (\$530) = \$ 1,326

Step 3. Calculate Adjusted Offer:

Pay grade minimum (\$31,827) + Experience Adjustment (\$1,326) = \$ 33,153

Recommended Offer

Entrance Rates

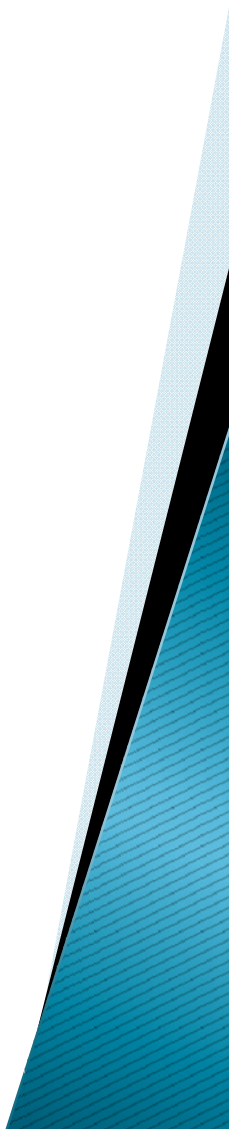
Step 5. Level of Approval Required:			From	To
1. Hiring Division	Grade Minimum - Recommended Offer		\$31,827	\$33,153
2. HR Director	Greater amount up to Midpoint		\$33,154	\$39,784
3. HR Director and CAO	Greater amount up to Maximum		\$39,785	\$47,740

- ▶ The hiring Director or Commissioner has the discretion to request a greater amount (up to midpoint) which can be approved by the HR Director.
- ▶ In exceptional circumstances the HR Director may recommend and the CAO may approve a starting rate between the midpoint and the maximum of the range.
- ▶ Flexibility is KEY to attracting top talent.

Reclassification or Reallocation

(Ord. 21-30; 22-27)

- ▶ Current
 - Minimum increase of 7% if the reclassification or reallocation is to a grade one (1) grade higher; or,
 - Increase of 10% if the reclassification or reallocation is to a grade two (2) or more grades higher.
 - No reduction in pay if the pay grade is lowered as a result.



Reclassification or Reallocation

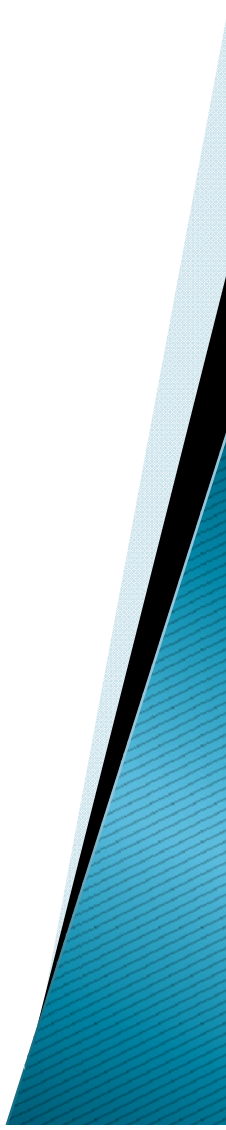
- ▶ Recommendation
 - Increase of 7% if the reclassification or reallocation is to a grade one (1) grade higher;
 - An additional increase of 3% if it is two (2) grades higher; and,
 - An increase of 2% for each additional grade thereafter, not to exceed the maximum of the assigned range.
 - Employees whose pay grade is changed to a lower grade through a reclassification or reallocation shall retain their salary at the higher level.

Promotion (Ord 21–26.1(a))

- ▶ **Current**
 - Minimum increase of 7% if the promotion is to a grade one (1) grade higher; or,
 - Increase of 10% if the promotion is to a grade two (2) or more grades higher.
 - Appointing authority may approve a compensation rate that is above these minimums.
- ▶ **Recommendation**
 - Create a new paragraph in Ordinance 21–18.
 - Increase of 7% if the promotion is to a grade one (1) grade higher;
 - An additional increase of 3% if it is two (2) grades higher; and,
 - An increase of 2% for each additional grade thereafter, not to exceed the maximum of the assigned range.

Demotion (Ord 21-26.1(b))

- ▶ **Current**
 - The employee shall be placed in the grade salary range of the position to which he is being demoted at the salary he was earning before the promotion plus any scale adjustments. If the position was not formerly held, he shall be placed at the minimum of the grade plus any increases received in the higher grade.
- ▶ **Recommendation**
 - Decrease of 7% if the demotion or new position is one (1) grade lower;
 - An additional decrease of 3% if it is two (2) grades lower; and,
 - A decrease of 2% for each additional grade thereafter, not to go below the minimum or above the maximum of the assigned range.



Transfers and Lateral Movement

(Ord. 21-17)

- ▶ **Current**
 - Employees may request to transfer within the same classification throughout government.
 - No adjustment in pay.
- ▶ **Recommendation**
 - Keep existing language and add:
 - If an employee accepts a position in a new job class which is the same pay grade as the current job class, there shall be no adjustment in salary.

Temporary Appointments

(Ord. 21-15)

- ▶ **Current**
 - Minimum increase of 7% if the appointment is to a grade one (1) grade higher; or,
 - Increase of 10% if the appointment is to a grade two (2) or more grades higher.
 - Temporary appointment shall not exceed ninety (90) days.
- ▶ **Recommendation**
 - Increase of 7% if the appointment is to a grade one (1) grade higher;
 - An additional increase of 3% if it is two (2) grades higher; and,
 - An increase of 2% for each additional grade thereafter, not to exceed the maximum of the assigned range.
 - Temporary appointment shall not exceed ninety (90) days.

Acting Assignments (Ord. 21-16)

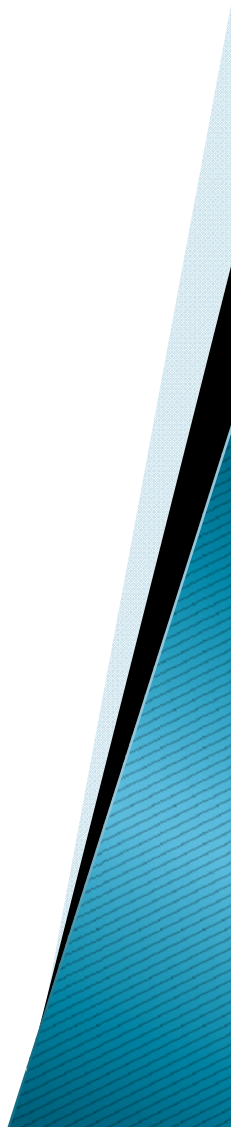
- ▶ **Current**
 - Begins after fifteen (15) working days.
 - Minimum increase of 7% if the assignment is to a grade one (1) grade higher; or,
 - Increase of 10% if the assignment is to a grade two (2) or more grades higher.
- ▶ **Recommendation**
 - Begins after fifteen (15) working days.
 - Increase of 7% if the assignment is to a grade one (1) grade higher;
 - An additional increase of 3% if it is two (2) grades higher; and,
 - An increase of 2% for each additional grade thereafter, not to exceed the maximum of the assigned range.

Compensation Philosophy

- ▶ Benchmarking
- ▶ Starting pay
- ▶ Pay increases
- ▶ Remain competitive



QUESTIONS?



LFUCG Proposed Compensation Policies and Procedures

**Draft Policies and Procedures
Council Work Session
September 09, 2014**

This manual is a supplement to the September 9th presentation titled, “Division of Human Resources Compensation Study Implementation Update”. It details and further explains the proposed compensation policies and procedures.

Proposed Policies and Procedures

- ♦ Compensation Philosophy
- ♦ Hiring
- ♦ Reclassification
- ♦ Promotion
- ♦ Demotion
- ♦ Lateral Movement
- ♦ Temporary Appointments and Acting Assignments

Compensation Philosophy

The objective of the LFUCG in undertaking a comprehensive compensation and classification review includes the expressed outcome to attract, reward and retain qualified employees who can help achieve its mission. To do so, the LFUCG must have a total compensation program that:

- attracts and retains a high-quality and diverse workforce,
- rewards and retains qualified employees,
- provides a fair and consistent framework for assigning jobs,
- maintains salary structures at market competitiveness,
- ensures fair and consistent pay practices,
- complies with applicable laws and regulations,
- operates within the constraints of fiscal resources, and
- allows the organization to be an employer that inspires excellence.

The LFUCG's compensation philosophy embraces the following points:

1. The LFUCG strives to provide a total compensation program that is equitable and competitive among all peer and competitor institutions in the defined marketplace.
2. Benchmarking of classifications is used as a best practice for compensation of similar positions.
3. Starting pay for new employees is based upon education and work experience related to position requirements as well as market conditions and divisional or departmental needs.
4. Pay adjustments are provided to employees when appropriate to address equity, market responsiveness, and consistency in the administration of the LFUCG's compensation program.
5. Employees are eligible for pay increases resulting from true promotions and reclassifications not associated with an organization-wide study.
6. Part-time/temporary employees may not be eligible for the same benefits as full-time employees.
7. Fair Labor Standards requirements will be consistently and fairly applied to applicable positions.
8. Benefit plans and other non-cash compensation are reviewed annually for competitiveness, cost effectiveness and their value to the employees of the LFUCG.
9. To ensure that the compensation structure remains competitive, the overall compensation structure is reviewed annually. Pay ranges for benchmark job groups established in this study are reviewed on an ongoing basis and as needed, but not less than every three years.

Hiring

1. The hire rate for a new employee with no equivalent and relevant level experience is the entry rate of the salary range to which the job classification is assigned.
2. New employees, whose experience and credentials can be verified, may be placed in the range according to their experience, educational credentials and certification. Human Resources shall assist the hiring department in determining a fair and equitable hiring rate based on an analysis of the credentials, experience and education of the applicant, the needs of the department, and the difficulty of recruitment for the open position.
3. New hiring rates (or re-hires) may consider directly relevant experience and experience that can be verified by Human Resources.
 - Starting salaries may be considered based on the length of the experience on a one year of service credit for two (2) years of prior documented similar experience, up to a maximum of seven (7) years of service credit for prior documented similar experience.
 - The documentation will be reviewed by the Human Resources' staff for determination of applicability to the job vacancy. Credit will only be allowed for substantially equivalent or related experience in a directly related field of work.
 - For documented hard-to-fill positions, the Human Resources Director may exercise discretion and flexibility beyond the seven (7) years of prior service credit.
 - Target salaries for hiring can be determined by Human Resources by entering data on prospective employees into the *Classification Manager*© software program and using essentially the same formula to determine a target hiring salaries as MAG has recommended for determining the target salary for existing employees.
4. Human Resources may additionally consider current salary if the open position is determined to be a "hard to fill" position. "Hard to fill" positions will be determined by Human Resources and will be based on the length, difficulty to recruit and market conditions of the position, at the time of a vacancy. Some consideration can allow for discretion in offering pay to the midpoint of the range. In exceptional circumstances, Human Resources may request and the CAO may approve a rate beyond the midpoint in the range, but not to exceed the maximum.
5. Internal Equity is an equally important consideration in filling a vacant position. Before a salary offer is made, Human Resources will also consider the current salaries and length of service in the same job class of current incumbents in the hiring division. It is the policy of the LFUCG to make every effort to avoid inverted salary relationships by bringing in newly hired employees at a salary or rate that exceeds the current salaries of comparably placed existing employees in substantially equivalent positions.

LFUCG COMPENSATION POLICIES AND PROCEDURES

4

Policy:

If a new hire's salary were to create an internal equity issue with others in the division or a salary compression issue with the supervisor, then a plan to remedy such salary issues needs to be approved before offering the salary to the new hire. A new hire's salary above the adjusted amount for experience credit, must be approved by the HR Director. A new hire's salary above range Midpoint needs to be carefully considered for exceptional circumstances and must be approved by the CAO.

EXAMPLE:

Job Classification: Equipment Operator Senior 614/512
Minimum Requirements: 2 year(s) of related experience and 12 years of education.

	Min	Mkt	Mid	Max
FY15 Proposed Pay Range:	\$ 31,827	\$ 38,192	\$ 39,784	\$ 47,740
Market Zone				
Per-year rate based on 30-year scale for employees in this grade:	\$ 530			

	Years of Education	Years of Related Experience
Verified:	12	7
Minimum:	12	2
Difference:	0	5
Mercer using		
FY13 Scale: \$ 30,106 *		

*In this case offer was capped at \$27,092 to prevent inversions. Offer was declined.

Step 1. Calculate Experience Credit:

Total verified years beyond minimums(5) divided by two (2) =	2.50
Add years of education beyond minimums =	0.00
	2.50
	(Capped at 7 Years)

Step 2. Calculate Experience Adjustment to Minimum:

Experience credit (2.5) X Per-year rate based on 30-year scale (\$530) = \$ 1,326

Step 3. Calculate Adjusted Offer:

Pay grade minimum (\$31,827) + Experience Adjustment (\$1,326) = **\$ 33,153**
Recommended Offer

Step 4. Documentation:

List of employees in same job classification or performing a similar kind and level of work in the Division, with qualifications and pay rate. If the new hire salary is above the recommended offer, then specific justification should be documented and submitted for consideration as detailed below.

Step 5. Level of Approval Required:

		From	To
1. Hiring Division	Grade Minimum - Recommended Offer	\$31,827	\$33,153
2. HR Director	Greater amount up to Midpoint	\$33,154	\$39,784
3. HR Director and CAO	Greater amount up to Maximum	\$39,785	\$47,740

LFUCG COMPENSATION POLICIES AND PROCEDURES**5****CLASSIFICATION COMPARISON (WITHIN DIVISION)**

Hire Date	Job Title	Annual	Experience Date	Years	Approvals*
2/12/1990	Equipment Operator Sr	41,611	6/22/1998	16.19	3
1/24/2005	Equipment Operator Sr	41,611	1/24/2005	9.61	3
12/12/2005	Equipment Operator Sr	41,611	12/12/2005	8.72	3
11/20/1989	Equipment Operator Sr	41,590	12/8/1997	16.73	3
9/12/1988	Equipment Operator Sr	41,590	3/4/2002	12.49	3
11/9/2009	Equipment Operator Sr	40,518	3/5/2012	2.49	3
2/28/2000	Equipment Operator Sr	39,602	2/28/2000	14.51	2
7/29/2002	Equipment Operator Sr	39,602	7/29/2002	12.09	2
9/10/2012	Equipment Operator Sr	39,602	9/10/2012	1.98	2
3/10/1998	Equipment Operator Sr	39,458	2/14/2000	14.55	2
2/5/1996	Equipment Operator Sr	39,173	8/28/2000	14.01	2
3/27/2000	Equipment Operator Sr	38,033	10/21/2002	11.86	2
10/21/2002	Equipment Operator Sr	38,033	10/21/2002	11.86	2
4/21/2003	Equipment Operator Sr	37,769	4/21/2003	11.36	2
6/17/2002	Equipment Operator Sr	37,296	2/6/2006	8.57	2
12/11/2006	Equipment Operator Sr	37,296	12/11/2006	7.73	2
7/26/2004	Equipment Operator Sr	37,098	7/26/2004	10.10	2
6/5/2000	Equipment Operator Sr	36,487	9/19/2005	8.95	2
7/24/2006	Equipment Operator Sr	36,040	7/24/2006	8.11	2
3/31/2008	Equipment Operator Sr	35,144	3/31/2008	6.42	2
2/19/2013	Equipment Operator Sr	34,697	2/19/2013	1.54	2
9/10/2012	Equipment Operator Sr	32,489	4/1/2013	1.42	1
11/9/2009	Equipment Operator Sr	32,263	9/30/2013	0.92	1
3/5/2012	Equipment Operator Sr	31,827	7/1/2013	1.17	1

*Approvals 1 Hiring Division
 2 HR Director
 3 HR Director and CAO

Offer Options

New Hire Calculated Rate	<i>\$33,153</i>
Offer to Midpoint (Approved by HR)	<i>\$33,154—\$39,784</i>
Offer between Midpoint and Maximum (Approved by HR and CAO)	<i>\$39,785 --\$47,740</i>

Reclassification

Each position is classified based on its function, responsibility and other elements of job content. A position reclassification is the assignment of a new job title and/or grade to an existing position, either filled or vacant. A position audit usually based on the information obtained through a Job Analysis Questionnaire (JAQ) completed by the employee and verified and validated by the immediate supervisor is required to initiate a review by Human Resources in order to change the title and/or pay level of an existing position. A change in a position's duties and responsibilities does not necessarily dictate a change in the position's pay level.

When a Commissioner requests a reclassification, he/she needs to submit to the Director of Human Resources: 1) a memo stating the reasons for the request and other relevant information regarding the position; 2) a completed JAQ with appropriate signatures; and 3) an organizational chart. JAQs will be evaluated by Human Resources and recommendations for support or denial will be provided to the Chief Administrative Officer for consideration. If the Commissioner does not concur with the recommendation, he/she may request further analysis of any reclassification.

Throughout the year, department heads may submit through Human Resources a request for review of a position(s) in their department, including a completed JAQ for the position, as a result of extenuating circumstances outside of the annual budget process. The Director of Human Resources or his/her designee will review such request(s) and provide recommendations of support or denial to the Chief Administrative Officer. If a reclassification is approved by the Chief Administrative Officer, the Director of Human Resources will direct appropriate actions to be taken based on the full review of all related factors, including budgetary funding. Any reclassification (reassignment) of a job title to a higher or lower grade or range in LFUCG's Compensation Plan must be approved by the Council prior to becoming effective.

Possible Outcomes:

1. When a job has been reclassified to a higher pay grade, the employee(s) salary shall increase at least 7% but not less than the minimum salary of the new pay grade.
 - If the reclassification results in an upgrade of one pay grade, the pay raise will be at least 7%.
 - An upgrade of two or more pay grades will be eligible for an additional 3% increase the next pay grade and 2% for each additional pay grade.
2. When a job has been reclassified to a lower pay grade, the affected employee(s) shall have their pay grade adjusted accordingly; however, the pay shall not be adjusted. The effective date will be the beginning of the next pay period following Council approval.
3. If, after the pay grade adjustment, the employee(s) salary is greater than the maximum salary of the new pay range, the employee will continue to be paid at the higher rate of pay pursuant to state statute.

Promotion

1. When an employee is promoted, as a result of a job change or job progression, to a higher pay grade position, the salary placement within the new pay grade shall be determined as follows: apply 7% on the salary of the previous grade for promotions of one pay grade, an additional 3% for the next pay grade and 2% for each additional pay grade. The resulting pay will be no less than the minimum of the new pay grade and no less than a 7% salary increase but not more than the maximum salary of the assigned pay grade.
2. Human Resources may additionally consider current salary if the open position is determined to be a "hard to fill" position. "Hard to fill" positions will be determined by Human Resources and will be based on the length, difficulty to recruit and market conditions of the position, at the time of a vacancy. Some consideration can allow for discretion in offering pay to the midpoint of the range. In exceptional circumstances, Human Resources may request and the CAO may approve a rate beyond the midpoint in the range, but not to exceed the maximum.

LFUCG COMPENSATION POLICIES AND PROCEDURES

Policy:

When an employee is promoted, as a result of a job change or job progression, to a higher pay grade position, within the same, or to a different, salary schedule, the salary placement within the new pay grade shall be determined as follows: apply 7% on the salary of the previous grade for promotions of one pay grade, an additional 3% for the next pay grade and 2% for each additional pay grade. The resulting pay will be no less than the minimum of the new pay grade and no less than a 7% salary increase but not more than the maximum salary of the assigned pay grade. There may be times when the uniqueness of an individual job and level of necessary skills may require a higher salary schedule placement than stipulated in this section. Under such circumstances, the Human Resources Director may recommend a higher salary placement within the assigned pay grade.

EXAMPLE:

Step 1. Compare Pay Grades:

	Mercer	MAG
Current Grade (Public Service Worker Sr.) =	107	509
New Grade (Equipment Operator Sr.) =	109	512
Grade Difference=	2	3

Step 2. Calculate Salary:

FY2015 Proposed salary =	\$28,768
7% for one pay grade, 3% for the next and 2% for each additional pay grade (3 grades)=	12%
	\$32,220

	Min	Mkt	Mid	Max
FY15 Proposed Pay Range:	\$ 31,827	\$ 38,192	\$ 39,784	\$ 47,740
	Market Zone			

\$32,220
Recommended Offer

Step 2. Level of Approval Required:

		From	To
1. Hiring Division	Recommended Offer	\$32,220	\$32,220
2. HR Director	Greater amount up to Midpoint	\$32,221	\$39,784
3. HR Director and CAO	Greater amount up to Maximum	\$39,785	\$47,740

Mercer using \$ **36,317 ***

*In this case offer was capped at \$30,254 to prevent inversions. Minimum offer would have been current salary \$26,204 + 10% = \$28,825.

Demotion

1. A demotion occurs when an employee changes from one job class to another and the new job class is in a pay grade that is less than the origination pay grade. In most cases, when a demotion occurs, the incumbent can expect that his/her pay will be reduced commensurate to the reduction in pay grade. Typically, unless the demotion is for the good of the LFUCG, there will be a 7% reduction in salary for the first pay grade, 3% reduction for the next grade and a 2% reduction for each additional pay grade, but no more than the minimum of the new pay grade to which the new job class is assigned.
2. Demotions can occur for several reasons:
 - Demotion requested by an incumbent: In some cases, an incumbent will request a demotion to a different job class in a lower pay grade or apply and compete for a position in a lower pay grade. The reduction in salary would be handled as outlined above.
 - Demotion for disciplinary reasons: The reduction in salary would be handled as outlined above.

Lateral Movement

1. A lateral transfer occurs when an employee is transferred to another position in the same classification. Since there is no change in pay grade there shall be no adjustment in base salary. A lateral transfer is not considered a reclassification or a promotion.
2. A lateral move occurs when an employee accepts a position in a new job class which is in the same pay grade as their current job class. Since there is no change in pay grade, there shall be no adjustment in base salary.

Temporary Appointments and Acting Assignments

1. Acting assignments and temporary appointments occur when the LFUCG recognizes a critical job assignment need that must be met and cannot be met through the normal recruitment process. This can happen when an unexpected vacancy exists or in the event of a prolonged absence.
2. An acting assignment occurs when duties must be assumed in the event of an absence of an employee. A temporary appointment is to fill a vacancy and not to assume the duties of another employee who is on leave.
3. If the position assigned is lower in pay grade, this assignment would not result in a lower salary for the assigned employee.
4. If the position assigned is higher in pay grade there should be a 7% pay adjustment for the first pay grade, 3% adjustment for next pay grade and 2% for each additional pay grade, not to exceed the maximum of the assigned range.
 - Pay for acting assignments may begin when the absence of the employee exceeds fifteen (15) working days.
 - Pay for temporary appointments may begin upon the vacancy, not to exceed ninety (90) days. Employees receiving temporary appointment pay shall sign an agreement acknowledging the understanding that they are receiving “Temporary Appointment Pay” and also acknowledging understanding that when the temporary appointment ends, the “appointment pay” will also end.

DRAFT
09/03/14

ORDINANCE _____-2014

AN ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized and directed to implement the compensation policies and procedures presented to the Urban County Council on September 9, 2014 at the Council Work Session.

Section 2 – That Section 21-15 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 21-15. Temporary appointments.

- (a) In the event there is no appointee occupying a particular classified civil service position, a vacancy exists in such position. No person except a probationary or permanent appointee within the meaning of section 21-12 or an acting appointee within the meaning of section 21-16 shall assume the duties of a vacant classified civil service position unless a temporary appointment is made under these provisions. A temporary appointee shall be salaried at the minimum entrance rate of pay of the grade salary range of the vacant position, except that any existing urban county government employee temporarily appointed shall be paid at the point in the higher grade salary range that will provide a minimum increase of seven (7) percent over the salary he received immediately prior to the temporary appointment if the appointment is one (1) grade higher than that occupied by the employee, or ten (10) percent if an additional increase of three (3) percent for the next –the grade is two (2) or more grades– higher than that occupied by the employee and two (2) percent for each additional pay grade thereafter not to exceed the maximum of the assigned range; provided,

however, the appointing authority may recommend and the urban county council may approve a ~~compensation rate of pay~~ above these minimums the recommended rate of pay in recognition of market demands or in recognition of the experience or exceptional qualifications of the employee. A classified civil service employee of the urban county government who is temporarily appointed to another classified civil service position shall be credited with time of service in his own position for time spent in a temporary appointment.

- (b) Where it is imperative to fill a vacancy in the classified civil service, the appointing authority may make a temporary appointment, not to exceed ninety (90) days, from the list of those eligible for permanent appointment, if the person selected accepts such temporary appointment. Successive temporary appointments to the same position shall not be made under this provision. The acceptance or refusal by an eligible applicant of a temporary appointment shall not affect his standing on the register for permanent appointment, nor shall temporary service be counted as part of the probationary service in case of subsequent appointment to a permanent position.
- (c) Whenever it is imperative to fill a vacancy in the classified civil service before the commission can certify a list of ~~as many as five (5)~~ as persons eligible for appointment after competitive examination, the appointing authority shall nominate a competent person from the same class or the next lower rank to the commission; and if certified by the commission as qualified he may be appointed temporarily to fill the vacancy until an appointment can be made after competitive examination. Temporary appointments hereunder shall continue only until a regular appointment can be made from the eligible list prepared by the commission. In no case shall appointments hereunder continue longer than ninety (90) days; and in no case shall successive appointments be made of the same person or other persons to such vacancy, except as provided herein.
- (d) Where it is imperative to fill a vacancy in the classified civil service and where no one on the eligible list or by promotion from the same class or the next lower rank is available, competent and qualified, the temporary appointment may be made by the appointing authority without examination. Temporary appointments hereunder shall continue only until

the regular appointment can be made from the eligible list prepared by the commission. In no case shall appointments hereunder continue longer than ninety (90) days; and in no case shall successive appointments be made of the same person or other persons, to such vacancies, except as provided herein.

- (e) Notwithstanding the ninety (90) day limit for temporary appointments established under the preceding subsections, temporary appointments made by reasons of these provisions, made necessary solely by reason of illness or disability of regular employees, may continue during such period of disability, but in no case longer than nine (9) months.
- (f) Subject to the statutes and urban county government Charter, and except as otherwise provided by law, classified civil service employees may be temporarily appointed to positions in the urban county government which are excluded from the classified civil service. Salary and service credit provisions shall be the same as in subsection (a) hereof.
- (g) An employee receiving a temporary assignment shall sign an agreement acknowledging the understanding that the assignment and pay are temporary and shall end when the position is filled or the employee is removed from the temporary position.

Section 3 – That Section 21-16 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 21-16. Acting assignments.

- (a) In the event of the absence of an employee from any position in the urban county government, the director, on the recommendation of the supervisor or supervisors, involved, and with the approval of the chief administrative officer, may assign a classified civil service employee in an acting capacity to perform the duties of the position so absented. No employee so assigned shall receive any additional compensation by reason of said assignment but shall be credited with time of service in his own position for time spent in any position in which the employee is assigned in an acting capacity. If the absence of the employee, for which

position a classified civil service employee has been assigned in an acting capacity, becomes vacant within the meaning of section 21-15, the procedures for making a temporary appointment thereunder must be initiated immediately.

- (b) If the absence of the employee exceeds fifteen (15) working days, the employee so assigned shall be salaried at the point in the grade salary range of the absent employee that will provide a minimum increase of seven (7) percent over the salary he received immediately prior to the acting assignment if the assignment is to a grade one (1) grade higher than that occupied by the employee an additional increase of three (3) percent for the next grade higher than that occupied by the employee and two (2) percent for each additional pay grade thereafter not to exceed the maximum of the assigned range; provided, however, the appointing authority may recommend and the urban county council may approve a compensation rate of pay above these minimums the recommended rate of pay in recognition of market demands or in recognition of the experience or exceptional qualifications of the employee. In no case shall the employee receive a salary lower than the minimum entrance rate of pay of the grade salary range of the higher position. However, all employees so assigned whether entitled to a pay increase or not, shall receive credit for time of service in their own position for time spent in any position in which the employee is assigned in an acting capacity.
- (c) In the event a vacancy within the meaning of section 21-15 arises, which vacancy must, owing to a bona fide emergency, be immediately filled by an employee, the mayor, the chief administrative officer or the supervisor or supervisors involved may assign a classified civil service employee to such position in an acting capacity. Such assignment shall be valid only until the provisions of section 21-15, relating to temporary appointments, can be initiated and completed.
- (d) In the event there is no qualified person in the classified civil service to assume the duties of the position, appointments shall be made in accord with subsections (b) through (f) of section 21-15.
- (e) An employee receiving an acting assignment shall sign an agreement acknowledging the understanding that the

assignment and pay are for filling an acting position and shall end when the absent employee returns, the employee is removed from the acting position or pursuant to subsection (c) above.

Section 4 – That Section 21-17 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 21-17. Transfers or Lateral Movement.

- (a) The director, subject to the approval of the chief administrative officer, may approve an interdepartmental or intradepartmental transfer in the same class without examination or certification if an employee initiates a request and secures the approval of the supervisor into whose unit the transfer is to be made.
- (b) The director, subject to the approval of the chief administrative officer and affected supervisors, may approve, without examination or certification, involuntary interdepartmental or intradepartmental transfer of employees in the same classification because of reorganizations or changes in work load. Employees so affected shall be given reasonable written advance notice.
- (c) Permanent employees who are transferred to another position in the same classification shall not be required to undergo a probationary period in the position into which they have been transferred.
- (d) The director, subject to the approval of the chief administrative officer, may approve one (1) intradivisional transfer in the same class without examination for any employee during his probationary period. Upon written request of the employee after at least four (4) weeks of employment, the director shall verify that the supervisor involved concurs and that the employee has received orientation in the new position. Probationary employees shall not be eligible for transfer more than once nor to positions outside their division. Time spent by the probationary employee in his original position shall be counted as part of his six-month probationary period.

(f) If an employee is selected for a position in a new job class that has the same pay grade as the current job class, the employee shall not receive a new salary recommendation and shall transfer to the new job class at the current salary.

Section 5 – That Section 21-18 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 21-18. Promotions.

All vacancies in the classified civil service shall be filled through open, competitive examination unless the urban county council shall designate by ordinance positions for which examinations, shall first be given exclusively to current employees. The certification of applicants for all appointments and promotions shall be based on an evaluation of examination, qualification, seniority and military preference, as provided in the statutes and ordinances.

Any urban county government employee who obtains a position within the classified civil service having a higher grade than his former position shall have his salary placed at the point in the higher grade salary range that will provide a minimum increase of seven (7) percent if the promotion is to a grade one (1) grade higher than that occupied by the employee and additional increase of three (3) percent for the next grade higher than the employee's current position and two (2) percent for each additional pay grade thereafter. The resulting pay shall be no less than the entrance rate of pay of the new pay grade and shall be no less than a seven (7) percent increase. The new salary shall not be more than the maximum salary of the assigned pay grade; provided, however, that the appointing authority may recommend and the urban county council may approve a rate of pay above these recommended rate of pay in recognition of market demands or in recognition of the experience or exceptional qualifications of the employee. In no case, however, shall the employee receive a salary lower than the entrance rate of pay of the grade salary range of the higher position.

Section 6 – That Section 21-26 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 21-26. Entrance rates.

- (a) The rate of pay for an employee upon initial employment in the classified civil service shall normally be made at the minimum-entry rate of pay of the grade salary range specified for his class. The appointing authority may recommend and the urban county council may approve a compensation-rate of pay above the minimum-entry rate of pay for the grade when it is found to be difficult to recruit qualified persons at the minimum-entry rate of pay or in recognition of the experience or exceptional qualifications of a candidate. An employee who successfully completes his probationary period prior to the end of the fiscal year in which he is hired, shall receive .75 times the merit pool percentage on the first day of the subsequent fiscal year; provided, however, that no employee shall receive a salary lower than the minimum for his grade salary range.
- (b) Upon permanent appointment, an employee holding the position of communications officer senior-apprentice in the division of police shall be automatically reclassified to the position of communications officer senior and shall have his salary adjusted in accordance with section 21-30.
- (c) The rate of pay for a new employee with no equivalent and relevant level of experience shall be the entry rate of pay of the salary range to which the job classification is assigned.
- (d) The rate of pay for new employees whose experience and credentials can be verified, may be placed in the range according to their experience, educational credentials and certification.
- (e) The appointing authority may recommend and the urban county council may approve a rate of pay above the recomendend rate when it is found to be difficult to recruit qualified persons at the recommended rate of pay or in recognition of the experience or exceptional qualifications of a candidate.
- (f) Before a salary offer is made, the Division of Human Resources shall consider the current salaries and length of service in the same or similar job class or classes of the incumbents.

Section 7 – That Section 21-26.1 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 21-26.1. ~~Rates upon promotion, and~~ Demotion.

~~(a) Any urban county government employee who obtains a position within the classified civil service having a higher pay grade than his former position shall have his salary placed at the point in the higher grade salary range that will provide a minimum increase of seven (7) percent if the appointment is to a grade which is one (1) grade higher than that occupied by the employee or ten (10) percent if the appointment is to a grade two (2) or more grades higher than that occupied by the employee; provided, however, that the appointing authority may recommend and the urban county council may approve a compensation rate above these minimums in recognition of market demands or in recognition of the experience or exceptional qualifications of the employee. In no case, however, shall the employee receive a salary lower than the minimum of the grade salary range of the higher position. At the end of his probationary period, the employee is entitled to participate in the merit pool under the same conditions as a newly hired employee pursuant to section 21-26(a).~~

(ba) The appointing authority, upon the recommendation of the director and approval of the urban county council, may grant voluntary demotion to an employee who meets the following criteria:

- (1) The employee must apply in writing to his division director for voluntary demotion to an existing vacant position, and the division director shall forward the completed application to the director.
- (2) The employee must have previously held a position in the class to which he is requesting demotion or have been on an eligibility list for the position or have performed a majority of the duties of the position even if the class title may have changed after he left the position.
- (3) The employee must secure the approval of the supervisor into whose division the demotion is to be made.
- (4) The employee must have received a rating of at least satisfactory on one (1) of his last two (2) performance evaluations; however, an employee who has received

a rating of unsatisfactory on either of his last two (2) performance evaluations shall not be eligible for voluntary demotion.

- (5) An employee who seeks voluntary demotion because of physical inability to perform job duties must provide appropriate medical documentation to support the request. Said documentation shall be attached to the employee's written request for voluntary demotion.
- (6) Any employee who is granted a voluntary demotion shall be placed in the grade salary range of the position to which he is being demoted with a seven (7) percent reduction in salary for the first pay grade below the employee's current pay grade, an additional three (3) percent reduction in salary for the next pay grade and a two (2) percent reduction for each additional pay grade thereafter~~at the salary he was earning before the promotion plus any scale adjustments made to the lower grade salary range and any merit increases earned in the position from which he is being demoted~~, provided, however, that no employee shall be paid below the entrance rate of pay or above the maximum for the grade, ~~and no employee shall receive a salary in excess of that of an incumbent in the position whose qualifications and years in service are equal to those of the demoted employee. If the demotion is to a position not formerly held by the employee, he shall be placed at the minimum of the grade salary range plus the merit pool percentage awarded during the employee's tenure in the higher grade.~~
- (7) The director shall make reasonable rules and regulations necessary to implement this section.
 - (b) If an employee is selected for a position in a new job class that has a lower pay grade than the current job class, the employee shall be placed in the grade salary range of the job class to which he is being demoted with a seven (7) percent reduction in salary for the first pay grade below the employee's current pay grade, an additional three (3) percent reduction in salary for the next pay grade and a two (2) percent reduction for each additional pay grade thereafter; provided, however, that no employee shall be paid

below the entrance rate of pay or above the maximum for the grade.

Section 8 – That Section 21-30 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 21-30. ~~Salary adjustment on change of classification plan.~~
Reclassification or Reallocation.

- (a) An employee whose pay grade is changed to a higher grade through a reclassification or reallocation of his position shall have his salary placed at the point in the higher grade salary range that will provide a minimum increase of seven (7) percent if the reclassification or reallocation is to a grade one (1) grade higher than that existing prior to the reclassification or reallocation or ten (10) percent an additional increase of three (3) percent if the reclassification or reallocation is to a grade two (2) or more grades higher and two (2) percent for each additional grade thereafter; provided, however, the appointing authority may recommend and the urban county council may approve a compensation rate of pay above these minimums the recommended rate of pay in recognition of market demands or in recognition of the experience or exceptional qualifications of the employee. In no case, however, shall the employee receive a salary lower than the minimum entrance rate of pay for the grade salary range.
- (b) An employee whose pay grade is changed to a lower grade through a reclassification or reallocation shall retain his salary at the higher level. All employees receiving a rate of pay above the maximum rate prescribed for the class to which their position was reclassified or reallocated shall continue to receive such pay without further increase so long as their positions remain in a class having a rate below the rate now being paid the employee.
- (c) An employee shall be eligible for a merit salary increase or cost of living adjustment in the position to which he has been reclassified or reallocated on the first day of the fiscal year after the reclassification or reallocation.
- (d) The effective date of all reclassifications or reallocations shall be the beginning of the next pay period following approval by the Urban County Council.

Section 9 – That Section 22-23 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 22-23. Entrance rates.

- (1) The rate of pay for an employee upon initial employment in a position covered by this chapter which is assigned a pay grade shall normally be ~~made at the minimum~~ the entry rate pay of the grade salary range specified for his class. The appointing authority may recommend and the urban county council may approve a ~~compensation rate~~ of pay above the ~~minimum for the grade recommended rate~~ when it is found to be difficult to recruit qualified persons at the ~~minimum recommended rate of pay~~ pay or in recognition of the experience or exceptional qualifications of a candidate.
~~An employee who serves six (6) months or longer prior to the end of the fiscal year in which he is hired shall receive .75 times the merit pool percentage on the first day of the subsequent fiscal year; provided, however, that no employee shall receive a salary lower than the minimum for his grade salary range.~~
- (2) For those positions covered by this chapter which are not assigned to a grade, the compensation shall be as provided by ordinance.
- ~~(3) An employee appointed to the position of legislative aide to council trainee, after six (6) months of satisfactory service, and with the recommendation of the council administrator may be reclassified to the position of legislative aide to council and, when so reclassified, shall have his salary adjusted to that of a legislative aide to council.~~
- (3) The rate of pay for new employees whose experience and credentials can be verified, may be placed in the range according to their experience, educational credentials and certification.

- (4) The appointing authority may recommend and the urban county council may approve a rate of pay above the recommended rate when it is found to be difficult to recruit qualified persons at the recommended rate of pay or in recognition of the experience or exceptional qualifications of a candidate.
- (5) Before a salary offer is made, the Division of Human Resources shall consider the current salaries and length of service in the same or similar job class or classes of the incumbents.

Section 10 – That 22-27 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 22-27. ~~Salary adjustment on change of classification plan~~ Reclassification or Reallocation.

For those positions covered by this chapter which are assigned a grade:

- (1) An employee whose pay grade is changed to a higher grade through a reclassification or reallocation of his position shall have his salary placed at the point in the higher grade salary range that will provide a minimum increase of seven (7) percent if the reclassification or reallocation is to a grade one (1) grade higher than that existing prior to the reclassification or reallocation ~~or ten (10) percent~~ an additional three (3) percent if the reclassification or reallocation is to a grade two (2) ~~or more~~ grades higher and two (2) percent for each additional grade thereafter; provided, however, the appointing authority may recommend and the urban county council may approve a ~~compensation~~ rate of pay above ~~these minimums~~ the recommended rate of pay in recognition of market demands or in recognition of the experience or exceptional qualifications of the employee. In no case, however, shall the employee receive a salary lower than the ~~minimum entrance rate of pay~~ for his the grade salary range.

- (2) An employee whose pay grade is changed to a lower grade through a reclassification or reallocation shall retain his salary at the higher level. All employees receiving a salary above the maximum rate prescribed for the class to which their position was reclassified or reallocated shall continue to receive such pay without further increase so long as their positions remain in a class having a rate below the rate being paid the employee.
- (3) An employee shall be eligible for a merit increase in the position to which he has been reclassified or reallocated on the first day of the fiscal year after the reclassification or reallocation.

Section 11 - That this Ordinance shall become effective September 22, 2014.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
PUBLISHED:

00452781