

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, October 21, 2014

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
October 20 – October 27, 2014**

Monday, October 20

No Meetings

Tuesday, October 21

Social Services & Community Development Committee.....11:00 am
Council Chamber – 2nd Floor Government Center

Budget & Finance Committee.....1:00 pm
Council Chamber – 2nd Floor Government Center

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

Wednesday, October 22

Transportation Policy Committee - CANCELLED.....2:30 pm
Jessamine County Courthouse

Parks Advisory Board.....4:30 pm
Picadome – 469 Parkway Drive

Thursday, October 23

Sister Cities Commission.....11:30 am
Conference Room – 5th Floor Government Center

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

Friday, October 24

No Meetings

Monday, October 27

Council Fall Recess Begins

**URBAN COUNTY COUNCIL
WORK SESSION TABLE OF MOTIONS
October 14, 2014**

Mayor Gray called the meeting to order at 3:10pm. All council members were present.

- I. Public Comment – Issues on Agenda
- II. Requested Rezonings/Docket Approval
- III. Approval of Summary

Motion by Ellinger to approve the October 7, 2014 summary. Seconded by Stinnett. Motion passed without dissent.

- IV. Budget Amendments
- V. New Business

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

- VI. Continuing Business/Presentations

Motion by Farmer to request Law to draft a resolution to permanently barricade Agape Drive at the northern terminus in order to protect the character of the Dogwood Trace Neighborhood. Seconded by Scutchfield. Motion passed without dissent.

Motion by Kay to refer Coroner's Office salary and classification to the docket. Seconded by Gorton. Motion passed without dissent.

- VII. Council Reports

Motion by Ford to refer the Ethics Ordinance and Code of Conduct to the General Government Committee for review. Seconded by Farmer. Motion passed without dissent.

Motion by Mossotti to place into the Environmental Quality committee, the issue of expanding enforcement of retention ponds around private properties and steps for city to take them over. Seconded by Scutchfield. Motion passed without dissent.

- VIII. Mayor's Report
- IX. Public Comment – Issues Not on Agenda
- X. Adjournment

Motion by Stinnett to adjourn at 3:49pm. Seconded by Ellinger. Motion passed without dissent.

**Lexington-Fayette Urban County Council
Work Session Agenda
October 21, 2014**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval – Yes**
- III. Approval of Summary – Yes, p. 1**
- IV. Budget Amendments – Yes, p. 5-7**
- V. New Business – Yes, p. 8-18**
- VI. Continuing Business/ Presentations – Yes, p. 19-32**
 - a** Neighborhood Development Funds, October 21, 2014, p. 19
 - b** Social Services & Community Development Committee,
September 23, 2014 Summary, p. 20-25
 - c** Presentation: Natural Resource Management Reorganization Proposal;
By: Susan Plueger, p. 26-32
- VII. Council Reports**
- VIII. Mayor's Report – Yes**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a** **1055-14** Authorization to submit application to the U.S. Department Of Homeland Security under the 2014 Assistance to Firefighters Grant Program, requesting federal funds in the amount of \$391,424 for exhaust extraction system upgrades or replacement for all Lexington fire stations. (L1055-14) (Gooding/Mason)
This is a request to submit application to the U.S. Department Of Homeland Security under the 2014 Assistance to Firefighters Grant Program, requesting federal funds in the amount of \$391,424 for exhaust extraction system upgrades or replacement for all Lexington fire stations. There is no budgetary impact. p. 9
- b** **1066-14** Authorization to execute a contract with the Board of Education of Fayette County, Ky., for operation of preschool classrooms at the Family Care Center. (L1066-14) (Mills)
This is a request to execute a contract with the Board of Education of Fayette County, Ky., for operation of preschool classrooms at the Family Care Center. There is no budgetary impact. p. 10
- c** **1077-14** Authorization to approve payment of \$20,000 to the Kentucky Chamber of Commerce for Lexington's sponsorship of the Kentucky Manufacturing and Innovation Conference, a BEAM initiative. (L1077-14) (Atkins)
This is a request to approve payment of \$20,000 to the Kentucky Chamber of Commerce for Lexington's sponsorship of the Kentucky Manufacturing and Innovation Conference, a BEAM initiative. Funds are budgeted. p. 11
- d** **1080-14** Authorization to amend and accept the final settlement to the sublease and management agreement with Lexarts, Inc. for the Downtown Arts Center. (L1080-14) (Emmons)
This is a request to amend and accept the final settlement to the sublease and management agreement with Lexarts, Inc. for the Downtown Arts Center. (L1080-14) (Emmons). There is no budgetary impact. p. 12
- e** **1082-14** Authorization to accept award in the amount of \$34,000 from the Kentucky Office of Homeland Security under the 2014 State Homeland Security Grant Program for the Hazardous Devices Unit in the Division of Police. (L1082-14) (Gooding/Mason)
This is a request to accept award in the amount of \$34,000 from the Kentucky Office of Homeland Security under the 2014 State Homeland Security Grant Program for the Hazardous Devices Unit in the Division of Police. Budget Amendment 6042 in process. p. 13

- f** **1083-14** Authorization to approve Bullard Thermal Imagers as a sole source provider of thermal imaging cameras for Fire and Emergency Services in an amount not to exceed \$31,500. (F1083-14) (Jackson/Mason)
This is a request to approve Bullard Thermal Imagers as a sole source provider of thermal imaging cameras for Fire and Emergency Services in an amount not to exceed \$31,500. p. 14
- g** **1084-14** Authorization to accept award in the amount of \$70,000 from the Kentucky Office of Homeland Security under the 2014 State Homeland Security Grant Program for the Division of Fire and Emergency Services for the purchase of first responder equipment. (L1084-14) (Gooding/Mason)
This is a request to accept award in the amount of \$70,000 from the Kentucky Office of Homeland Security under the 2014 State Homeland Security Grant Program for the Division of Fire and Emergency Services for the purchase of first responder equipment. Budget Amendment 6043 is in process. p. 15
- h** **1085-14** Authorization to execute Professional Service Agreement with Victoria Nash to serve as a Sexual Assault Nurse Examiner on an “on-call” basis for the performance of forensic examinations-FY 2015 (L1085-14) (Gooding/Mason)
This is a request to authorize execution of a Professional Service Agreement with Victoria Nash to serve as a Sexual Assault Nurse Examiner on an “on-call” basis for the performance of forensic examinations-FY 2015. p. 16
- i** **1087-14** Authorization to declare as surplus two parcels of land located at 2602 and 2606 Mable Lane. (L1087-14) (Reed)
This is a request to declare as surplus two parcels of land located at 2602 and 2606 Mable Lane. There is no budgetary impact. p. 17-18

BUDGET AMENDMENT REQUEST LIST

JOURNAL	81361	DIVISION	Family Services	Fund Name	General Fund
				Fund Impact	1,500.00
					1,500.00CR
					.00

To provide funds for contracted custodial worker to cover until part-time vacancy is filled.

JOURNAL	81437	DIVISION	Grants and Special Projects/ Family Services	Fund Name	General Fund
				Fund Impact	13,425.00
					2,685.00CR
					10,740.00

To reduce grant match and personnel recovery in Division of Family Services to reflect that grant for Head Start FY 2015 was not received.

JOURNAL	81438-39	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	1,500.00
					1,500.00CR
					.00

To provide funds for a memorial bench by recognizing a donation from the Masterson Equestrian Trust Foundation.

JOURNAL	81550-51	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	1,603.00
					1,603.00CR
					.00

To reimburse funds for overtime expenses by recognizing revenue from Downtown Lexington Corporation.

JOURNAL	81359-60	DIVISION	Family Services	Fund Name	Donation Fund
				Fund Impact	150.00
					150.00CR
					.00

To provide funds for professional services such as parenting classes for Family Care Center clients by recognizing a donation to the center.

JOURNAL	81605	DIVISION	Environmental Policy	Fund Name	2003 Bond Projects Fund
				Fund Impact	208,000.00
					208,000.00CR
					.00

To provide funds for Natural Resource Management equipment needs as presented at the Environmental Quality Committee October 14, 2014 by decreasing funds for completed 2003 bond projects.

JOURNAL	81604	DIVISION	Environmental Policy	Fund Name	2008 Bond Projects Fund
				Fund Impact	113,000.00
					113,000.00CR
					.00

To provide funds for Natural Resource Management equipment needs as presented at the Environmental Quality Committee October 14, 2014 by decreasing funds for completed 2008 bond projects.

JOURNAL	81290	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Dept of HUD 6,426.00 6,426.00CR .00
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To amend Emergency Solutions 2014 to reflect actual expenses.

JOURNAL	81442-43	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Dept of HUD 23,313.58 23,313.58CR .00
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To amend HOME FY 2014 grant to reflect actual program income received and to increase budgeted amount for housing rehabilitation.

JOURNAL	81444-45	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Dept of HUD 21,185.07 21,185.07CR .00
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To amend CDBG FY 2014 grant to reflect actual program income received and to increase budgeted amount for housing rehabilitation.

JOURNAL	81545-46	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Dept of Justice 272.47 272.47CR .00
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To recognize interest income for Justice Assistance - FY 2013 grant.

JOURNAL	81583-84	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Dept of Justice 68.12 68.12CR .00
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To recognize interest income for Justice Assistance - FY 2014 grant.

JOURNAL	81435-36	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Dept of HHS 13,425.00 13,425.00CR .00
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To remove grant budget for Head Start FY 2015 because the grant was not received.

JOURNAL	81581-82	DIVISION	Grants and Special Projects	Fund Name Fund Impact	US Dept of Homeland Sec 34,000.00 34,000.00CR .00
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To establish grant budget for State Homeland Security-Police for FY 2015.

JOURNAL	81543	DIVISION	Emergency Management/ E911	Fund Name Fund Impact	CKY Network Fund 72,050.00 72,050.00CR .00
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To provide funds for Software by decreasing funds for Computer Equipment.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Services District Fund	10,740.00
Fund	1103	Donation Fund	.00
Fund	2512	2003 Bond Projects Fund	.00
Fund	2517	2008 Bond Projects Fund	.00
Fund	3120	US Department of Housing & Urban Development	.00
Fund	3140	US Department of Justice	.00
Fund	3190	US Department of Health & Human Services	.00
Fund	3200	US Department of Homeland Security	.00
Fund	4205	CKY Network Fund	.00

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

8

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
1038-14	81534	Emergency Management	To provide funds for one position of Logistics Officer by decreasing operating funds and one position of Staff Assistant. 1101 2,900.00 1101 2,900.00CR .00
EFFECT ON FUND BALANCES			
FUND 1101	.00	NO IMPACT TO: GENERAL SERVICES DISTRICT FUND	



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

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: OCTOBER 6, 2014

SUBJECT: Request Council authorization to submit application to the U.S. Department Of Homeland Security under the 2014 Assistance to Firefighters Grant Program, requesting federal funds in the amount of \$391,424 for exhaust extraction system upgrades or replacement for all Lexington fire stations

The Division of Fire and Emergency Services has prepared an application for submission to the U.S. Department of Homeland Security under the 2014 Assistance to Firefighters Grant Program, requesting federal funds for the upgrade or replacement of new exhaust extraction systems in all 23 fire stations. The cost of the project is quoted at \$434,916. The federal share is \$391,424. The required 10% local match is \$43,491 and is in the FY2015 budget.

Exhaust Extraction Systems (EES) remove highly toxic carcinogenic pollutants from the bays of the fire stations by capturing diesel exhaust at the source. By doing so, it eliminates exhaust pollutants not just from the bays, but also from permeating into the living, eating spaces and sleeping quarters of the fire station. The health risks posed by diesel exhaust are well substantiated. Reducing the exposure of firefighters to diesel exhaust is one of the national fire service's highest priorities.

The Assistance to Firefighters Grant is a program of the National Preparedness Directorate in the Federal Emergency Management Agency. Grants are awarded to fire departments to enhance their ability to protect the public and fire service personnel from fire and related hazards.

Council authorization to submit the application is hereby requested.

Irene Gooding, Director

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



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1066-14

Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Members of the Council

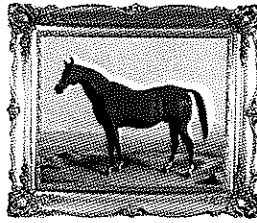
FROM: Beth K. Mills
Beth Mills, Commissioner of Social Services

DATE: October 8, 2014

SUBJECT: Fayette County Preschool Contract – Family Care Center

The Department of Social Services requests approval to execute a Contract between the Family Care Center and the Board of Education of Fayette County for the operation of preschool classrooms onsite at the Family Care Center.

There is no fiscal impact to the LFUCG for the ongoing operation of this program.



Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

MEMORANDUM

TO: Mayor Jim Gray

FROM: Scott Shapiro
Senior Advisor to the Mayor *SA SJ*

DATE: October 14, 2014

RE: BEAM Manufacturing Innovation Conference

This memo requests council authorization to approve payment of \$20,000 to the Kentucky Chamber of Commerce for Lexington's sponsorship of the Kentucky Manufacturing and Innovation Conference, a BEAM initiative.

Sponsored by both Lexington and Louisville, the conference is being jointly produced by the Kentucky Association of Manufacturers and the Kentucky Chamber of Commerce. It is being held at the Lexington Center on October 14.

The BEAM initiative's goal is to help Central Kentucky's strong manufacturing industry become even stronger. Identified in the BEAM initiative's report last fall was a need to focus on innovation in manufacturing. This conference features speakers on a range of innovation topics, including digital manufacturing, big data, and advances in materials and joining. The host of the conference is Jennifer McNelly, president of the National Manufacturing Institute. More details on the conference can be found at www.KYManufacturingConference.com.

Funds for this sponsorship are budgeted in the FY15 economic development budget.

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Lexington-Fayette Urban County Government
OFFICE OF THE MAYOR

Jim Gray
Mayor

To: Mayor Jim Gray
Urban County Council

From: *Lori Rowland Houlihan*
Lori Rowland Houlihan
Special Events Liaison

Date: October 6, 2014

RE: Final settlement to the sublease and management agreement for the Downtown Arts Center with LexArts, Inc.

This is a request for Council authorization to amend and the final settlement to the sublease & management agreement with LexArts Inc. for the Downtown Arts Center. In lieu of the payment required by Manager to Owner, which the parties agree totals thirty six thousand nine hundred seventy seven dollars (\$36,977.00), the parties instead agree that the services which have been provided, or will be provided by Manager as indicated in exhibit "A", are acceptable and shall serve in full as the only additional consideration required in order for the Manager to have fulfilled its financial obligations under the Sublease and Management Agreement.

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1082-14

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: OCTOBER 13, 2014

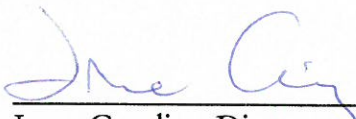
SUBJECT: Request Council authorization to accept award in the amount of \$34,000 from the Kentucky Office of Homeland Security under the 2014 State Homeland Security Grant Program for the Hazardous Devices Unit in the Division of Police

On June 19, 2014 (Resolution No. 333-2014), Council approved submission of a grant application to the Kentucky Office of Homeland Security requesting federal funding from the Fiscal Year 2014 Homeland Security Grant Program. This federally funded program, originating from the Department of Homeland Security, provides financial assistance to the states to prevent, respond to, and recover from acts of terrorism.

The Kentucky Office of Homeland Security has offered LFUCG an award in the amount of \$34,000 for purchase of ballistic helmets, face shields, air purifying respirators & gas masks for use by officers responding to explosive and tactical incidents where filtered respiratory protection is required. These items will be used by the Hazardous Devices Unit in conjunction with bomb suits and by the Emergency Response Unit during critical incident response.

Total cost of this project is \$34,000. No local match is required.

Council authorization to accept the award is hereby requested.



Irene Gooding, Director

Xc: Clay Mason, Commissioner, Department of Public Safety

Date: October 13, 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 to purchase thermal imaging cameras from Bullard Thermal Imagers as a sole source provider. The department has utilized Bullard Thermal Imagers for this product since 1999. The amount of 31,500 to purchase thermal imaging cameras was approved in the 2014 budget process. Their close proximity and service provides the Lexington Fire Department with help in research and development of new products as well as an instantaneous turnaround in case a loaner camera is needed while ours in being repaired. As new technology is developed our cameras are becoming worn and outdated and it is prudent to put in place a sustainability program that embraces advancement. Bullard has extended specialty pricing to the Lexington Fire Department and has allowed direct buying from the factory, potentially saving thousands of general fund dollars. Establishing a price contract provides a means for the division to budget the replacement of cameras over several fiscal cycles.



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

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: OCTOBER 13, 2014

SUBJECT: Request Council authorization to accept award in the amount of \$70,000 from the Kentucky Office of Homeland Security under the 2014 State Homeland Security Grant Program for the Division of Fire and Emergency Services for the purchase of first responder equipment

On July 1, 2014 (Resolution No. 372-2014), Council approved submission of a grant application to the Kentucky Office of Homeland Security requesting federal funding from the Fiscal Year 2014 Homeland Security Grant Program. This federally funded program, originating from the Department of Homeland Security, provides financial assistance to the states to prevent, respond to, and recover from acts of terrorism.

The Kentucky Office of Homeland Security has offered LFUCG an award in the amount of \$70,000 for purchase of a hazardous materials unknown airborne chemical detection and identification device. The device will permit the division to immediately initiate emergency interventions and mitigation which meets or exceeds federal and state in environments that are potentially dangerous to life and health.

Total cost of this project is \$70,000. No local match is required.

Council authorization to accept the award is hereby requested.


Irene Gooding, Director

Xc: Clay Mason, Commissioner, Department of Public Safety



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

Jim Gray

Mayor
TO:

JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

Sally Hamilton
CAO

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

DATE: OCTOBER 13, 2014

SUBJECT: Request Council authorization to execute Professional Service Agreement with Victoria Nash to serve as a Sexual Assault Nurse Examiner on an "on-call" basis for the performance of forensic examinations— FY 2014

The Lexington-Fayette Urban County Government has received continuation funding (Violence Against Women Act) from the Kentucky Justice Cabinet for the operation of a Sexual Assault Nurse Examiner program. The purpose of this program is to improve the collection of forensic evidence in sexual assault cases and to provide the victims of sexual assault more humane treatment during the investigation. Ultimately, higher rates of reporting will occur along with higher rates of prosecution and conviction. The Kentucky Crime Victims' Compensation Fund also provides financial support for forensic examinations.

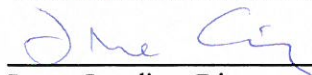
An approved element of the grant-funded project is contracting with certified Sexual Assault Nurse Examiners (S.A.N.E.s) to serve on call twenty-four hours a day to respond to calls for examinations at the University of Kentucky Emergency Room.

The attached Professional Services Agreement with Victoria Nash for the period of November 1, 2014, through December 31, 2015, outlines the responsibilities and compensation. Funds for these services are budgeted as follows:

FUND	DEP ID	SECTION	PROJECT	ACTIVITY	BUD REF	ACCOUNT	AMOUNT
3140	505506	5561	SANE 2014	FED GRANT	2014	71299	\$37,380
3140	505506	5561	SANE3 2014	STA GRANT	2014	71217	\$24,150

The funds budgeted in SANE_2014 are for the purpose of paying contractual nurses for on-call duty and for reimbursement for liability insurance and court appearances. The funds budgeted in SANE3 2014 are for payment of nurses for forensic examinations. These funds come from the state's Crime Victims Compensation Board.

Council authorization to execute the Professional Services Agreements with Victoria Nash is hereby requested.


Irene Gooding, Director

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



Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Geoff Reed
Commissioner

MEMORANDUM

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

FROM: 
Geoff Reed
Commissioner of General Services

DATE: October 14, 2014

RE: Disposal of Surplus Properties

It is our request that Urban County Council grant approval for authorization of the disposal of the following 2 parcels of land where LFUCG is shown as the owner in the PVA records. The parcels are listed as follows:

NO	Street Name	Parcel ID	Acres	Council Dist	Owner
2602	Mable Lane	38145310	0.88	2	LFUCG
2606	Mable Lane	38175600	0.94	2	LFUCG

LFUCG purchased these properties during the right-of-way acquisition for Citation Boulevard and both parcels are considered LFUCG remnants from the project. They were purchased using funds through the KY Transportation Cabinet and will be sold to an adjacent property owner for the original purchase price. Proceeds from the sale will be managed by the Division of Grants and Special Programs and returned to the KY Transportation Cabinet. KYTC was contacted about disposal of the parcels and have advised that the properties are no longer needed for the Citation Boulevard Phase II project and could be disposed.



Fayette County Property Valuation Administrator			
Parcel: 38175600 Acres: 0.94 Book: 3026 Page: 471			
Name:	LFUCG	Fair Cash Value	\$ 63,800
Site:	2606 MAPLE LN	Ag Land Value	0
Sale:	\$127,500 on 2011-07-26 Reason=U Qual=05	Ag Total Value	0
Mail:	200 E MAIN ST LEXINGTON, KY 40507	Taxable Value	0



The Fayette County Property Valuation Administrator's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER FAYETTE COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—

Date printed: 07/18/14 : 13:21:21

Neighborhood Development Funds
October 21, 2014
Work Session

Amount	Recipient	Purpose
\$ 500.00	Aylesford Place Neighborhood Assoc. 148 Woodland Avenue Lexington, KY 40502 Rebecca Self	To provide funds for Woodland Triangle traffic island plantings.

Social Services & Community Development Committee September 23, 2014 Summary

CM Ford called the meeting to order at 11:00 AM. CMs Ford, Ellinger, Kay, Stinnett, Scutchfield, Myers, and Beard were present. CMs Akers, Lawless, and Lane were absent. CM Clark was also in attendance.

Committee Summary

On a motion by CM Beard, second CM Ellinger, the summary of the August 26, 2014 Social Services & Community Development Committee meeting was approved unanimously.

Workforce Investment & Training – Interlocal Agreement

CM Ford introduced the item, and reviewed the information provided in the committee packet.

Kevin Atkins provided background information, and introduced Judge Executive John Wilson (Garrard County) and Mayor Ed Burtner (City of Winchester). He stated that the Law Department and the Administration are in the process of reviewing the proposed Amended Interlocal Cooperative Agreement (“Amended Agreement”) for compliance with current and pending workforce legislation.

Mayor Burtner stated that the Amended Agreement contains significant improvements in comparison with the existing Agreement. He stated that the Amended Agreement removes some of the powers of the Chief Local Elected Official (CLEO). Under the current Agreement and legislation, the CLEO may designate the fiscal agent or the grant subrecipient. The CLEO also has the authority to approve the WIB budget, appointments to the WIB, and the work plan of the WIB. As part of the Amended Agreement, those duties are transferred to the Chief Elected Officials of each member county.

Mayor Burtner stated that the Amended Agreement has been approved by Beth Brinly, Kentucky Commissioner of Workforce Investment and the sixteen fiscal courts of the Bluegrass ADD. Commissioner Brinly initially imposed a July 15 deadline for approval of the Agreement, but has since extended the deadline to October 15, 2014.

Mayor Burtner referred to LFUCG Resolution 213-2014, which requested the Chief Elected Official of the Bluegrass WIB take the necessary steps to identify and retain a new fiscal and administrative agent independent of the BGADD beginning July 1, 2014. Mayor Burtner stated that he did not know this item was being considered by the LFUCG prior to its approval. He was asked to make a two-year appointment beginning July 1, 2014, but designated the Bluegrass Area Development District as the fiscal agent for a six month period of time. He stated that a six month appointment was chosen to provide a probationary period to allow for issues to be addressed.

Motion by CM Ellinger, seconded by CM Myers, to provide 10 additional minutes for Mayor Burtner's presentation. Motion passed without dissent.

Mayor Burtner stated that the Auditor's report included 8 findings regarding the BGADD, and some related to the WIB. He stated that Commissioner Brinley has retained professional staff to identify disallowed costs. He reiterated that the proposed Amended Interlocal Cooperative Agreement is an improvement in comparison with the existing Agreement, and institutes a democratic process that requires the Chief Local Officials for each county to be engaged in the process as a governing board.

Charles Payne stated concerns with the Amended Agreement. He stated that the governing board only meets twice annually, and an executive committee meets in the interim periods. He stated that the executive committee required only four votes for quorum, removing 13 voices from the process.

Mr. Payne stated that the Amended Agreement appears to be a consolidation of power, and stated examples of same.

Motion by CM Myers, seconded by CM Kay, to provide Mr. Payne with 10 additional minutes. Motion passed without dissent.

Mr. Payne presented seven potential amendments to the Agreement to address concerns:

1. All services that are mandated to be procured by the workforce innovation and opportunity act must be procured. This includes one-stop and youth services.
2. The WIB director and staff must not be under the supervision of the fiscal agent, the service provider, or the grant subrecipient.
3. The fiscal agent must not be allowed to also be the service provider, and vice-versa.
4. Responsibilities granted to the local workforce board or the CLEO must not be granted to the fiscal agent, service provider or designated grant subrecipient.
5. Budgetary control must not be bestowed upon the fiscal agent, service provider or the grant subrecipient.
6. The fiscal agent must be procured and agreed upon by the CLEO, the governing board and the WIB.
7. All decisions made by the governing board must be made by unanimous decision and never delegated to a smaller committee where regional policy could be voted upon by as few as four persons.

Mr. Payne stated that these recommendations have been successful in other states, and would make significant improvements to the Amended Agreement.

Daryl Smith, Chairman of the Bluegrass Workforce Investment Board, thanked the Council and Mayor Gray for putting forth a Resolution for the independence of the WIB. He stated that the WIB has asked for a procurement process to be utilized for the

selection of a fiscal agent, and asked that the CLEO recuse himself, as the Auditor's report identified a conflict of interest in any matter related to the WIB and the BGADD.

Mr. Smith stated that the WIB is seeking their full rights under federal law, and is taking steps to be an effective agency.

CM Myers asked Mr. Smith if he was in favor of the seven points Mr. Payne presented. Mr. Smith stated that a fiscal agent should not be a program provider, and he provided examples related to conflicts of interest. He provided examples of states where fiscal agents are chosen through a competitive procurement process, and provided additional information.

CM Myers asked Mr. Payne if he intended for votes (reference item 7) to be unanimous, and suggested a supermajority vote. Mr. Payne stated that a simple- or supermajority vote would be a reasonable compromise.

CM Ford referenced the existing Agreement in the packet, and stated that the LFUCG had great hesitation in signing that agreement, even before the release of the state auditor's report. He stated that Lexington is the final signature required for the proposed Amended Agreement, and asked for deadline information. In response, Judge Wilson stated that any local government can terminate their participation in the Agreement at any time.

Judge Wilson stated that, under the current agreement, the highest elected officer at the BGADD is automatically the WIB's CLEO. The Amended Agreement allows the 17 local officials to make these decisions. He explained that a working committee of five members of the WIB drafted the Amended Agreement with assistance from Commissioner Brinly. The Amended Agreement creates a dispute resolution process, as well as a process to address disallowed costs. He stated that Mr. Payne's seven areas of concern will be addressed in a Memorandum of Understanding, which will be adopted subsequent to the execution of the Amended Agreement.

Judge Wilson stated that mandated procurement processes will be followed. He reiterated that 16 of the member counties as well as Commissioner Brinly have signed off on the Amended Agreement.

CM Ford asked if federal law dictates the language in the existing agreement related to selection of the CLEO. Jon Gay, attorney for the BGADD, stated that federal law states that the Chief Local Elected Officials, by Agreement, can set forth how the duties and responsibilities are carried out, which includes the designation of a fiscal agent or subrecipient.

The current Agreement states that the highest ranking elected official of the BGADD shall serve as the CLEO. The Amended Agreement includes a process for the member counties to elect a CLEO. He stated that the current agreement is compliant with the current federal law, but the current law allows each region to determine how the CLEO

will be selected. Mayor Burtner provided additional information, and stated that current policy is that the highest ranking elected official who is an officer of the BGADD is, by default, the CLEO. The Amended Agreement would make this selection a democratic process.

CM Myers asked Mr. Gay if the current agreement could be modified to address the CLEO issue by vote without adoption of a new agreement. Mr. Gay responded that the current agreement could be amended. He stated that these items are addressed in the proposed Amended Agreement.

CM Myers asked if approval of the Amended Agreement would preclude the LFUCG from addressing issues with the WIB. Mr. Gay responded that signing the agreement would empower the LFCUG to be represented. CM Myers stated that many of the issues identified in the Auditor's report occurred without knowledge of the Board; he stated concerns that the process proposed in the Amended Agreement would be unsuccessful. Mr. Gay stated that the Amended Agreement requires the 17 member counties of the WIB to choose the CLEO, and that discussion is not guided by the BGADD. The member counties will also guide the decisions that address Mr. Payne's comments.

In response to a question from CM Myers, Mr. Gay stated that the proposed Amended Agreement allows the fiscal agent to be separate from the BGADD. Mr. Smith disagreed, and stated that Mr. Burtner has petitioned Commissioner Brinly to extend the BGADD's designation as subrecipient and fiscal agent to one year. He also stated that efforts were taking place to extend the BGADD's designation for the full two year period. He recommended that Council contact Commissioner Brinly to discuss the agreement.

Mr. Smith stated that the Amended Agreement contains some requirements for the governing board and the fiscal agent that are contrary to the contrary to the Workforce Investment Act. He provided specific examples.

In response to a question from CM Myers, Mayor Burtner confirmed that he has requested a six month extension of the BGADD as subrecipient and fiscal agent. He provided additional clarification regarding the extension.

In response to a question from CM Kay, CM Ford stated that the proposed Amended Agreement is being reviewed by the LFUCG, and the information being presented in this meeting is informational. He further stated that Council authorization is required for the Mayor to execute the Amended Agreement. Mr. Kay asked if there is a deadline for executing the Amended Agreement. Mayor Burtner responded that the deadline has been extended to October 15, 2014.

Mr. Atkins reported that the LFUCG has asked the U.S. Department of Labor to review the proposed Amended Agreement. In response to a question from CM Kay, he stated that the request was made in late August 2014, and the response to that request would be shared with the Council upon receipt.

CM Kay suggested that Council staff work with the Administration to provide a briefing to Council when this item comes back before the committee.

In response to a question from CM Myers, Mr. Atkins stated that Mr. Smith's concerns and Mr. Payne's concerns would be included in the request for review from the U.S. Department of Labor.

Partner Agency Funding Process (FY16)

Commissioner Mills presented the proposed amendments to the FY16 Social Services Partner Agency process. She stated that the name of the process is recommended to be changed to Extended Social Resource (ESR) Grants.

CM Kay clarified that the LFUCG is funding programs, but does not object to the name change.

CM Scutchfield stated the importance of the quarterly and annual reporting component of the program.

Commissioner Mills reviewed existing requirements that will remain in place: Applicants must attend a pre-application meeting, must have a current 501(c)(3) status and a GoodGiving.net profile, and the total request from any agency cannot exceed 20 percent of their prior year actual expenditures. Applicants must meet the deadline, providing for a one week staff review period. She reviewed the six funding categories that will remain in place from prior years.

Commissioner Mills reviewed the application scoring and award protocol, and stated that bonus points will be provided for programs responsive to the Need Study. Applications for programs that are currently (FY15) funded will also receive bonus points if they meet or exceed FY15 outcome requirements.

Commissioner Mills recommended that the total amount of funding available to partner agencies be set at one percent of the total General Fund budget. This funding amount would be a guideline presented at the preapplication meeting. She also recommended that funding for emergency shelter programs be moved to the Office of Homelessness Prevention and Intervention for administration.

CM Kay stated that he favored separating emergency shelter grants from the remainder of the partner agency grants. In response to a question from CM Kay, Commissioner Mills clarified that a set amount of funding would be moved to the Office of Homelessness Prevention and Intervention for distribution.

CM Clarke stated agreement with setting aside one percent of the General Fund for partner agency funding. He stated that there should be discussion regarding potential budget conflicts as the process moves forward. He is in favor of separating emergency

shelter funding. In response to a question from CM Clarke, CM Ford stated that the issue of relocating the Office of Homelessness Prevention and Intervention is in committee, and will be addressed in the future.

CM Scutchfield asked if separating funds for emergency shelters would create requests to separate other need categories. Commissioner Mills clarified that the other need categories are represented within the Department of Social Services.

CM Ford asked Commissioner Mills to review all action items at the conclusion of her presentation.

Commissioner Mills recommended that applications be accepted on a biannual basis. Awards would be the same amount for both years of the application cycle, and program funds must be expended by the end of each fiscal year. Programs will have the opportunity to amend goals and outcomes in year two of funding. She stated that the total amount of funding would be announced in the Mayor's budget address, but specific program awards would not be announced at that time. Specific program awards will be announced prior to finalizing the budget.

Commissioner Mills recommended placing a cap on the number of program applications an agency can submit. She also recommended that agencies cannot apply for both Partners for Youth grassroots grants as well as LFUCG partner agency funding for a single program.

CM Scutchfield asked if collaboration between agencies will be encouraged, and stated the need to identify all LFUCG funding sources for the program. Commissioner Mills responded that the former is addressed later in the presentation, and applications must provide information regarding the latter in their application.

CM Kay stated that clarification is needed regarding encouraging innovative programming.

Commissioner Mills recommended that the Department of Social Services review letters of intent from potential applicants to identify issues, and provided examples. She stated that programs should provide a direct impact on the need category. She stated that the Department of Social Services is developing program requirements to encourage collaborative grants. Finally, she recommended that the Council Link be internal to the LFUCG only, and not consider requests from partner agencies.

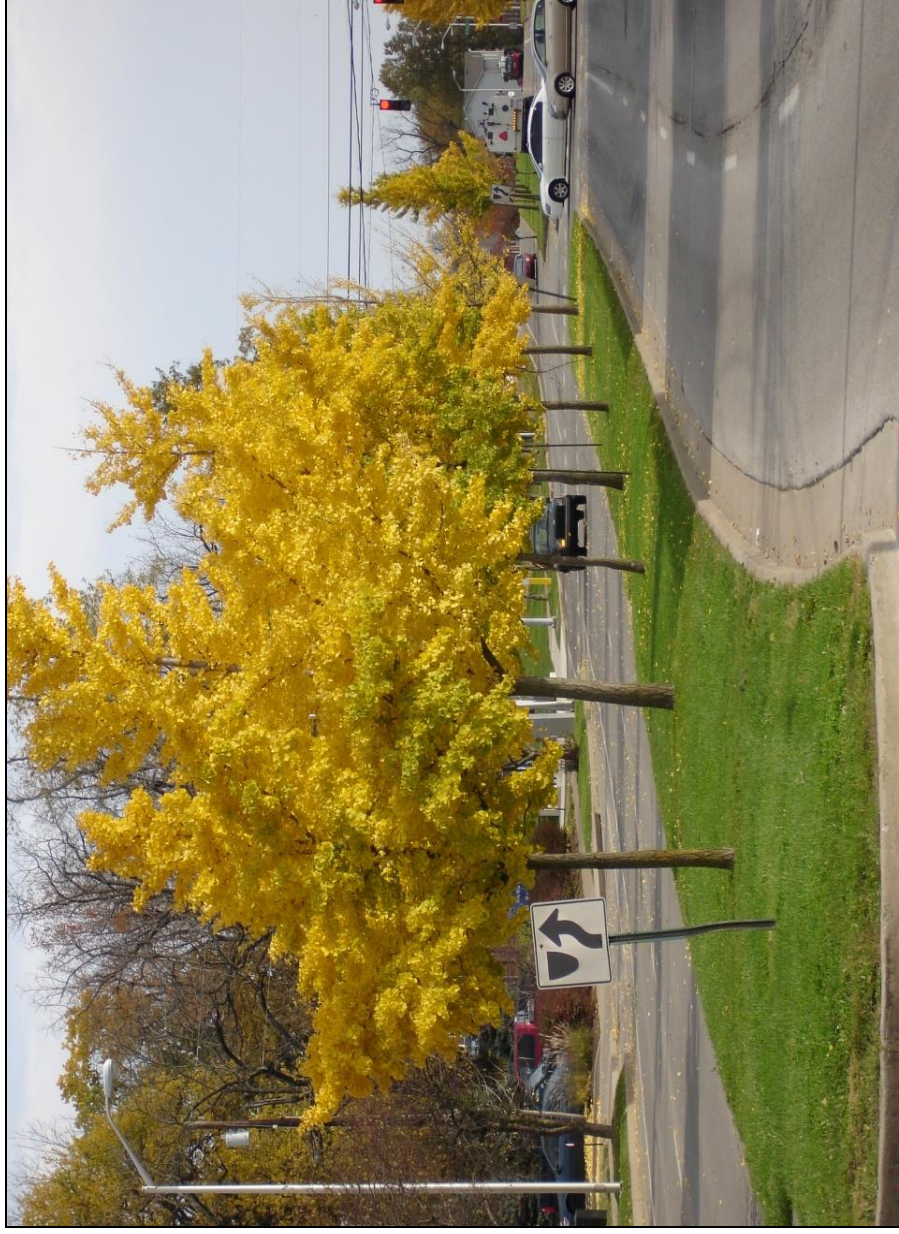
CM Ford thanked Commissioner Mills, and stated that the committee would take action on these items during the committee's October 21, 2014 meeting.

The meeting adjourned at 12:58 PM.

Natural Resource Management Reorganization Proposal

Council Work Session

October 21, 2014



Proposed Reorganization Goals

1. Create clear points of (a) contact and (b) responsibility for vegetation management on LFUCG owned and operated land and natural resource areas.
2. Match divisional responsibilities to divisional focus, mission, and subject matter expertise.
3. Fill current gaps in resources and assignments.

Proposed Plan: Keys to Success in FY2015

1. **Council Resolution:** Change the name of the *Division of Environmental Policy* to the *Division of Environmental Services*.
2. **Equipment Purchase: Budget Amendment** on 10/21 Council Docket to reallocate **\$321,000** of unspent bond funds for purchase of equipment for the Department of Environmental Quality and Public Works to provide for centralized/year round forestry operations in expanded *Division of Environmental Services*.

Equipment Breakdown Estimate

Hy-ranger Bucket Truck with 60' work height	\$200,000
3 Pickup Trucks	\$ 80,000
Chainsaws	\$ 15,000
String Trimmers	\$ 15,000
Z Mower	\$ 5,000
Trailers	\$ 3,000
Backpack Leaf Blowers	\$ 2,000
Water Tank	<u>\$ 1,000</u>
	\$321,000

Proposed Plan: Keys to Success in FY2015

3. *Change in Divisional Assignments to begin December 1, 2014:*

A. *Division of Parks and Recreation* will continue to mow and perform landscape maintenance on:

- *Parks*
- *Greenways in Parks*
- *Trail properties with hard surfaced trails*
- *Downtown Streetscapes*

B. *Other Parks and Recreation* mowing and landscape maintenance duties will transition to *Division of Environmental Services*, including:

- *Corridors*
- *Right-of-way/Medians*
- *Vacant lots/Water Quality Lots/Detention Basins*
- *Other Facilities*
- *Greenways not in Parks or with hard-surfaced trails*
- *County Roads*

Proposed Plan: Keys to Success in FY2015

4. **Budget Transfers: Budget Amendments** on 11/13 Council Docket to transfer related funds from *Parks and Recreation* to *Environmental Services* for remainder of FY2015 operations for:

- Greenway Maintenance Professional Services
- Mowing Professional Services and Expenses
- Mowing Seasonal Personnel

5. **Personnel Transfers: Resolutions and Budget Amendments** on 11/13 Council Docket for:

- Transfer of 2 Vacant Public Worker Senior positions from *Parks & Recreation* to *Environmental Services*.
- Transfer of 1 Vacant Equipment Operator Senior position from *Streets & Roads* to *Environmental Services*.

Proposed Plan: Keys to Success in FY2015

6. Needed Funding for Professional Services:

- | | |
|---|-----------|
| – Tree Removal and County Road Maintenance | \$80,000 |
| – Corridors Landscaping Clean Up and Maintenance | \$70,000 |
| – Corridors Beautification/Breeders Cup Preparation | \$100,000 |



Proposed Plan: Keys to Success in FY2016

1. Create 3 Civil Service Positions in *Environmental Services*
 - 1 Arborist
 - 1 Environmental Inspector/Horticulturalist
 - 1 Program Manager Sr. (Section Manager)

2. Continue increased funding levels to maintain service.

