

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, September 16, 2014

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
September 15 – September 22, 2014**

Monday, September 15

No Meetings

Tuesday, September 16

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

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

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

Wednesday, September 17

Vacant Property Review
Commission.....10:00 am
Conference Room – 5th Floor Government Center

Thursday, September 18

Corridors Commission.....11:00 am
Conference Room – 5th Floor Government Center

Friday, September 19

No Meetings

Monday, September 22

No Meetings

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
September 9, 2014**

Mayor Gray called the meeting to order at 3:03pm. Council Member Ellinger, Kay, Ford, Akers, Beard, Farmer, Stinnett, Scutchfield, Myers, Mossotti, Hanson, Clarke and Lane were present. Council Members Gorton and Lawless were absent.

I. Public Comment – Issues on Agenda

II. Requested Rezonings/Docket Approval

Motion by Beard to approve the docket. Seconded by Myers. Motion passed without dissent.

Motion by Clarke to refer letter A from new business to the public safety committee. Seconded by Scutchfield. Motion passed without dissent.

III. Approval of Summary

Motion by Farmer to approve the September 2, 2014 summary. Seconded by Henson. Motion passed without dissent.

IV. Budget Amendments

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

V. New Business

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

VI. Continuing Business/Presentations

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

Motion by Henson to amend the NDF list to include The Colony Neighborhood Association for \$500 and the Gardenside Neighborhood Association for \$225. Seconded by Akers. Motion passed without dissent.

Motion by Steve Kay 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. Seconded by Henson. Motion passed without dissent.

Motion by Farmer refer ordinance changes related to Compensation Study to the docket for Council approval. Seconded by Myers. Motion passed without dissent.

Motion by Henson to amend to include the appeals process. Seconded by Mossotti. Motion passed without dissent.

VII. Council Reports

Motion by Ford to amend the NDF list to add Robert H. Williams Cultural Center for \$1,300. Seconded by Farmer. Motion passed without dissent.

Motion by Farmer to place into the Public Safety Committee a review of ordinance 13-54, secondhand and junk dealers, specifically 13.54-3, which pertains to the administrative requirements of scrap metal dealers, to look at applications currently in KRS (186A.215 & .295). Seconded by Akers. Motion passed without dissent.

VIII. Mayor's Report

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

IX. Public Comment – Issues Not on Agenda

X. Adjournment

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

Lexington-Fayette Urban County Council
Work Session Agenda
September 16, 2014

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval - No**
- III. Approval of Summary – Yes, p. 1-2**
- IV. Budget Amendments - No**
- V. New Business – Yes, p. 7-17**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds, September 16, 2014, p. 41
 - b** Budget & Finance Committee, August 26, 2014 Summary, p. FJEG
- VII. Council Reports**
- VIII. Mayor's Report - No**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a** **0854-14** Authorization to amend Sections 23-6 (6), Section 23-18 (c), and Section 23-13 (a) of the Code of Ordinances to provide more local and regional candidates during recruitment for the Division of Fire and Emergency Services. (L0854-14)(Jackson/Mason)
This is a request to amend Sections 23-6 (6), Section 23-18 (c), and Section 23-13 (a) of the Code of Ordinances to provide more local and regional candidates during recruitment for the Division of Fire and Emergency Services. There is no budgetary impact.
- b** **0914-14** Authorization to donate Police Horse Panzer to Ms. Sandra Radcliffe Skarky of Four Winds Farm, 305 S. Yarnallton Pike, for his retirement due to physical ailments that Panzer has suffered to both his stifles, causing an unsteady gait that makes riding unsafe to continue in police service. (L0914-14)(Bastin/Mason)
This is a request to donate Police Horse Panzer to Ms. Sandra Radcliffe Skarky of Four Winds Farm, 305 S. Yarnallton Pike, for his retirement due to physical ailments he has suffered to both his stifles, causing an unsteady gait that makes riding unsafe to continue in police service. There is no budgetary impact.
- c** **0923-14** Authorization to accept the response of Group CJ for the provision of Graphic Design Services to various Departments and Divisions of the Urban County Government. (L0923-14)(Slatin/O'Mara)
This is a request to accept the response of Group CJ for the provision of Graphic Design Services to various Departments and Divisions of the Urban County Government. Funds are budgeted within individual departments.
- d** **0935-14** Authorization for the granting of temporary construction easements at 1795 Old Frankfort Pike and 1138 Finney Drive, and fee simple transfers of 2,288 square feet of property at 1631 Old Frankfort Pike and 10,967 square feet of property at 1900 Leestown Road from LFUCG to the Commonwealth of Kentucky for the benefit of the Transportation Cabinet for their project to widen New Circle Road from Versailles Road to Newtown Pike. (L0935-14)(Frazier/Paulsen)
This is a request to grant temporary construction easements at

1795 Old Frankfort Pike and 1138 Finney Drive, and fee simple transfers of 2,288 square feet of property at 1631 Old Frankfort Pike and 10,967 square feet of property at 1900 Leestown Road from LFUCG to the Commonwealth of Kentucky for the benefit of the Transportation Cabinet for their project to widen New Circle Road from Versailles Road to Newtown Pike. The granting of easements and fee simple transfers are to be donated. There is no cost to LFUCG.

- e** **0938-14** Authorization to execute agreement with the Commonwealth Attorney's Office in the amount of \$65,656 for provision of "Fast Track" prosecutor services under the Street Sales Drug Enforcement Project--FY 2015. (L0938-14)(Gooding/Mason)
This is a request to execute agreement with the Commonwealth Attorney's Office in the amount of \$65,656 for provision of "Fast Track" prosecutor services under the Street Sales Drug Enforcement Project--FY 2015. Funds are budgeted.
- f** **0939-14** Authorization to extend agreement with Vebridge for Onbase (Hyland Enterprise Content Management System) maintenance for five years beginning in FY15. (L0939-14)(Nugent/Valicenti)
This is a request to extend the agreement with Vebridge for Onbase (Hyland Enterprise Content Management System) maintenance for five years beginning in FY15 at a cost not to exceed \$80,318.40. FY15 fiscal impact is \$71,361.86. Funds are budgeted.
- g** **0947-14** Authorization to proceed with the proposed schedule for the Annual Urban Service Legal Process. (L0947-14)(Holmes)
This is a request to approve the schedule for the Annual Urban Service Legal Process. There is no budgetary impact.
- h** **0949-14** Authorization to execute an agreement with Pennsylvania Coalition Against Rape to provide training to enhance a coordinated community response to domestic violence as part of a project funded by the U.S. Department of Justice/Office on Violence Against Women under the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program. (L0949-14)(Gooding/Mason)
This is a request to execute an agreement with Pennsylvania Coalition Against Rape to provide training to enhance a coordinated community response to domestic violence as part of a project funded by the U.S. Department of Justice/Office on Violence Against Women under the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program at a cost not to exceed \$1,000. Funds are budgeted.

- i **0950-14** Authorization to execute agreement with JFG Enterprises, owners of the Boonesboro Manor Package Treatment Plant, for the purpose of providing municipal sanitary sewer service to un-served and underserved properties located within the boundaries of the Blue Sky Rural Activity Center. (L0950-14) (Martin/Holmes)
This is a request to execute agreement with JFG Enterprises, owners of the Boonesboro Manor Package Treatment Plant, for the purpose of providing municipal sanitary sewer service to unserved and underserved properties located within the boundaries of the Blue Sky Rural Activity Center.



7
0854-14

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

Jim Gray
Mayor

Keith L. Jackson
Fire Chief

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

From: Chief Keith Jackson

Date: August 15, 2014

The Division of Fire & Emergency Services is requesting to amend Sections 23-6 (6) changing the language to read to be over nineteen (19) years of age and Section 23-18 (c) of the Code of Ordinance, changing the language to read candidates shall be at least 19 years of age and shall not have reached their thirty-fifth birthday by the application filing deadline date. Adding language in Section 23-13 (a) of the Code of Ordinance to include an equivalent (2) percent upgrade to the candidates final score for Fayette County residents, and an equivalent (1) percent upgrade for contiguous counties; Jessamine, Bourbon, Woodford, Madison, Scott and Clark Counties.

Justification: These changes will provide hiring more local and regional candidates while recruiting in these areas. These changes will also increase the number of candidates by bringing us in line with the national practices of recruitment.



LEXINGTON DIVISION OF POLICE

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

8
0914-14

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: August 26, 2014

RE: Donation – Police Horse Panzer

Please find attached documentation requesting approval for the Lexington Division of Police to donate Police Horse Panzer to Ms. Sandra Radcliffe Skarky. Due to the physical ailments that Panzer has suffered to both his stifles, causing an unsteady gait, this has caused riding Panzer to be unsafe to continue in police service.

Ms. Sandra Radcliffe Skarky, who resides at 305 S. Yarnallton Pike, has offered to provide Panzer with a retirement home.

Paperwork is currently being processed for surplus purposes (copy of FA9 is attached). Upon approval of donation, Ms. Skarky will assume ownership of Panzer.

There will be no budgetary impact. If you have any questions or require additional information, please contact my office.

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

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Clay Mason, Commissioner of Public Safety



9
0923-14


Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

William O'Mara
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: 
Todd Slatin, Director
Division of Central Purchasing

DATE: August 28, 2014

RE: Approval of selection of Group CJ to provide graphic design services under RFP #26-2014

RFP #26-2014 Graphic Design Services was issued by the Division of Purchasing to select a graphics design agency to provide these services to LFUCG departments. From among the proposals, the evaluation committee selected Group CJ.

In securing the services of a graphics agency, LFUCG is seeking to upgrade the design of materials reaching the public as well as provide consistency across materials. The selected firm will provide services to LFUCG departments on a project-by-project basis.

cc: Sally Hamilton, CAO
William O'Mara, Commissioner of Finance
Scott Shapiro, Mayor's Office
Stacey Maynard, Council Administrator
tdm




LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Department of Planning, Preservation & Development
Division of Engineering

Jim Gray
Mayor

Derek J. Paulsen, Ph.D.
Commissioner

MEMORANDUM

To: Jim Gray, Mayor
Urban County Council

From: James R. Wray 
Engineering Technician Principal

Date: September 3, 2014

Re: Resolution Authorizing Transfer of Property and Easements
Kentucky Transportation Cabinet Project – New Circle Road Widening

Request a resolution authorizing the granting of temporary construction easements at 1795 Old Frankfort Pike and 1138 Finney Drive, and fee simple transfers of 2,288 square feet of property at 1631 Old Frankfort Pike and 10,967 square feet of property at 1900 Leestown Road from LFUCG to the Commonwealth of Kentucky for the benefit of the Transportation Cabinet for their project to widen New Circle Road from Versailles Road to Newtown Pike. The granting of easements and fee simple transfers are to be donated. There is no cost to LFUCG.

Affect departments within LFUCG have been advised of this request from the State and have agreed with the proposed work and acquisitions.



Derek J. Paulsen, Ph.D.
Commissioner, Department of
Planning, Preservation & Development



A. Bradley Frazier
Director, Division of Engineering

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



11
0938-14

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

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: SEPTEMBER 4, 2014

**SUBJECT: Request Council authorization to execute agreement with the
Commonwealth Attorney's Office in the amount of \$65,656 for provision
of "Fast Track" prosecutor services under the Street Sales Drug
Enforcement Project--FY 2015**

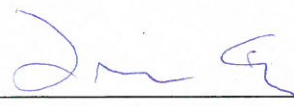
The Kentucky Justice Cabinet has awarded the Lexington-Fayette Urban County Government a grant for continuation of the Street Sales Drug Enforcement project. Source of funds is the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program. Council approved acceptance of these funds on March 20, 2014 (Resolution 123-2014).

The approved Street Sales Enforcement project includes funds to support the cost of the "Fast Track" prosecution program and the Major Violator (Repeat Offender) prosecution program in the Commonwealth Attorney's Office, as part of a drug task force. Funds are used to support one full-time assistant prosecutor for a one-year period.

The total cost of this element of the project is \$65,656. Federal funds are in the amount of \$49,242. The Lexington-Fayette Urban County Government's general fund provides \$16,414 to the project. Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	BUD REF	ACTIVITY	PROJECT
3140	112006	0001	71101	2015	FED GRANT	ST SALES 2015

Council authorization to execute the agreement is hereby requested.


Irene Gooding, Director

Xc: Clay Mason, Commissioner, Department of Public Safety



12
0939-14

Lexington-Fayette Urban County Government
DIVISION OF COMPUTER SERVICES

Jim Gray
Mayor

Aldona Valicenti
Chief Information Officer

To: Mayor Jim Gray
Urban County Council

From: Mike Nugent
Director, Computer Services

Date: September 5, 2014

Re: Extension of OnBase annual support agreement through Vebridge

Request council and mayor approval to extend the OnBase (Hyland Enterprise Content Management System) annual support agreement through VeBridge, the certified Hyland services provider for OnBase. Requesting an extension of annual maintenance agreement for the next 5 years beginning in FY15 and not to exceed an annual maintenance fee of \$80,318.40 assuming no additional OnBase module licenses are added to the existing system. If new software modules are added the cost will be adjusted accordingly. Below are the annual renewal periods and cost per year:

- o 10/1/2014-9/30/2015- \$71,361.86 (due July 30, 2014)
- o 10/1/2015-9/30/2016- \$73, 502.72 (due July 30, 2015)
- o 10/1/2016-9/30/2017- \$75,707.80 (due July 30, 2016)
- o 10/1/2017-9/30/2018- \$77,979.03 (due July 30, 2017)
- o 10/1/2018-9/30/2019- \$80,318.40 (due July 30, 2018)



13
0947-14

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Commissioner's Office Mayor Jim Gray
Department of Environmental Quality & Public Works

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: Chester Hicks

DATE: September 5, 2014

SUBJECT: Schedule for 2014 Urban Services Changes

The Department of Environmental Quality & Public Works requests your approval, of the attached schedule, to proceed through the annual Urban Service Legal Process for 2014.

Before properties are developed within the Fayette County urban service boundary, they are generally taxed solely for Police and Fire protection (Tax District 02 - General Services). However, once a property is recorded, divided and platted for new development, the new properties are moved to the appropriate tax district for other provided services. For example, properties on public streets are placed in the full service (01) tax district that provides refuse collection, streetlights, and street sweeping. Private streets are placed within the 03 tax district, which only includes refuse collection given that property owners maintain their own streets and provide their own streetlights if desired.

Kentucky Law requires that the Urban County Government notify each property owner by certified mail of a proposed increase in property tax and hold a public hearing. Per the attached schedule, the public hearing will be held at 3:00 p.m. on Tuesday, November 11, 2014, during Council Work Session.

Should you have any questions, please feel free to contact me. Thank you for your time and consideration regarding this matter.

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

200 E Main Street 9th Floor Lexington, KY 40507 Ph: (859)258-3400 www.lexingtonky.gov

**URBAN SERVICES CHANGES
2014 SCHEDULE**

Administrative Review (Blue Sheet)	September 4, 2014
Work Session Discussion	September 16, 2014
Certified Mail to USC Voters	Week of September 23, 2014
Resolution First Reading	September 25, 2014
Resolution Second Reading	October 9, 2014
Publish	October 14, 2014
Publish	October 21, 2014
Publish	October 28, 2014
Certified Mail New Development	Week of October 28, 2014
USC Voting Deadline	October 25, 2014
Neighborhood Information Meetings	October 2014
Pre-Work Session Meeting Public Works Conference Room	November 11, 2014 1:00 p.m. to 3:00 p.m.
Work Session Public Hearing on Urban Service Changes	November 11, 2014 3:00 p.m.
Documents due to Law Department	November 13 - 15, 2014
Ordinance First Reading	November 20, 2014
Ordinance Second Reading	December 14, 2014
Documentation to PVA / Budgeting	December 15, 2014 (?)



15
0949-14

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

Jim Gray
Mayor

Sally Hamilton
CAO

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

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

DATE: SEPTEMBER 8, 2014

SUBJECT: Request Council Authorization To Execute Agreement For Professional Services With Pennsylvania Coalition Against Rape as part of a project funded by the U.S. Department of Justice/Office on Violence Against Women under the Grants to Encourage Arrest Policies and Enforcement o Protection Orders Program

On October 24, 2013 (Resolution No. 556-2013), Council approved acceptance of federal funds from the U.S. Department of Justice/Office on Violence Against Women under the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program.

The approved grant budget provides for on-site training to enhance a coordinated community response to domestic violence for approximately 75 persons representing a multidisciplinary team including law enforcement, prosecutors, victim advocates (based in nonprofit community agencies, educational institutions and criminal justice agencies), mental health providers, probation and parole, and other domestic violence services providers.

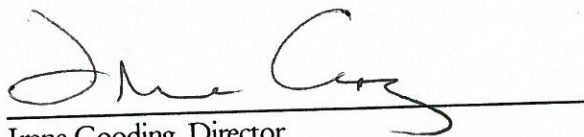
Pennsylvania Coalition Against Rape has been selected to provide this training in an amount not to exceed \$1,000. The training will focus on the following topics:

- Overcoming the consent defense
- Going forward without the victims
- Stalking and Technology: Prosecution Strategies

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCOUNT	PROJECT	BUD REF	ACTIVITY
3140	505506	5561	71299	ARREST 2012	2012	SUPPL 2014

Council authorization to execute the Agreement for Professional Services is hereby requested.


Irene Gooding, Director

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



16
0950-14

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

Jim Gray
Mayor

David L. Holmes
Commissioner

TO: Mayor Jim Gray
Urban County Council

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

DATE: September 4, 2014

SUBJECT: **Agreement with JFG Enterprises for the Construction of Sanitary Sewerage Facilities Serving Properties Located in the Blue Sky Rural Activity Center and the Dedication of Those Facilities to LFUCG**

The purpose of this memorandum is to request approval of an agreement between LFUCG and JFG Enterprises, owners of the Boonesboro Manor Package Treatment Plant, for the purpose of providing municipal sanitary sewer service to un-served and underserved properties located within the boundaries of the Blue Sky Rural Activity Center (RAC). The Boonesboro Manor Package Treatment Plant is located off Athens-Boonesboro Road just west of Interstate 75 and is capable of providing sanitary sewer service to the Blue Sky area west of the interstate.

The Consent Decree (Appendix K-1) contains a Supplemental Environmental Project (SEP) that requires LFUCG to eliminate the existing Blue Sky Wastewater Treatment Plant, which currently serves the Blue Sky area located on the east side of the interstate. The SEP also contains text indentifying "*Accommodation of eventual elimination of the Boonesboro Manor Package Treatment Plant*" as a beneficial outcome of SEP completion.

In late 2012 and early 2013, the Division of Water Quality (DWQ) and representatives of JFG Enterprises appeared before the council's Environmental Quality Committee to present scenarios for meeting the objective of the SEP, particularly defining how LFUCG would accommodate the eventual elimination of the Boonesboro Manor Package Treatment Plant. This agreement represents DWQ's understanding of the directive issued by the committee.

Key points of this agreement:

- LFUCG would (and has) constructed the Blue Sky force main with sufficient capacity to serve the two western quadrant of the Blue Sky RAC in a full development scenario based on Development Plans on file with the Division of Planning. Sufficient capacity was calculated and capped at 500 gallons per minute (gpm) and is exclusively reserved for future development within the two western quadrants.
- JFG Enterprises would construct any and all sanitary sewer infrastructure necessary to eliminate the existing package plant and connect to a force main tee provided by LFUCG as part of the Blue Sky

force main construction. Upon completion of routine inspection and testing, JFG will dedicate all constructed sanitary sewer infrastructure to LFUCG for future operation and maintenance.

This project was undertaken in connection with the settlement of an enforcement action under the Clean Water Act, United States et al v. Lexington-Fayette Urban County Government, brought on behalf of the U.S. Environmental Protection Agency.

If you have any questions or need additional information, please contact me at 425-2455.

**Neighborhood Development Funds
September 16, 2014
Work Session**

Amount	Recipient	Purpose
\$ 800.00	Carnegie Center for Literacy and Learning 251 W. Second Street Lexington, KY 40507 Neil Chethik	To assist with their new International Eating & Reading Night on October 23, 2014.
\$ 300.00	Kentucky Chinese American Accos., Inc. PO Box 910186 Lexington, KY 40509-0186 Changzheng Wang	To support the 2014 Moon Festival Celebration on September 6, 2014.

Budget & Finance Committee
August 26, 2014
Summary and Motions

Chair Ellinger called the meeting to order 1:00pm. Committee members Stinnett, Gorton, Ford, Beard, Farmer, Scutchfield, Mossotti and Henson were present. Committee member Kay was absent. Councilmember's Clarke and Lane attended as non-voting members.

1. March 18, 2014 Committee Summary

The summary of the March 18 committee meeting was included as information only as it was previously approved at the April 8, 2014 Work Session.

2. Monthly Financial Report

Commissioner O'Mara, Mr. Cook and Ms. Lueker went over the monthly financial report for July. O'Mara summarized several key economic indicators including unemployment rate, County employment, building permits, new business licenses, home sales and foreclosures.

Cook stated that General Fund revenue was lower than budgeted for July by \$ 1.9 million. He noted that timing was the reason payroll withholding was \$ 1.5 below budget for the month. Cook also provided Code Enforcement nuisance abatement revenue collection data for July.

Lueker stated that General Fund expenditures were also \$ 1.9 million under budget. Lueker stated that the Personnel category was \$ 1.1 million under budget and the Operating category was \$ 600,000 under budget for the month.

Ellinger asked about the June monthly financials. He noted that they had previously discussed the May financial report and have now reviewed the July report but Council had not yet seen the preliminary June report. In response Commissioner O'Mara stated that the financial books for FY 14 were recently closed and those figures would be available in October.

3. Rupp Arena Expenditures

Schoninger summarized the revenue and expenditures for the Rupp District project. Frank Butler stated that the Urban County and the State both agreed to contribute \$ 2.5 million in 2013 for the planning/design phase. Butler stated that in addition the Lexington Center Board (LCC) and the Visitors & Convention Bureau agreed to contribute a combined \$ 500,000 for the planning phase of the project.

Butler stated that approximately \$ 4.6 million has been expended on the planning phase including \$ 2.1 million from Lexington. He stated that all of the expenditures followed LCC

procurement policies and all vendors were publicly selected following an RFP/Q process. The vendors were all vetted by the Rupp Arts District committee and approved by the LCC Board.

Butler stated that as the Mayor and Lexington Center jointly decided to suspend the project he did not anticipate any further expenses at this point.

In response to a question from Mossotti, Butler summarized his duties and role in the project. He stated that his contract expires December 2015.

Mossotti stated that several Lexington Center retailers contacted her and expressed concerns that they were not provided any information about the project. In response Butler stated that they will be meeting with the retailers shortly to brief them on a status of the project.

In response to questions from Stinnett, Butler stated that Lexington Center has not lost any tenants during the planning phase. Butler also stated that he was retained by LCC and not the City.

In response to a question from Henson, Butler stated that approximately \$ 650,000 was left unexpended in the planning phase and he did not anticipate requesting those funds from the State or City at this point.

Ford discussed HB 301 and the plans for Lexington to reimburse the State its portion of the \$ 2.5 million. In response O'Mara stated that the Governor Beshear vetoed the requirement that the City reimburse \$ 2.5 million by April 2012.

In response to a question from Ellinger, David Barberie stated that the veto just removed the repayment date but not the obligation.

Representative Flood discussed the State's interest in the project.

O'Mara and Jamie Emmons commented on the veto. They stated that the veto offered options regarding repaying the \$ 2.5 million to the State. Emmons stated that when the project goes forward that obligation can be rolled into the entire project.

Stinnett asked that the Council be more involved in the project as it goes forward.

Beard provided history as to use of Coal Severance and Coal Impact Funds in Fayette County.

Ford stated that the City should not be obligated to pay the \$ 2.5 million back to the State without Council discussion and consent.

Mossotti stated that she was concerned that the Mayor committed to the repayment of the \$ 2.5 million without Council approval

4. AOC Courthouse Reimbursement Policy

Commissioner Geoff Reed updated the Committee on this issue. Reed provided a brief history of the relationship between the Kentucky Administrative Office of the Courts (AOC) and Kentucky counties for maintenance and management of County Courthouses.

Reed stated that starting July 1 AOC will reimburse Fayette County at a rate of \$ 4.00 per square foot rather than reimbursement for the pro rata share of the actual LFUCG cost of facility operations. He stated that at present Lexington has a contract for approximately \$ 4.66 per square foot with a private vendor, Meridian Management for custodial services.

Reed stated that this change will result in approximately \$ 136,000 in unreimbursed annual expenses without changes to the current maintenance contract.

Reed stated that his office will continue to investigate this issue and have a meeting with AOC officials later this fall.

Lane asked what was included in the current maintenance contract. In response to a question from Lane, Reed stated that the current management contract is in its 2nd year. Lane suggested that the blend rate be separated so we have a better understanding of the cost of services provided. He also suggested that the contract be re bid in at least 2-3 parts to get a better price or better service.

Reed discussed options to reduce the current maintenance costs and/or reducing services provided at the Courthouse complex.

Gorton asked about the costs associated with maintaining space for at Sheriff at the Courthouse.

Henson asked about costs paid by the surrounding counties for similar services.

In response to a question from Clarke, Reed discussed how the other counties across the state have controlled maintenance and operational costs at their respective Courthouses.

In response to questions from Akers, Reed stated that the only other occupant in the Courthouses was the Sheriff's Office. Reed also described services that the Sheriff's Office provides at the Courthouse. Reed also stated that the local government could institute fees for some Courthouse services to defray some of the maintenance and operational charges at the Courthouse.

In response to questions from Beard, Reed discussed how other counties have reduced their maintenance costs. Reed also discussed the repair of the fountains in the Courthouse Plaza.

Reed stated that he would be back to the Committee probably in November with an update and potential solutions.

5. Items in Committee

A motion by Gorton to remove the Local Vendor Preference issue, seconded by Farmer, the motion passed without dissent.

A motion by Gorton to remove the Minority/Women Business Recruitment issue, seconded by Farmer, the motion passed without dissent.

A motion by Gorton to remove the Affordable Housing Trust Fund Report issue, seconded by Farmer, the motion passed without dissent.

A motion by Farmer to remove the Financial Implications of the Mayor's Homelessness Commission issue, seconded by Gorton, the motion passed without dissent.

A motion by Stinnett to remove the Refunding Urban Services Property Tax issue, seconded by Gorton, the motion passed without dissent.

A motion by Gorton to remove the LexArts Financial Support Exchange issue, seconded by Mossotti, the motion passed without dissent.

A motion by Gorton to remove the Local Rupp Arena District Expenditures issue, seconded by Farmer, the motion passed without dissent.

A motion by Farmer to adjourn at 2:34pm, seconded by Gorton, the motion passed without dissent.