

General Government Committee

Linda Gorton-Vice Mayor
Steve Kay-At-Large
Chris Ford-1st District
Shevawn Akers-2nd District
Diane Lawless-3rd District
Julian Beard-4th District
Jenny Scutchfield-7th District
George Myers-8th District
Harry Clarke-10th District
Ed Lane-12th District

Staff:

Jenifer Benningfield

AGENDA
GENERAL GOVERNMENT COMMITTEE
January 15th, 2013
11:00am

- | | | | |
|----|---|----------------|---------|
| 1. | Election of Committee Chair | Linda Gorton | |
| 2. | Approval of Summary | | (1-3) |
| 3. | Parks Master Plan (15 mins) | Sally Hamilton | (4-29) |
| 4. | Metro Employees Credit Union Lease and PSA
(5 mins) | Sally Hamilton | (30-33) |
| 5. | Amendment of Section 3.101 of Council Rules
(5 mins) | Glenda George | (34-39) |
| 6. | Items Referred To Committee | | (40) |

Future Committee Meetings

February 5th, 2013
March 5th, 2013
April 9th, 2013
May 7th, 2013
June 4th, 2013
July 2nd, 2013
August 13th, 2013
September 10th, 2013
October 1st, 2013
November 5th, 2013

“The General Government Committee, to which shall be referred matters relating to the general administration of government; The Department of Law; The Department of General Services; each department’s respective divisions; and, any related partner agencies.”

General Government Committee

November 13th, 2012

Summary and Motions

CM Ed Lane chaired the meeting and called it to order at 11:00 am. Committee members present were VM Linda Gorton, Council Members Steve Kay, Chris Ford, Tom Blues, Julian Beard, George Myers, and Doug Martin. Kevin Stinnett was also present.

1. Approval of Summary

CM Beard made a motion to approve the summary. CM Blues seconded the motion. The motion passed without dissent.

2. Amendment of Section 3.101 of the Council Rules

Law Department attorney Glenda George came to the podium to present. She said that a consent agenda is very similar to what the Council currently does. George said that our charter requires that resolutions and ordinances are read twice. CM Kay asked George what could be done to change this and was told that it is a state statute. George did say that the Council could discuss giving the Mayor authority to approve certain items. She said that the Administration could circulate a list of consent items prior to work sessions for Council Members to review. These items could be removed from the list, sent to a standing committee, or if there were no objections, the Mayor could proceed with the execution of those items.

VM Gorton asked George the process for an item that was removed from the consent list. George asked for the opportunity to draft legislation to illustrate the process. Committee members agreed and Chair Lane placed the item on the agenda for the January 2013 meeting.

3. Metro Employees Credit Union Lease

Sally Hamilton came to the podium to present a brief historical overview on the Metro Employees Credit Union Lease. Hamilton initially decided to present a three year step rent lease for MECU to Council Members. The issue was referred to the General Government Committee and a five year step rent lease was discussed. Hamilton prepared the five year lease to present to the full council and it was sent back to the General Government Committee. The Metro Employees Credit Union initially had a five year lease that ended in 2011 and is renewed yearly. MECU does not have a PSA and is NCUA insured.

CM Farmer said that his feeling is to top out MECU at a max rent at 80% of market. He said that he would like the committee members to consider giving them a discount because of the services they offer to our employees.

CM Blues asked MECU executive Piper Graham what the impact of increased rent would be for credit union members. Graham said that the main issue is growth. She said that they must have net income to support capital growth. She said that the board would have to look at maintaining the capital ratio. She went on to say that they can only build capital using net

income. MECU would either need to slow its asset growth or increase revenue. She said that increasing membership is great only if those new members are taking out loans.

VM Gorton asked Graham about the mass email that was sent to all Council Members. Graham said that the MECU board members directed her to communicate the potential increase to all members. Graham said that if they have to close the Phoenix branch it would have a large impact on downtown employees. They would need to increase fees and loan rates.

CM Ford asked Graham how long they have been located in both the Phoenix Building and the Versailles Road campus. Graham said that they moved into the Phoenix Building in 2002 and onto the Versailles Road campus in 2005. Graham emphasized that the CAO at that time encouraged the moves to the two new locations from Clark Street.

CM Ford asked Hamilton if she had considered charging them for operating and maintenance and not for rent. Hamilton said that those numbers would total \$14,972.

CM Beard asked Graham how many members they have and she responded that they have 4000 members. She went on to say that they start on past due collections after 15 days and they make every effort to work with members to resolve the delinquency. She did say, however, that if the member files chapter 7, they must charge off the loan.

CM Kay said that he supported CM Farmer's suggestion.

CM Martin said that there are numerous entities in various government spaces. He said that the effort from General Services was to get the accounting out in the open. CM Martin said that any decision to provide any relief should occur during the budget process. CM Martin said that each organization that comes before the Council has a worthy cause but the main issue is how the LFUCG is going to account for and use their spaces.

CM Myers said that he agreed with the 5-year plan presented by Hamilton.

VM Gorton asked Graham for the number of members that are not employees of the LFUCG, but are instead family members. Graham said that the number is not readily available.

CM Ford made a motion to keep the issue in committee for the purpose of continued negotiation. CM Stinnett seconded the motion.

VM Gorton amended the motion to provide a PSA with the 5-year plan. CM Martin seconded the amendment. The motion to amend the motion passed without dissent.

CM Ford's amended motion passed without dissent.

4. Website Linking Policy

Scott Shapiro came to the podium to present the updated draft website linking policy. Shapiro told committee members that he updated the draft to reflect Council Member's suggestions.

CM Martin made the following suggestions:

- Add 'subject to the approval process' after at the end of section 1. under the Policy category.
- Add 'schools' at the end of the fifth bullet.
- Add 'for profit entities that are sponsoring or co-sponsoring a public event with LFUCG' at the end of the eighth bullet.
- Strike the second sentence of section 3.
- Add 'endorsement' after policies in section 4.
- Add 'and may be removed at the discretion of the CAO' to the first bullet under the procedure section.

Shapiro said that he talked to Jerry Hancock about Martin's third suggestion. He said that the website would have a link to the company but not a logo. It would be a sponsorship opportunity, not an advertisement. They have also considered logos for sponsorships without the links.

CM Martin suggested that if an entity co-sponsors an event, once the event is over, the link would come down.

CM Myers asked Shapiro if they could strike 'or designee' and leave CAO. CM Myers said that he is concerned about not knowing who the designee would be. Shapiro said that he could talk to Richard Moloney about it. CM Myers suggested making it an ordinance instead of a CAO policy.

5. Parks Master Plan

CM Lane moved the Parks Master Plan presentation to the January 2013 meeting.

6. Items Referred to Committee

CM Blues made a motion to adjourn. Seconded by Gorton. Motion passed without dissent.

Submitted by Jenifer Benningfield, Council Administrative Specialist

Parks and Recreation Plan

It's About Community

Lexington-Fayette Urban County Council
General Government Committee
November 13, 2012

Parks and Recreation

Mission: "To provide high quality park land, facilities, open space and to efficiently facilitate programs, events and services, promote wellness and quality of life for all."

- Over a hundred parks and a hundred facilities!
- Acres of land over three times the size of the Kentucky Horse Park!
- 66 ball fields and 63 playgrounds!

Parks and Recreation creates countless lasting impressions with citizens across Fayette County which is why ...

69% of residents visit one or more parks each month.

Parks and Recreation

- The Division has a \$15 million budget, 154 full-time employees, and 800+ seasonal employees.
- The Division is organized into three sections:
 - Recreation**
 - Enterprise**
 - Maintenance, Planning and Design**

Recreation

Includes Adult & Youth Athletic Programs, Extreme Sports, Community Centers, Natural Areas, Cultural Arts, Summer Camps, Special Events, and Senior and Therapeutic Programs.



Recreation - Today

- Delivers year-round opportunities for the entire community:

- ✓ Athletics - 8,615 participants*
- ✓ Community Centers – 78,487 patron visits
- ✓ Cultural Arts – 127,836 attendees
- ✓ Equestrian Programs – 200 participants
- ✓ Extreme Sports – 780 participants
- ✓ Natural Areas – 28,100 visitors
- ✓ Summer Camps – 1,891 campers
- ✓ Seniors and Therapeutic Recreation – 29,111 patron visits

**FY 2012 numbers unless otherwise noted.*

- Leadership role in Mayor’s Commission on Public Safety/Violence Prevention – resulted in “I Do” initiative, multiple partnerships, and summer programs.

Recreation Events in 2012

Ballet Under the Stars

Big Band & Jazz

Bluegrass 10,000

Dog Paddle

Festival Latino de Lexington

Free Friday Flicks

Fright Night at Jacobson Park

Kite Fest

Little Goblins

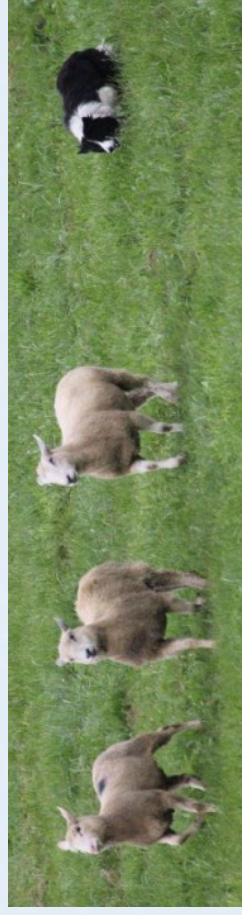
Sheep & Fiber Fest

Stock Dog Trials

Swinging on Main

Thriller

Woodland Art Fair



Recreation - Short Term Projects

Meet Changing Demands in Athletics/Extreme Sports.

- Build out Shillito multi-use fields.
- Create extreme sports facility w/archery, ropes/challenge, climbing walls, and bike pump trails.
- Repurpose underused tennis courts into skate spots and futsal (*speed soccer*) areas.

Meet Growing Fitness Needs of our Community.

- Complete park trails at Masterson and Jacobson.
- Create outdoor gyms/Fit Stops in local parks.

Recreation - Short Term Projects

Meet Community Programming Needs of All Ages.

- Repurpose Carver Center into an Art, Culture & Education Center with emphasis on arts programs for all ages.
- Locate additional facilities for top performing summer camp programs.
- Complete Wellington Park Sensory Garden & Pedestrian Bridge.
- Extend “I Do” initiatives each summer using seasonal dollars and volunteer efforts.

Recreation - Vision

- Outdoor Gyms in Larger Parks
- Contemporary Community Centers
- Innovative Skate Parks



Adult Playground – Bronx, NYC



Think Big? 130,000 Sq. Ft. Skate Park in New Jiangwan City, China

Enterprise

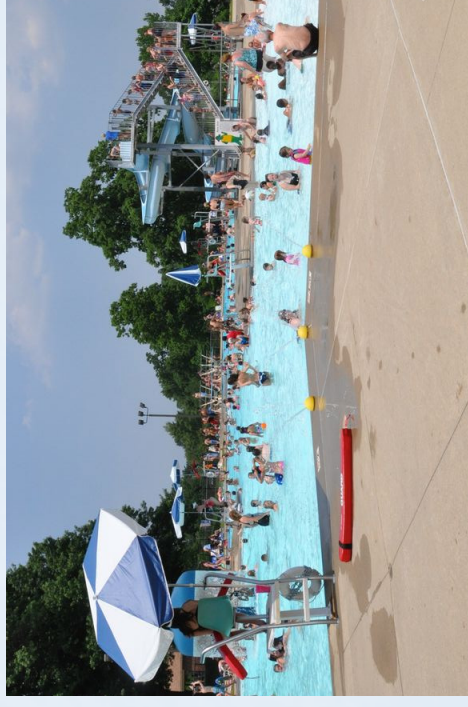
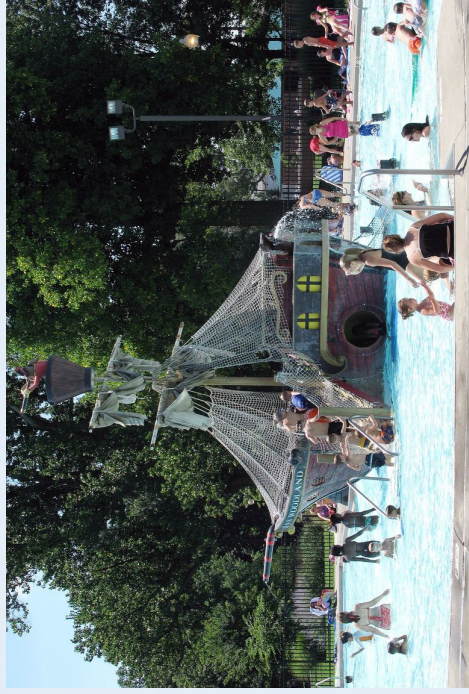
Lexington's Enterprise Section includes:

- Aquatics
- Golf
- Concessions
- Extended School Programs
- Rentals, shelters, meeting rooms, and event space



Aquatics

Operates four aquatic centers, three neighborhood pools, a marina, 16 paddle boats and four decorative fountains in the downtown area.



Aquatics - Achievements

	2011 Season Actual	2012 Season Projected	2012 Season Actual	2012 vs. 2011 Actual
Attendance	176,753	174,973	197,747	+20,994
Revenue	\$606,487	\$609,799	\$642,740	+\$36,253
Expenses	\$1,203,196	\$1,131,496	\$1,131,466	-\$71,730
Cash Flow	(\$596,709)	(\$521,697)	(\$488,726)	(\$107,983)
Cost/Patron	(\$3.38)	(\$2.98)	(\$2.47)	-\$0.91

The 2012 Season had nine more days with over 90° weather than in 2011, and nine heat advisory days with reduced admission prices.

Aquatics - Today

In 2000, Lexington's pools had 288,000 patrons.

Today, there are nearly **100,000 fewer patrons!**

Why?

- Three new aquatic centers just miles away equipped with new play features, interactivity, and thrills.
- Lexington's pools have a dated look and feel. They lack spray features, big slides, and climbing walls.



Suffoletta Family Aquatic Center

Aquatics - Short Term Projects

Attract Families



- Play features – Replace two alligators at Woodland, a swan at Tates Creek, and slides at Southland & Woodland.



- Add shade structures at Shillito, Picadome, Castlewood, & Woodland.

- Increase the paddle boat fleet and experience.

- Add an East End splash pad.

- Update concessions at Castlewood.

- Enlarge the baby pool at Shillito.

- Expand the Better Bites Program to promote healthy snacks.



Splash Park in Dayton, Ohio.

Aquatics - Short Term Projects

Attract Teenagers

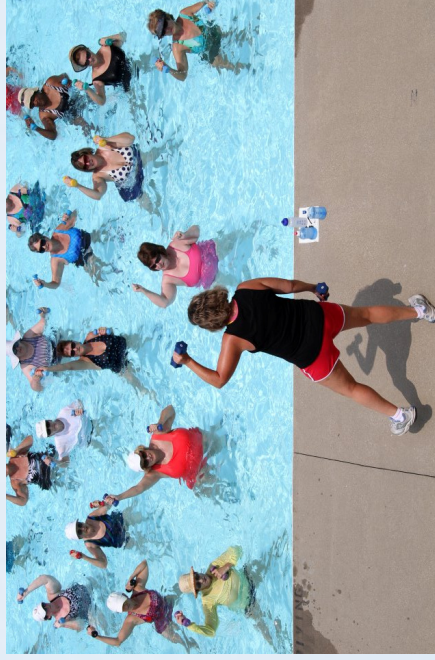
- Climbing walls at Castlewood, Douglass, Shillito & Woodland.

Attract Seniors

- Reduce pool depth and remodel restrooms at Picadome.



Climbing walls to engage teens.



Exercise programs for Seniors.

Aquatics - *Vision*

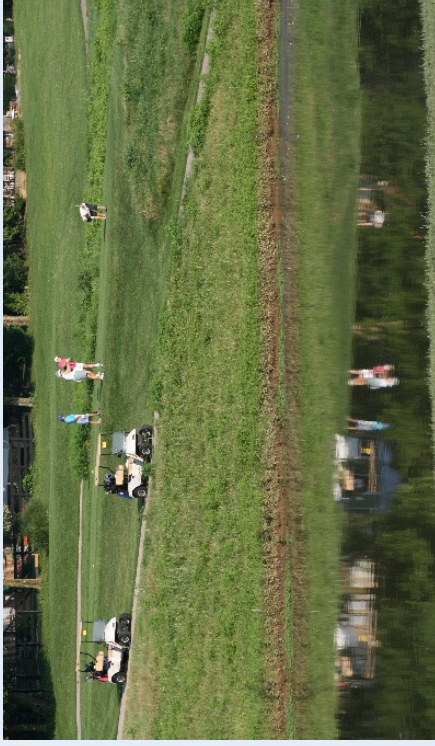
Indoor Aquatics Center with a combination of recreational & competitive features for fitness, competitive swim, therapy, and fun.



Splash Indoor Island - Plainfield, IN

Golf

Operates five golf courses offering a variety of play at competitive prices.



Players on Lakeside Golf Course.



The golf course at Picadome.

Golf - Achievements

	FY 2011 Actual	FY 2012 Projected	FY 2012 Actual
Revenue	2,768,490	3,001,053	3,035,405
Expenses	3,566,318	3,396,449	3,376,032
Administrative	138,016	138,016	138,016
Golf Cart Debt	96,076	96,076	96,076
Net Cost	(1,031,920)	(629,488)	(574,719)
Rounds	88,706 Actual	97,780 Actual	+9,074 or 9.30% Increase

Golf - Short Term Projects

- Replace Lakeside Golf Course Irrigation System.
- Restore Bunkers at Kearney Hill Golf Links.
- Upgrade Kitchens at Lakeside, Kearney Hill, and Tate Creek Golf Courses.
- Develop Golf Tour Packages by working with Commerce Lexington, Kentucky's Department of Tourism & others.

Long Term Management

- Monitor usage and participation rates.
- Continue to evaluate the demand for golf in the community.

Maintenance

Preserves our parks and facilities for the future.



Maintains over 100 Parks & ...



Over 100 Facilities & ...



Over 4,300 Acres!!!

Maintenance - Achievements

- Mowed 2,300 acres.
- Maintained 66 ball fields.
- Supported 157 special events.
- Inspected and performed repairs on 63 playgrounds.
- Reduced expenditures through outsourcing, charging for maintenance for special events, and other efficiencies.

Maintenance – Short Term Projects

- Improve Phoenix Park to promote a vibrant Downtown Hub.
- Establish a Downtown Maintenance District and dedicate a crew for the beautification of Downtown Lexington.
- Identify cost-saving opportunities by outsourcing services.
- Prioritize the replacement of park access/roadways.
- Implement sustainable models of maintenance and building standards - Work with Public Works on an Urban Forestry Management Plan.
- Create Greenway/Trail maintenance crews to preserve the beauty of our landscape.
- Establish an equipment replacement schedule by working with the Division of Facilities and Fleet Management, and evaluate leasing vs. purchasing decisions.

2009 Park Master Plan

Recommendations across the Division:

- Invest in a dedicated funding source or periodic major park improvement bonds.
 - \$50 million for community parks via bond to fund Tier 1 and 2 improvements.
 - \$2 million/year for greenways and \$1 million/yr for neighborhood park improvements.
 - \$3 million for golf course improvements funded by revenue bond.
- 125 specific recommendations ... many already adopted.
- Approximately \$80 million of redevelopment/new facility needs remain from initial Master Plan effort in 1998.

Shifts in Dollars, Demographics & Trends Promote a Rethink

- Create a focused philanthropy effort through a Conservancy in partnership with community leaders.
 - Generate projects based on trends and visionary concepts.
 - Preserve park spaces, enhance visitor experiences, and promote citizen stewardship.
- Develop guidelines/standards to promote and increase sponsorships and address naming rights.
 - Offer benevolent opportunities through a structured policy that recognizes what is appropriate based on the value of the donation.
 - Recommend to the Council the creation of a staff position specializing in grants/development opportunities.

National Accreditation

Review accreditation process with the Commission on Accreditation of Parks and Recreation Agencies (CAPRA).

- Parks and Recreation's first accreditation in 2007.
 - Only 109 of approximately 3,000 agencies have achieved this designation.
 - Requires 36 mandatory standards.
 - 107 non-mandatory standards (90% needed).
- Dramatic effort that consumes entire division.
- Results in reasonable assurance that national best practices are being utilized.
- Re-accreditation site visit planned for May 2013.

Questions?

LEASE AGREEMENT OVERVIEW

Occupant: Metro Employee Credit Union

Location: Phoenix Building

Address: 101 East Vine Street

OVERVIEW	
S/ft of space occupied	604
S/ft of shared space (occupant's pro-rata share)	0
Total S/ft	604
Annual pro-rata share of utilities, O&M and CIP (approx. \$6.55 S/ft)	\$3,953.71
Annual base (approx. \$9.37 S/ft)	\$5,657.54
YEAR 1 – O&M plus 30% of Base	
Established Annual Fair Market Value (\$/ft)	\$15.91
Annual Fair Market Value (FMV) of Space	\$9,611.25
Recommended Annual Adjustment to FMV	-\$3,960.28
RECOMMENDED ANNUAL RENTAL RATE	\$5,650.97
Current annual rental rate	\$0.00
Difference	\$5,650.97
YEAR 2 – O&M plus 55% of Base	
Established Annual Fair Market Value (\$/ft)	\$15.91
Annual Fair Market Value (FMV) of Space	\$9,611.25
Recommended Annual Adjustment to FMV	-\$2,545.89
RECOMMENDED ANNUAL RENTAL RATE	\$7,065.35
YEAR 3 – O&M plus 70% of Base	
Established Annual Fair Market Value (\$/ft)	\$15.91
Annual Fair Market Value (FMV) of Space	\$9,611.25
Recommended Annual Adjustment to FMV	-\$1,697.26
RECOMMENDED ANNUAL RENTAL RATE	\$7,913.98
YEAR 4 – O&M plus 85% of Base	
Established Annual Fair Market Value (\$/ft)	\$15.91
Annual Fair Market Value (FMV) of Space	\$9,611.25
Recommended Annual Adjustment to FMV	-\$848.63
RECOMMENDED ANNUAL RENTAL RATE	\$8,762.62
YEAR 5 – Fair Market Value	
Established Annual Fair Market Value (\$/ft)	\$15.91
Annual Fair Market Value (FMV) of Space	\$9,611.25
Recommended Annual Adjustment to FMV	-\$0.00
RECOMMENDED ANNUAL RENTAL RATE	\$9,611.25

JUSTIFICATION FOR WAIVER

Chief Administrative Officer Richard Moloney recommends that the following rent schedule be used for lease of space to Metro Employee Credit Union:

- Year one – Pay all of the O&M costs plus 50% of the base rent
- Year two – Pay all of the O&M costs plus 75% of the base rent
- Year three – Pay Fair Market Value for the space
- Metro Employees Credit Union is a non-profit organization
- MECU serves as a benefit to LFUCG employees by providing them a service that can't be received at other financial institutions
- MECU spent \$7,319.38 for the Phoenix building renovation and in 2006 they spent \$225,376.48 in renovations for the space at the Versailles Road Campus
- MECU provides free checking accounts to low income citizens as part of the LFUCG Representative Payee Program and they also provide free check cashing for the 150 youth in the Summer Youth Employment Program
- MECU currently pays no annual rent for use of space and the rental schedule allows an opportunity to budget and transition to Full Market Value.

LEASE AGREEMENT OVERVIEW

Occupant: Metro Employee Credit Union

Location: Versailles Road Campus

Address: 1306 Versailles Road

OVERVIEW	
S/ft of space occupied	3,866
S/ft of shared space (occupant's pro-rata share)	0
Total S/ft	3,866
Annual pro-rata share of utilities, O&M and CIP (approx. \$2.85 S/ft)	\$11,019.62
Annual base (approx. \$6.86 S/ft)	\$26,525.13
YEAR 1 – O&M plus 30% of Base	
Established Annual Fair Market Value (\$/ft)	\$9.71
Annual Fair Market Value (FMV) of Space	\$37,544.75
Recommended Annual Adjustment to FMV	-\$18,567.59
RECOMMENDED ANNUAL RENTAL RATE	\$18,977.16
Current annual rental rate	\$0.00
Difference	\$18,977.16
YEAR 2 – O&M plus 55% of Base	
Established Annual Fair Market Value (\$/ft)	\$9.71
Annual Fair Market Value (FMV) of Space	\$37,544.75
Recommended Annual Adjustment to FMV	-\$11,936.31
RECOMMENDED ANNUAL RENTAL RATE	\$25,608.44
YEAR 3 – O&M plus 70% of Base	
Established Annual Fair Market Value (\$/ft)	\$9.71
Annual Fair Market Value (FMV) of Space	\$37,544.75
Recommended Annual Adjustment to FMV	-\$7,957.54
RECOMMENDED ANNUAL RENTAL RATE	\$29,587.21
YEAR 4 – O&M plus 85% of Base	
Established Annual Fair Market Value (\$/ft)	\$9.71
Annual Fair Market Value (FMV) of Space	\$37,544.75
Recommended Annual Adjustment to FMV	-\$3,978.77
RECOMMENDED ANNUAL RENTAL RATE	\$33,565.98
YEAR 5 – Fair Market Value	
Established Annual Fair Market Value (\$/ft)	\$9.71
Annual Fair Market Value (FMV) of Space	\$37,544.75
Recommended Annual Adjustment to FMV	-\$0.00
RECOMMENDED ANNUAL RENTAL RATE	\$37,544.75

JUSTIFICATION FOR WAIVER

Chief Administrative Officer Richard Moloney recommends that the following rent schedule be used for lease of space to Metro Employee Credit Union:

- Year one – Pay all of the O&M costs plus 30% of the base rent
- Year two – Pay all of the O&M costs plus 55% of the base rent
- Year three – Pay all of the O&M costs plus 70% of the base rent
- Year four – Pay all of the O&M costs plus 85% of the base rent
- Year five – Pay Fair Market Value for the space

Metro Employees Credit Union is a non-profit organization

MECU serves as a benefit to LFUCG employees by providing them a service that can't be received at other financial institutions

MECU spent \$7,319.38 for the Phoenix building renovation and in 2006 they spent \$225,376.48 in renovations for the space at the Versailles Road Campus

MECU provides free checking accounts to low income citizens as part of the LFUCG Representative Payee Program and they also provide free check cashing for the 150 youth in the Summer Youth Employment Program

MECU currently pays no annual rent for use of space and the rental schedule allows an opportunity to budget and transition to Full Market Value.

CLERK OF URBAN COUNTY COUNCIL

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(g) Execution of change orders on any contracts in which the cumulative or aggregate amount of the change orders does not exceed the lesser of 10% of the original contract price or \$25,000

(h) Execution of Closing Statements for deed and easement acquisitions for which Council has budgeted funds;

(i) Executing and submitting grant applications except as required; ~~and~~

(j) Acceptance of donations of goods or services that do not require a budget amendment; ~~and~~

(k) Price Contracts

The urban county council may review and discuss each item listed on the work session agenda under legislative review . After review and discussion, the following actions may be taken:

(i) Refer it to a council committee;

(ii) Refer it back to the administration for additional information;

(iii) Remove; or

(iv) No action.

If no action is taken, then the items listed for legislative review are approved and the mayor has the authority to execute said documents.

Section 2 - That this Resolution shall become effective upon passage.

PASSED URBAN COUNTY COUNCIL:

—

MAYOR

ATTEST:

council shall endeavor to schedule the hearing for a time at which at least thirteen (13) councilmembers have indicated that they can be in attendance; provided, however, that since Charter section 4.07 states that the required quorum for all official meetings of the urban county council is only ten (10) members, the council may consequently choose to proceed with any scheduled hearing on the hearing date notwithstanding that less than thirteen (13) members are in attendance so long as at least ten (10) members are present. At the scheduled time of the hearing, the council may alternately determine to postpone the hearing to a reasonable time thereafter for the purpose of securing the attendance of at least thirteen (13) members.

(h) The mayor's office may place the following items on the work session agenda under legislative review:

(a) Execution of deeds and easements for multi-use trails projects, storm and sanitary sewer projects and roadway construction projects which when the projects have received Council approval

(b) Execution of contracts in an amount not to exceed \$24,999—20,000 for which Council has budgeted funds;

(c) Execution of professional services contracts in amounts not to exceed \$19,999 in the aggregate per project for which Council has budgeted professional service funds for a division. Professional services contracts in amounts of \$20,000 or more shall be approved by Council };

(d) Execution of Easement Releases and Encroachment Agreements;

(e) Execution of equipment maintenance contracts for which Council has appropriated funds;

(f) Extensions of existing grant agreements previously approved by Council which do not involve any additional appropriation of revenue;

(iii) Mayor.

(c) The work session agenda, which shall also include items deferred from previous work sessions, shall be prepared and delivered on the Friday preceding the scheduled work session

(d) At work session, the council will take one (1) of the following steps after discussion of each agenda item.

- (i) Refer it to a council committee;
- (ii) Refer it to the administration for action, report or a recommendation;
- (iii) Place it on the docket of an official council meeting;
- (iv) Remove or defeat; or
- (v) No action; received as information.

(e) At the work session preceding an official council meeting, the council shall also consider, in addition to its work session agenda, a tentative docket for the coming meeting. This "work" docket is prepared by the council clerk and shall include the following:

- (i) Items previously referred to the docket by the council;
- (ii) Zoning amendments;
- (iii) Acceptance or rejection of bids; and
- (iv) Communications from the mayor.

(f) In the case of a requested rezoning, the council shall during work session decide whether to follow the planning commission's recommendation without a hearing; to review the planning commission record and (i) base its decision thereupon; or, (ii) hold its own hearing and base its decision both upon its and the planning commission record. In cases where more than one (1) zone change is placed on the work docket and public hearings are scheduled, the zone change applicant who filed the earliest with the division of planning shall be given preference in selecting a public hearing date, unless the planning commission hears the cases in an order different from that based on the time and date of filing the zone change request. In such cases the order in which the planning commission decides the zone change requests shall prevail over applicants who filed earliest.

(g) In cases where the council decides to hold its own public hearing and base its decision both upon its and the planning commission record, the

Sec. 4.104. - Work session

(a) The urban county council shall meet at the dates and times specified in a schedule of meetings adopted annually by the council by ordinance, in the council chamber on the second floor of the Lexington-Fayette Government Center, for purposes of conducting a "work session". Action taken by the urban county council at a work session is procedural in nature. A quorum for work sessions shall consist of not fewer than eight (8) of the fifteen (15) members of the council. The following order of business shall apply for work sessions of the urban county council:

- I. Public comment - agenda items only.
- II. *Requested rezonings/docket approval. (No item shall be placed on the docket which has not been approved at work session, either as part of the work docket or as a separate item at work session, except in case of emergency and except as limited by section 4.07 of the Charter).
- III. Approval of summary.
- IV. *Budget amendments.
- V. Legislative Review
- VI. New business.
- VII. Continuing business/presentations.*
- VIII. Council report.
- IX. Mayor's report.
- X. Public comment.

(b) The work session agenda shall be composed of items referred from the following sources:

- (i) Councilmembers;
- (ii) Council committees; and

DRAFT
1/9/13

RESOLUTION NO. _____-2013

A RESOLUTION AMENDING SECTION

WHEREAS, the Urban County Council, by Resolution No. 55-79, as amended, has adopted "Rules and Procedures of the Lexington-Fayette Urban County Council"; and,

WHEREAS, the Urban County Council has traditionally formally approved certain matters for which the legal parameters for administrative action have been established by statute, ordinance or resolution; and

WHEREAS, the Urban County Council desires to conduct its business as effectively and efficiently as possible; and,

WHEREAS, Section 5.104 of the rules provides that "[n]o permanent change shall be made to these Rules without notice specifying the purpose and wording of the change given prior to the consideration of the change and the adoption of the permanent change by a majority of all Councilmembers through an amending resolution"; and,

WHEREAS, notice of the aforementioned changes was given to all Councilmembers at Council work session on _____, 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE COUNTY GOVERNMENT:

Section 1 – That Section 4.104 of the Council Rules be, and hereby is, amended to read as follows:

General Government Committee Referrals

Item	Referred By	Date Referred	Status
Franchise Agreements (Increasing Fee from 3% to 4%)	Ellinger	01/13/2011	03/22/11, 01/05/12
General Services Link Recommendations to Gen Gov/Parks Master Plan	Kay	08/05/2011	08/16/11, 09/13/11, 10/11/11, 11/15/11
			12/01/11, 01/10/12, 02/07/12, 11/13/2012
			01/15/2013
Resolution to amend Section 3.101 of the Council Rules	Lane	09/13/2011	09/13/11, 09/11/12, 11/13/12, 1/15/13
Website Linking Policy	Lawless	01/12/2012	08/21/12, 09/11/12, 11/13/12, 1/15/13
Relationship with the BGADD	Myers	04/12/2012	
Contracting out Abatement of Tall Grass and Weeds	PS Link	05/17/2012	
The Number of Days a Property is allowed to Abate a Nuisance	PS Link	05/17/2012	
CAO Policy #3 Vehicle Use and Assignment / Fleet Right-Sizing	GS Link	05/29/2012	
Ordinance 4-75 Meet and Confer	Martin	07/10/2012	09/11/12, 10/2/12
Discussion to Limit Smoking in Public Parks	Lawless	10/16/2012	
Lease Agreements and PSA with the Metro Employees Credit Union	Farmer	10/16/2012	9/11/12, 11/13/12, 1/15/13
Procedure for underwriting or sponsoring one of our facilities or parks, how it would be done, how it would be contracted, work up a list of pricing, including naming rights	Lane	10/23/2012	
Quorum	Gorton	11/20/2012	