

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, October 9, 2012

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
October 8 – October 15, 2012**

Monday, October 8

ZOTA Work Group.....1:30 pm
Conference Room – 5th Floor Government Center

Tuesday, October 9

COW UDAG Funds.....10:30 am
Conference Room – 5th Floor Government Center

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

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

Wednesday, October 10

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

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

Infill & Redevelopment Steering Committee.....10:30 am
Conference Room – 7th Floor Phoenix Building

Traffic Safety Coalition.....10:30 am
Conference Room – 3rd Floor Phoenix Building

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

Congestion Management Committee.....1:30 pm
Conference Room – 7th Floor Phoenix Building

Thursday, October 11

HR Workshop.....4:00 pm
Conference Room – 5th Floor Government Center

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

Friday, October 12

No Meetings

Monday, October 15

No Meetings

URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

TABLE OF MOTIONS

October 2nd, 2012

Mayor Jim Gray called the meeting to order at 3:03pm. Council Members present were VM Linda Gorton, Chuck Ellinger, Steve Kay, Chris Ford, Diane Lawless, Julian Beard, Bill Farmer, Kevin Stinnett, Jay McChord, George Myers, KC Crosbie, Peggy Henson, and Ed Lane.

I. Public Comment – Issues on Agenda - No

II. Requested Rezoning/Docket Approval -No

Motion by Gorton to cancel the public hearing scheduled for October 9th, 2012 at 6:00pm. Seconded by Farmer. Motion passed without dissent.

III. Approval of Summary

Motion by Stinnett to approve the Summary. Seconded by Beard. Motion passed without dissent.

IV. Budget Amendments

Motion by Farmer to approve the Budget Amendments. Seconded by Myers. Motion passed without dissent.

V. New Business

Motion by Gorton to approve the New Business items. Seconded by Beard.

Motion by Farmer to amend the New Business items by removing items 'a' and 'b' from the and returning them to the General Government Committee. Seconded by Stinnett. Motion passed without 7-6. Kay, Ellinger, Myers, Gorton, Lane, and Lawless voted nay.

Motion by Martin to amend new business item 'e' to remove 'monthly' and add 'annual'. Seconded by Lane. Motion passed without dissent.

The amended New Business items passed without dissent.

VI. Continuing Business

Motion by Ellinger to approve the Neighborhood Development Funds. Seconded by Beard. Motion passed without dissent.

Motion by Farmer to place on the docket a resolution initiating various zoning ordinance test amendments to Articles 1, 8, 11, 12 and 16 to authorize Automobile and Refueling Stations for the Dispensing of Compressed Natural Gas or any Liquefied Petroleum. Seconded by Gorton. Motion passed without dissent.

Motion by Farmer to forward the Adult Day Care ZOTA with the amended parking ratio of 1 to 10, to the full Council. Seconded by Myers. Motion passed 8-5. Henson, Myers, Lane, Stinnett, and McChord voted nay.

- VII. Council Reports
- VIII. Mayor's Report – No
- IX. Public Comment- Issues Not on Agenda – No
- X. Adjournment

Motion by Lane to adjourn. Seconded by Martin. Motion passed without dissent.

**Lexington-Fayette Urban County Government
Work Session Agenda
October 9, 2012**

- 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. 6 - 8**
- V. New Business – Yes p. 9 - 19**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds - October 9, 2012 p. 20
 - b** Presentation: Land Use and Watershed Impacts on Stormwater Runoff;
By: Charlie Martin, Director Water & Air Quality p. 21 - 32
 - c** Presentation: Collective Bargaining Agreement Police Lieutenants & Captains;
By: Ed Gardner p. 33 - 34
- VII. Council Reports**
- VIII. Mayor's Report – Yes**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a 0996-12** Authorization to amend Section 21-5 of the Code of Ordinances, creating one (1) position of Fleet Systems Manager (Grade 116E) in the Division of Facilities and Fleet Management. (L996-12) (Maxwell/Hamilton)
This is a request to amend Section 21-5 of the Code of Ordinances, creating one (1) position of Fleet Systems Manager (Grade 116E) in the Division of Facilities and Fleet Management. The total annual impact is \$69,508.95. Funds are budgeted. p. 9
- b 1023-12** Authorization to amend Section 21-5 of the Code of Ordinances, abolishing three (3) positions of Public Service Worker (Grade 106N), one position of Equipment Operator Sr. (Grade 109N) and one (1) position of Public Service Supervisor (Grade 111N) and creating two (2) positions of Administrative Specialist (Grade 110N) and two (2) positions of Public Service Supervisor Sr. (Grade 114E) in the Division of Waste Management. (L1023-12) (Maxwell/Moloney)
This is a request to amend Section 21-5 of the Code of Ordinances, abolishing three (3) positions of Public Service Worker (Grade 106N), one position of Equipment Operator Sr. (Grade 109N) and one (1) position of Public Service Supervisor (Grade 111N) and creating two (2) positions of Administrative Specialist (Grade 110N) and two (2) positions of Public Service Supervisor Sr. (Grade 114E) in the Division of Waste Management. The total annual impact is a savings of \$5,453.98. p. 10-11
- c 1029-12** Authorization to acquire an easement at 345 Bob O Link Dr. for the purpose of allowing Waste Management refuse vehicles to turn at the end of Bob O Link Dr. (L1029-12) (Moloney)
This is a request to acquire an easement at 345 Bob O Link Dr. for the purpose of allowing Waste Management refuse vehicles to turn at the end of Bob O Link Dr. There is no budgetary impact. p. 12
- d 1035-12** Authorization to execute amendment to Agreement with CPS HR Consulting for written examinations to be used in the recruiting process for the Lexington Division of Police. (L1035-12) (Maxwell/Graham)
This is a request to execute amendment to Agreement with CPS HR Consulting for written examinations to be used in the recruiting process for the Lexington Division of Police for the purpose of changing the Completion Date from September 1, 2012 to November 30, 2012. There is no budgetary impact. p. 13

- e 1036-12** Authorization to execute an agreement with CPS HR Consulting for written examinations to be used in the recruiting process for the Lexington Division of Police. (L1036-12) (Maxwell/Graham)
This is a request to execute an agreement with CPS HR Consulting for written examinations to be used in the recruiting process for the Lexington Division of Police starting September 6, 2012 and ending December 31, 2012 at a cost not to exceed \$52,500. Funds are budgeted. p. 14
- f 1041-12** Authorization to execute Memorandum of Agreement (MOA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) allowing for reimbursement of overtime salary and other costs incurred by LFUCG in providing resources to assist ATF. (L1041-12) (Bastin/Mason)
This is a request to execute MOA with the ATF allowing for reimbursement of overtime salary and other costs incurred by LFUCG in providing resources to assist ATF. This MOA will terminate on September 30, 2017. There is no budgetary impact. p. 15
- g 1042-12** Authorization to amend Section 22-5 of the Code of Ordinances, creating one (1) position of Juvenile Surveillance Probation Officer (Grade 112N) in the Division of Youth Services. (L1042-12) (Maxwell/Graham)
This is a request to amend Section 22-5 of the Code of Ordinances, creating one(1) position of Juvenile Surveillance Probation Officer (Grade 112N) in the Division of Youth Services. Funding for this position was included in the FY 2013 approved budget. p. 16
- h 1047-12** Authorization to execute a Purchase Order with Skaps Industries for additional geocomposite material required for the closure of Haley Pike Landfill. (L1047-12) (Moloney)
This is a request to execute a Purchase Order with Skaps Industries in the amount of \$32,298.75 for additional geocomposite material required for the closure of Haley Pike Landfill. Funds are budgeted. p. 17
- i 1049-12** Authorization to execute a Collective Bargaining Agreement with the Fraternal Order of Police, Lodge No. 4, on behalf of Police Lieutenants and Captains. (L1049-12) (Graham)
This is a request to execute a Collective Bargaining Agreement with the Fraternal Order of Police, Lodge No. 4, on behalf of Police Lieutenants and Captains. The term is for four (4) years, November 1, 2012 - October 31, 2016. p. 18-19

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

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
1023-12	CB0092	Waste Management	To create two positions of Administrative Specialist (110N) and abolish three positions of Public Service Worker (106N), one position of Equipment Operator Sr. (109N), and one position of Public Service Supervisor (111N) within Waste Management.
			1115 106,740.00
			1115 110,140.00CR
			3,400.00CR*

EFFECT ON FUND BALANCES			
FUND 1115	3,400.00*	INCREASE TO:	URBAN SERVICES DISTRICT FUND

BUDGET AMENDMENT REQUEST LIST

JOURNAL	63290-91	DIVISION	Traffic Engineering	Fund Name	General Services Fund
				Fund Impact	2,068.65
					2,068.65CR
					.00

To provide funds to pay various dues and certifications for employees by recognizing revenues received.

JOURNAL	63406-07	DIVISION	Office of the CAO	Fund Name	General Services Fund
				Fund Impact	5,400.00
					5,400.00CR
					.00

To provide funds in FY 2013 for remaining balance of Utility Franchise Fee audit payment by increasing funds for franchise fees based on current collection trends.

JOURNAL	63408	DIVISION	Planning Commissioner's Office	Fund Name	General Services Fund
				Fund Impact	30,000.00
					30,000.00CR
					.00

To establish grant match for Frankfort Pike/Alexandria Drive Stone Fence Project.

JOURNAL	63474-75	DIVISION	Parks and Recreation	Fund Name	General Services Fund
				Fund Impact	332.00
					332.00CR
					.00

To recognize reimbursement from Downtown Lexington Corporation for maintenance overtime incurred during Lexington Fest of Ales event.

JOURNAL	63468	DIVISION	Facilities & Fleet Management	Fund Name	2008 Bond Projects Fund
				Fund Impact	45,735.00
					45,735.00CR
					.00

To provide funds in proper account to purchase a compact tractor for Parks and Recreation.

JOURNAL	63409-10	DIVISION	Grants and Special Projects	Fund Name	US Dept of Transportation
				Fund Impact	150,000.00
					150,000.00CR
					.00

To budget additional federal funds and local match for Old Frankfort Pike/Alexandria Drive Stone Fence Project.

JOURNAL	63412-13	DIVISION	Grants and Special Projects	Fund Name	US Dept of Transportation
				Fund Impact	20,000.00
					20,000.00CR
					.00

To amend Traffic Safety - FY 2013 to reflect actual award of federal funds.

JOURNAL	63414-15	DIVISION	Grants and Special Projects	Fund Name	US Dept of Transportation
				Fund Impact	13,933.33
					13,933.33CR
					.00

To amend budget for Motor Carrier Safety Assistance Program - FY 2010 to reflect actual revenues and expenses.

JOURNAL	63417-18	DIVISION	Grants and Special Projects	Fund Name	US Dept of Transportation
				Fund Impact	23,456.00
					23,456.00CR
					.00

To correct the budget for Ticketing Aggressive Cars and Trucks (TACT) - FY 2009 to reflect actual expenses and revenue.

JOURNAL	63477-78	DIVISION	Grants and Special Projects	Fund Name	US Dept of Transportation
				Fund Impact	685,000.00
					685,000.00CR
					.00

To budget additional funds for Grimes Mill Road project.

JOURNAL	63471	DIVISION	Grants and Special Projects	Fund Name	US Department of HHS
				Fund Impact	5,000.00
					5,000.00CR
					.00

To amend Home Network 2012 to provide for overtime expenses.

JOURNAL	63472-73	DIVISION	Grants and Special Projects	Fund Name	US Department of HHS
				Fund Impact	168,603.66
					168,603.66CR
					.00

To amend Home Network 2011 to reflect actual revenue and expenses.

JOURNAL	63085	DIVISION	Engineering	Fund Name	Sewer Construction Fund
				Fund Impact	16,670,303.77CR
					16,670,303.77CR

To adjust budgets in the Sanitary Sewer Construction Fund to accurately reflect updated cash flow modeling used by Finance which is based on actual project costs not budgets. Fund balances in PeopleSoft being removed are not available based on revenues in this fund.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	.00
Fund	2517	2008 Bond Projects Fund	.00
Fund	3160	US Department of Transportation	.00
Fund	3190	US Department of Health and Human Services	.00
Fund	4003	Sanitary Sewer Construction Fund	16,670,303.77CR



Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Richard Moloney, Chief Administrative Officer
Council Members

FROM: _____
John Maxwell, Director
Division of Human Resources

DATE: September 17, 2012

SUBJECT: Create position – Division of Facilities and Fleet Management

The attached action amends Section 21-5 of the Code of Ordinances creating one (1) position of Fleet Systems Manager (Grade 116E) in the Division of Facilities and Fleet Management, effective upon passage by Council.

The primary responsibilities for this position is managing of all day to day activities related to Parts Room operation as well as identifying parts, equipment and vehicles (heavy and light) specifications for advertisement and award. The Fleet Systems Manager will also handle any tasks related to the advertisement/auctioning of surplus vehicles and equipment. This position will also Assist other Fleet Managers in identifying quality/premature failures due to technical/operational/manufacturing issues.

The fiscal impact for FY2013 (17 pay periods) will be a cost of \$45,448.16 and will be funded utilizing existing budgeted dollars for the current vacant position of Deputy Director of Fleet Management. All costs include benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Fleet Systems Manager	\$0	\$49,443.68	\$49,443.68
Total Annual Impact/ Salary and Benefits \$69,508.95				

If you have questions or need additional information, please contact Daniel H. Fischer at 258-3030.

Attachment

cc: Sally Hamilton, Commissioner – Department of General Services
Jamshid Baradaran, Director - Facilities and Fleet Management

Log #13-0019



Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Richard Moloney, Chief Administrative Officer
Council Members

FROM: _____
John Maxwell, Director
Division of Human Resources

DATE: September 21, 2012

SUBJECT: Abolish/Create positions – Division of Waste Management

The attached action amends Section 21-5 of the Code of Ordinances, abolishing three (3) positions of Public Service Worker (Grade 106N), one position of Equipment Operator Sr. (Grade 109N) and one (1) position of Public Service Supervisor (Grade 111N) and creating two (2) positions of Administrative Specialist (Grade 110N) and two (2) positions of Public Service Supervisor Sr. (Grade 114E) in the Division of Waste Management, effective upon passage by Council.

The two (2) Administrative Specialist positions will be responsible for assisting the A.M. Operation Manager and the P.M. Operation Managers in the day to day Automatic Routing System, Kronos Timekeeping Advance Modules, and Customer Service Database System. The two (2) Public Service Supervisor Senior positions duties will be divided as follows;

- Collections. This supervisory position will enable the collections program to provide adequate coverage and supervision over the collection system. This will facilitate better customer service, more consistent collection and quicker response time. Currently supervisors may have to oversee as many as 45 to 50 employees over a large geographic area of the DWM service area when other supervisors are on leave.
- Material Recovery Facility. This position will replace the Public Service Supervisor Senior position that has been moved from the MRF to the E-waste recycling facility on Versailles Road to ensure that adequate oversight is provided to those operations.

The fiscal impact for FY2013 (16 pay periods) will be a savings of \$3,356.29 to fund 1115. All costs include benefits. This amount does not include lapse which has been included in the attached Budget Amendment.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Public Service Worker (actual budget)	\$30,555.72	\$0	\$(30,555.72)
Vacant	Public Service Worker (actual budget)	\$28,274.48	\$0	\$(28,274.48)
Vacant	Public Service Worker (actual budget)	\$28,611.44	\$0	\$(28,611.44)
Vacant	Equipment Operator Sr. (actual budget)	\$28,958.02	\$0	\$(28,958.02)
Vacant	Public Service Supervisor (actual budget)	\$32,227.26	\$0	\$(32,227.26)
Vacant	Administrative Specialist (two positions)	\$0	\$61,520.42	\$61,520.42
Vacant	Public Service Supervisor Sr. (two positions)	\$0	\$85,522.84	\$85,522.84
Total Annual Impact/ Salary and Benefits \$(5,453.98)				

If you have questions or need additional information, please contact Daniel H. Fischer at 258-3030.

Attachment

cc: Richard Moloney, Acting Commissioner - Department of Environmental Quality and Public Works
Steve Feese, Director – Division of Waste Management

Log #13-0021



12
1029-12

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

Jim Gray
Mayors

Richard Moloney
Acting Commissioner

MEMORANDUM

To: Mayor Jim Gray
Richard Maloney, CAO
Urban County Council

From: Kevin Wentz, Administrative Officer

Date: September 25, 2012

RE: Request authorization of easement acquisition at 345 Bob O Link Dr

This memorandum is to request the Urban County Council's authorization of a resolution to acquire an easement at 345 Bob O Link Drive. The easement will allow for the construction of a concrete drive to provide turning access among Waste Management refuse vehicles at the end of Bob O Link Drive. Enclosures for your consideration include the property descriptions for easement acquisition and a map of the property location. Should you have any questions regarding this request please feel free to contact me at 258-3400.



Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Richard Moloney, Chief Administrative Officer
Council Members

FROM: _____
John Maxwell, Director
Division of Human Resources

DATE: September 26, 2012

SUBJECT: Amend Contract for Written Examinations

Attached please find an amendment to the contract with CPS HR Consulting for written examinations to be used in the recruiting process for the Lexington Division of Police.

The reason for the amendment is a change in the Completion Date. The original Completion Date was September 1, 2012. The amended Completion Date is November 30, 2012.

There is no fiscal impact with this action.

If you have any questions, please call Daniel H. Fischer at 258-3030.

Log # 13-0023



Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Richard Moloney, Chief Administrative Officer
Council Members

FROM: _____
John Maxwell, Director
Division of Human Resources

DATE: September 26, 2012

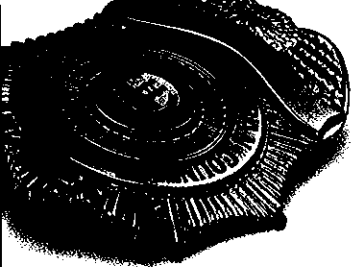
SUBJECT: Contract for Written Examinations

Attached please find a contract with CPS HR Consulting for written examinations to be used in the recruiting process for the Lexington Division of Police.

The cost of the examinations is not to exceed \$52,500 and funds are budgeted in the divisions Professional Services/Police hiring account. (1101-160502-1821-71299)

If you have any questions, please call Daniel H. Fischer at 258-3030.

Log # 13-0024



LEXINGTON DIVISION OF POLICE
OFFICE OF THE CHIEF

15
1041-12

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: September 27, 2012

RE: Memorandum of Agreement – Bureau of Alcohol, Tobacco, Firearms and Explosives

Please find attached Memorandum of Agreement (MOA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

This agreement allows for the reimbursement of overtime salary costs and other costs, with prior ATF approval, including but not limited to travel, fuel, training and equipment incurred by Lexington Fayette Urban County Government in providing resources to assist ATF. This MOA will terminate at the close of business on September 30, 2017.

The attached agreement requires the Mayor's signature. Upon approval and signing, please forward original agreements to the Chief's Office to acquire additional signatures.

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



Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Richard Moloney, Chief Administrative Officer
Council Members

FROM: _____
John Maxwell, Director
Division of Human Resources

DATE: September 27, 2012

RE: Create Position

The attached action amends Section 22-5 of the Code of Ordinances, creating a position that was funded and approved in the FY 13 budget process, to become effective July 2, 2012, the first day of the first pay period in Fiscal Year 2013.

As stated in the first memo creating the newly funded positions in the FY 2013 budget, the remainder of the approved new positions will be submitted after a review by the Division of Human Resources; the final approved position would be one (1) position of Juvenile Surveillance Probation Officer (Grade 112N) in the Division of Youth Services.

The fiscal impact for FY2013 (26 pay periods) will be budget neutral. All funding for this new position was included in the FY 2013 approved budget.

If you have questions or need additional information, please contact Daniel H. Fischer at 258-3030.

Attachment

13-0001b



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

Jim Gray
Mayor

Richard Moloney
Acting Commissioner

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: GEORGE S. MILLIGAN, CONSTRUCTION SUPERVISOR
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

DATE: SEPTEMBER 27, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE A PURCHASE
ORDER WITH SKAPS INDUSTRIES IN THE AMOUNT OF \$32,298.75 TO
PURCHASE ADDITIONAL GEOCOMPOSITE MATERIAL REQUIRED FOR
THE CLOSURE OF THE HALEY PIKE LANDFILL

The Division of Environmental Quality and Public Works is requesting the authorization to execute a purchase order with Skaps Industries in the amount of \$32,298.75 to purchase 108,750 sq. ft. of Transnet 220 double sided 6 oz. geocomposite material required for the closure of the Haley Pike Landfill.

On July 10, 2012 the Council approved the bid of Skaps Industries in the amount of \$834,201.72 for the purchase of geocomposite material required for the closure of the Haley Pike Landfill. Once construction was started it was determined that the area to be closed was larger than the original estimates and additional material would be required. This purchase order is for that additional material at the same unit price of \$0.297 per sq. ft. as was originally bid.

Sufficient funds are budgeted in the following account.

FUND	DEPT ID	SECTION	ACCOUNT	BUD REF	AMOUNT
4121	303102	3063	90316	2013	\$32,298.75

Council authorization to execute a Purchase Order with Skaps Industries in the amount of \$32,298.75 is hereby requested.

George S. Milligan, Construction Supervisor



Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

TO: Jim Gray, Mayor
Members, Urban County Council

FROM: Department of Law

DATE: September 28, 2012

RE: Collective Bargaining Agreement
Police Lieutenants and Captains

This memo is to request a Resolution accepting a new Collective Bargaining Agreement (CBA) between LFUCG and the Fraternal Order of Police, Lodge No.4, on behalf of Police Lieutenants and Captains.

This CBA is very similar to the one agreed to on behalf of Police Officers and Sergeants which was effective on July 1. Since there are less than 30 members in this bargaining unit the financial impacts are relatively small. However, the financial sacrifices agreed to by the Lieutenants/Captains are in line with those made by other public safety bargaining units.

A copy of the Agreement is attached. We have also attached an outline highlighting the changed provisions from the current CBA. Representatives of the administration's bargaining team will be available at Work Session to address any specific questions regarding the new CBA.

The proposed effective date of the new CBA is November 1, 2012 with a term of four years.

A handwritten signature in dark ink, appearing to read "Edward W. Gardner".

Edward W. Gardner
Attorney Sr.

Enclosures

cc: Richard Moloney, CAO
Council Office

X:\Cases\POLICE\12-CC\1347\COR\00362650.DOC

**Neighborhood Development Funds
October 9, 2012
Work Session**

Amount	Recipient	Purpose
--------	-----------	---------

Change in NDF Purpose Only - No Budgetary Impact

\$ 3,155.00	Citizens Fire Academy Alumni Association 219 E Third Street Lexington, KY 40508 Mary Ciarlette	Change the purpose of the NDF allocation authorized by Resolution 457-2009 from "financial assistance to purchase a search dog" to "financial assistance to purchase one (1) dry suit and equipment for the dive rescue team".
--	---	--

Land Use and Watershed Impacts on Stormwater Runoff



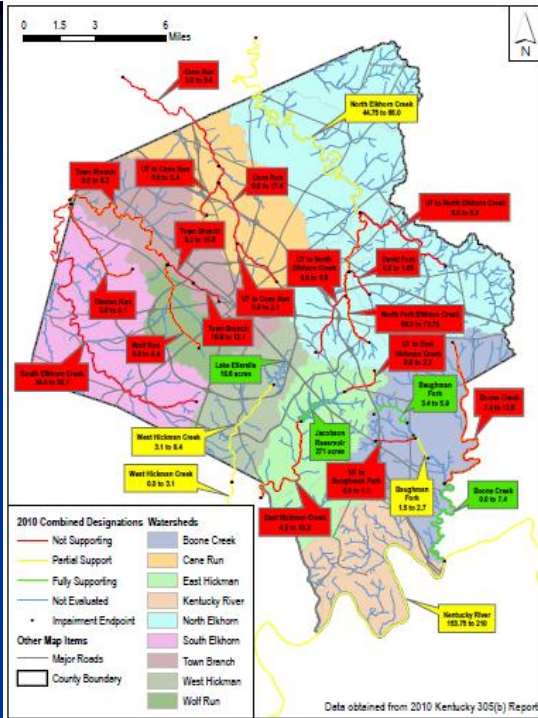
Presentation for the Urban County Council
October 9, 2012

Presentation Topics

1. Stormwater's Impact on Streams
2. Green Infrastructure and Low Impact Development
3. MS4 Permit and Consent Decree Requirements for Green Infrastructure
4. Stormwater Quality Projects Incentive Grant Program

Impaired Streams in Fayette County

- Boone Creek
- Cane Run
- East Hickman
- North Elkhorn
- South Elkhorn
- Town Branch
- West Hickman
- Wolf Run



Evolving Solutions for Stream Impairments

Control Flooding

- Detention and Retention Ponds



Prevent Pollutants from entering Stormwater

- Industrial Facility Regulation
- Spill Prevention
- Street Sweeping



Remove Pollutants in Stormwater

- Best Management Practices (BMPs)
- Catch basin filters, oil/water separators



Retrofits with Green Infrastructure Low Impact Development

What is Low Impact Development & Green Infrastructure?

Mimics stormwater runoff patterns of pre-development

Permeable Pavements, Infiltration BMPs, Vegetated Roofs,
Rainwater Harvesting

EVAPO-TRANSPIRATE

INFILTRATE

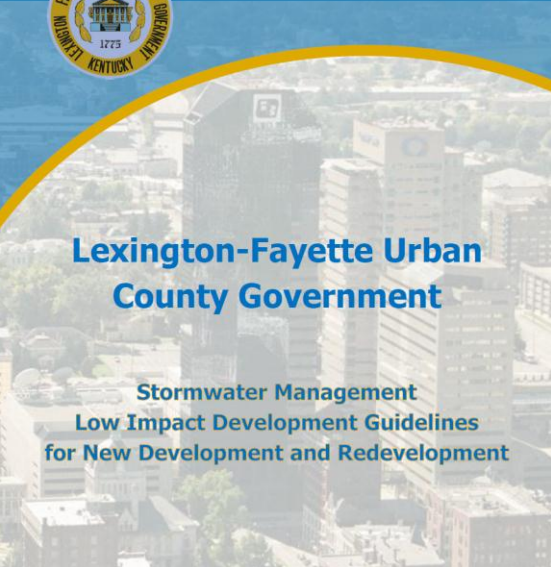


RE-USE





Version: September 2012



Lexington-Fayette Urban County Government

Stormwater Management Low Impact Development Guidelines for New Development and Redevelopment

Consent Decree & MS4 Permit Requirements

- ❖ Text revisions to Subdivision Regulations in 2010 to remove barriers to green infrastructure
- ❖ Develop LID guidelines by Sept. 2012
- ❖ \$230,000 on Green Infrastructure Projects within 5 years as a Supplemental Environmental Project

Green Infrastructure Consent Decree SEP

- Spend \$230,000 by Jan. 2016 on green infrastructure projects
- DWQ submitted 4 pending Incentive Grant projects as fulfillment of SEP
- EPA complimented program as "innovative" and accepted projects
- 2 projects completed totaling \$293,090
- SEP Completion Report submitted June 2012

SEP Completion Report



Appendix J-2
Green Infrastructure
Supplemental Environmental Project

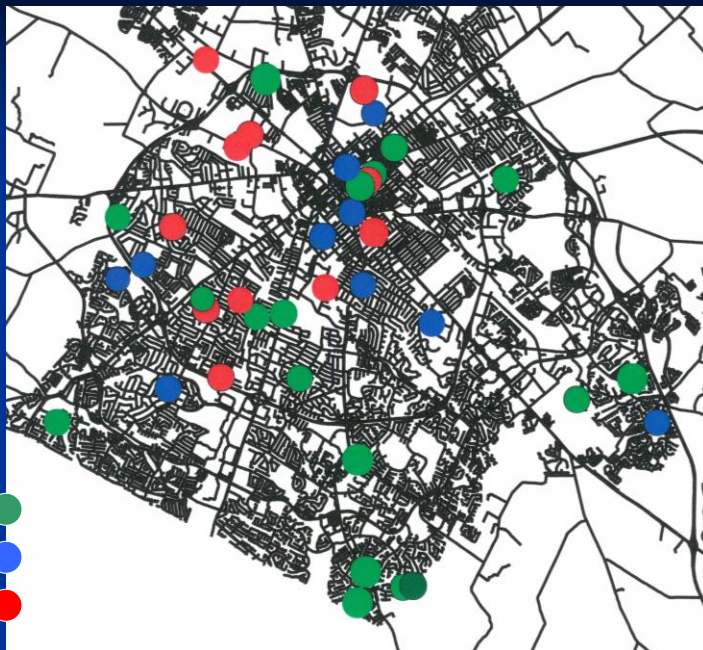
June 29, 2012

Stormwater Quality Projects Incentive Grant Program

- Funded by 10% of Water Quality Management Fee
- Administered through Div. of Water Quality
- *Water Quality Fees Board* selects grants
- Class A (Neighborhood) and Class B (Education & Infrastructure)
- Financial assistance for projects that:
 - ✓ Improve water quality
 - ✓ Reduce stormwater runoff
 - ✓ Educate or involve public
- Cost share is required

50 Incentive Grant Award Recipients

- 25 Neighborhood 
- 12 Education 
- 13 Infrastructure 



Gardens of Hartland HOA Rain Garden



Colony Four Community Association Channel Erosion Repair off of Parkers Mill



BEFORE



AFTER

Participating Neighborhoods/HOAs

Andover Estates
 Autumn Ridge
 Colony Unit Four
 Eastland Parkway
 Gainesway
 Gardens of Hartland
 Hartland
 Lansdowne
 Martin Luther King
 Meadowthorpe
 North Limestone
 Spindletop
 Southern Heights
 WGPL
 Woodfield Homes



Education Grant Participants

- Universities (Transylvania and University of Kentucky)
- Fayette County Public Schools
- Non-Profits
- Telecommunication Companies (WLEX, WKYT)



Infrastructure Grants



RONALD MCDONALD HOUSE
LFUCG Incentive Grant Application



Consent Decree Green Infrastructure SEP Projects

- **Coca-Cola Refreshments USA, Inc. - \$189,090 grant**
- **AIE Properties (Ross Tarrant Architects) - \$109,000 grant**

These projects were 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. These projects includes “green infrastructure” components for management of wet weather flows in urban areas of Fayette County, and have been identified as a “Supplemental Environmental Projects” required by the Consent Decree entered on January 3, 2011 between the United States of America and the Commonwealth of Kentucky and the Lexington-Fayette Urban County Government.

**Coca-Cola Refreshments – Leestown Road
10,000 gallon Rainwater Harvesting Tank**



**Coca-Cola Refreshments – Leestown Road
Re-use: Battery Filling, Truck Wash, Toilets**



**Coca-Cola Refreshments – Leestown Road
Bioretention Facility**



**Ross Tarrant Architects – Old Lafayette Ave.
Pervious Concrete Parking Lot Retrofit - BEFORE**



Ross Tarrant Architects – 101 Old Lafayette Pervious Concrete Parking Lot Retrofit - AFTER



Stormwater Quality Projects Incentive Grant Program

FY 2011 – FY 2013 Highlights

- 109 applications received
- 50 grants awarded to date for \$2,674,043
- EPA's Green Infrastructure office visited in Sept. 2011
- EPA and State complimented program
- Other communities looking to copy Lexington's program
- High community participation and positive feedback
- Mechanism to meet future MS4 Permit requirements

Upcoming with
FY2013 Program

Selected Grants to
Council for award
in

October 2012
through
February 2013



Questions?



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**Police Lieutenants/Captains Collective Bargaining Agreement****Changes**

- **Lodge Business**
 - Clarifies total number of union representatives to attend General Assembly sessions and FOP under both police contracts
- **Seniority**
 - Adjusts when seniority begins for Lieutenants/Captains
 - Clarifies adjustments to seniority upon reinstatement
- **Assignments**
 - Clarifies how regular days off (RDOs) are rotated
 - Clarifies requirements for assignments to certain special units
 - Provides how reinstatement to special units will occur
- **Promotions**
 - Clarifies the testing process for promotions, including accessibility to test questions/results and tie-breaking procedures
 - Specifies that lieutenants must have a bachelor's degree
- **Health and Safety**
 - Increases notice from five to seven days for pre-planned event duty outside regular tour of duty
 - Provides for use of Class B uniforms during inclement weather at the Chief's discretion
- **Disciplinary Procedures**
 - Provides authority for Chief to meet directly with members prior to recommendation of discipline
 - Requires that files related to discipline shall be maintained solely at the Bureau level
- **Hours of Work/Compensatory Time**
 - Increases from 150 to 160 total hours of comp time that can be accrued
 - Provides that seniority will determine selection for special event duty that requires an RDO change
 - Provides for payment of time and a half for overtime hours reimbursed to LFUCG by third parties provided 40 hours plus worked in the same week

- Paid and Unpaid Leaves
 - Swing holidays are suspended for two years
 - Vacation leave accruals are reduced by two hours per month for two years
 - Clarifies leave request/approval process
 - Suspends blood donation/community service leave for two years
- Death in the Line of Duty
 - Clarifies that payment will be made to beneficiary/estate for unused vacation, holiday, sick time
- Clothing and Equipment Allowances
 - Implements a “quartermaster” type system for uniforms and equipment
 - Provides for reductions to uniform allowances
- Physical fitness incentive
 - Suspends benefit for two years
 - Adds increased benefit for fitter employees
- Vehicles
 - Restricts use of home fleet vehicles to only to/from work except for off-duty employment in Fayette County
 - Use for off-duty employment permitted with payment of \$50/month
 - Specifies that out-of-county commuting is limited to within 35 miles of Fayette County border
- Tuition Benefit
 - Increases tuition benefit to \$5,000 per year
- Salary
 - No steps or structure movement in the first two years of the agreement
 - \$500 structure increase in third year, \$1,000 structure increase in fourth year
 - Additional step increase at the end of third and fourth year
 - One additional step added to pay schedule in third year at 2% over current high step
 - One additional step added to pay schedule in fourth year at 2% over then current high step
- Term
 - Agreement is for four years beginning November 1, 2012