

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Docket

Tuesday, July 6, 2021

3:00 PM

Council Chamber

Urban County Council Work Session

**Urban County Council
Schedule of Meetings
July 5, 2021 – July 12, 2021**

Monday, July 5

LFUCG Offices Closed – Independence Day Holiday

Tuesday, July 6

Confirmation Hearing.....12:30 pm
Council Chamber – 2nd Floor Government Center

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

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

Council Meeting.....5:00 pm
Council Chamber – 2nd Floor Government Center

Wednesday, July 7

IR Steering Committee.....10:30 am
Conference Room – 3rd Floor Phoenix Building

Thursday, July 8

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

Friday, July 2

Senior Services Commission.....8:30 am
Senior Center – 195 Life Lane

Council Summer Recess Begins (regular meetings resume August 10, 2021)

Monday, July 12

Commission for People with Disabilities.....11:00 am
Senior Center – 195 Life Lane

**Lexington-Fayette County Council
Work Session Agenda
July 6, 2021**

- 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. 3-6**
- V. New Business – Yes, p. 7-30**
- VI. Continuing Business/ Presentations**
 - a. Neighborhood Development Funds, p. 31
 - b. Committee Summary, Planning & Public Safety, May 4, 2021, p. 32-36
- VII. Council Reports**
- VIII. Mayor's Report – Yes**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a. 0615-21** Authorization to execute Purchase of Service agreements with the following six (6) Extended Social Resource (ESR) Program Grantees agencies, pursuant to administrative agreements and RFP #14-2021 (Emergency Overnight Shelter): Hope Center, Inc. (\$850,000.00 {\$775,000.00 ESR award, \$75,000.00 direct allocation}), GreenHouse17 (\$160,000.00), Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. (\$130,000.00), Arbor Youth Services (\$200,000.00), Hospice of the Bluegrass, Inc. d/b/a Bluegrass Care Navigators (\$50,919.00), and the Salvation Army (\$150,000.00) to provide overnight emergency shelter, at a cost not to exceed \$1,540,919.00. Budget amendment in process. (L0615-21) (Ruddick/Hamilton) p. 7-8
- b. 0661-21** Authorization to approve an Ordinance for the Sale and Issuance of the Lexington-Fayette Urban County Government Various Purpose Taxable or Tax Exempt General Obligation Refunding Bonds in one or more subseries and to provide the option for defeasance of certain outstanding bonds. (L0661-21) (Simpson/Hensley) p. 9
- c. 0663-21** Authorization to request approval to assign our trade and service marks related to the Horse Capital of the World to VisitLex and enter into a license agreement for LFUCG's continued use at no cost to the LFUCG. (L0663-21) (Barberie/Speckert) p. 10-11
- d. 0664-21** Authorization to execute a contract addendum with Sentinel to provide an Apple iPad as part of the Electronic Monitoring contract at no cost to the LFUCG. (L0664-21) (Farmer/Armstrong) p. 12-13
- e. 0665-21** Authorization to accept grant funds of \$900,000 from Blue Grass Community Foundation for the design and construction of a nature inspired water play area in Charles Young Park called Splash! No matching funds required. (L0665-21) (Conrad) p. 14
- f. 0671-21** Authorization to approve the submitted Request for Proposal for Employment Sector Data Research from the University of Kentucky Research Foundation which will provide an analysis of employment trends, an assessment of workforce characteristics and challenges, and an economic and fiscal impact analysis of hypothetical expansions in 10 of Lexington's main industrial sectors at an amount not to exceed \$70,000. Funds are budgeted. (L0671-21) (Atkins) p. 15
- g. 0672-21** Authorization to execute a resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with Jessamine-South Elkhorn Water District, expanding the service area for providing sanitary sewage treatment service in northern Jessamine County, at no cost to the Urban County Government. (L0672-21) (Martin/Albright) p. 16

- h. 0673-21** Authorization to approve and execute any documents related to an Energy Assessment District assessment at 941 Manchester Street, which permits the commercial property owner to finance energy improvements to the property through private loans that are then paid through an assessment on the property owner's tax bill. No budgetary impact. (L0673-21) (Hensley) p. 17
- i. 0685-21** Authorization to approve a Clinical Education Agreement between the University of Kentucky and LFUCG for student interns to work and receive training at the Town Branch Wastewater Treatment Plant laboratory. There is no cost to the LFUCG. (L0685-21) (Martin/Albright) p. 18
- j. 0691-21** Authorization to create one (1) classified position of Homelessness Prevention Manager (Grade 526E) in the Division of Grants and Special Programs, effective upon passage of Council. At the request of the Council, the Division of Human Resources conducted a classification study on the requested position. The study was conducted according to standard procedures using the Job Analysis Questionnaire (JAQ) and position audit. The position was analyzed by staff using the whole job rank and factor comparison methods. As a result, a recommendation for their requested position as described in this action. This has a 12-month future impact of a cost \$103,609.04. (L0691-21) (Maxwell/Hamilton) p. 19-20
- k. 0693-21** Authorization to execute an amendment to agreements with GreenHouse17's Emergency Shelter and Rapid Rehousing Programs to move Emergency Solutions Grant CARES Act funds from Shelter to Rapid Rehousing in the amount \$44,813. Funds are budgeted. (L0693-21) (Lanter/Hamilton) p. 21
- l. 0694-21** Authorization to approve the submitted Amendments to Year 2 Purchase Of Service Agreements (PSA's) for the following Workforce Partners (in alphabetical order): Building Institute of Central Kentucky, Community Action Council, Kentucky Refugee Ministries, Inc. at a cost not to exceed \$130,000. Funds are budgeted. (L0694-21) (Atkins/Scott) p. 22
- m. 0695-21** Authorization to approve the submitted Memo of Agreements from the following Workforce Partners: Bluegrass Area Development District (KY Career Center); Bluegrass Community & Technical College; Goodwill Industries of Kentucky; Jubilee Jobs; Kentucky Refugee Ministries, Inc.; Lexington Rescue Mission; Opportunity for Work & Learning; Urban League of Lexington-Fayette County at a cost not to exceed \$16,000. Funds are budgeted. (L0695-21) (Atkins/Scott) p. 23
- n. 0696-21** Authorization to execute a Purchase of Service Agreement with Roots and Heritage Festival, Inc. in the amount of \$35,500. Funds are budgeted. (L0696-21) (Lyons/Scott) p. 24

- o. 0697-21** Authorization to accept additional award of federal funds from Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc., in the amount of \$15,000 for provision of early childhood care and education services under the Head Start Program at the Family Care Center for FY 2021. No matching required. Budget Amendment is in process. (L0697-21) (Rodes/Ford) p. 25
- p. 0698-21** Authorization to amend the classified civil service, unclassified civil service and sworn authorized strength, abolishing and creating positions as approved in the FY 2022 budget process, to become effective July 1, 2021. The fiscal impact for FY 2022 (26 pay periods) will be budget neutral. All funding for the new positions is included in the FY 2022 approved budget. (L0698-21) (Maxwell/Hamilton) p. 26-27
- q. 0699-21** Authorization to submit an application, pending match confirmation with partners, to the U.S. Department of Transportation under the RAISE Discretionary Grants Program requesting federal funds in the amount of \$14,000,000 and providing \$3,500,000 in local match for the High Street Corridor Safety and Mobility Improvements Initiative. Funds are partially budgeted. (L0699-21) (Peacher/Scott) p. 28
- r. 0700-21** Authorization to execute a professional services agreement with Elevation Leadership LLC in the amount of \$37,000 plus travel and expenses for Vaccine Distribution Management Services. The original contract called for payment of \$29,000, and the contract's extension of two months will total \$8,000. The updated contract will expire August 31, 2021. Budget Amendment is in process. (L0700-21) (Scott) p. 29-30

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
June 29, 2021**

Mayor Gorton called the meeting to order at 3:02pm. Council Members Kay, Moloney, Ellinger, J. Brown, McCurn, LeGris, Lamb, Sheehan, Kloiber, F. Brown, Bledsoe, Reynolds and Plomin were present. Council Members Worley and Baxter were absent.

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

Motion by McCurn to Approve the June 22, 2021 table of motions. Seconded by Kathy Plomin. Motion passed without dissent.

- IV. Budget Amendments
- V. New Business

Motion by Kay to Approve new business. Seconded by McCurn. Motion passed without dissent.

- VI. Continuing Business/Presentations

Council Member Bledsoe provided a summary of the March 16, 2021 Budget, Finance & Economic Development Committee meeting. There were no motions to report from the meeting.

Council Member Bledsoe provided a partial summary of the June 29, 2021 Budget, Finance & Economic Development Committee meeting.

Motion by Bledsoe to Approve to move forward with the second tranche of funding of \$2.5M for the Small Business Economic Recovery Program (as approved in the June 29, 2021 Budget, Finance & Economic Development Committee meeting). Seconded by Sheehan. Motion passed without dissent.

There were no additional motions to report from the meeting at this time.

Elodie Dickenson provided a presentation on the Lexington Workforce Resource Center.

Council Member James Brown and Hilary Angelucci provided a presentation on the Task Force on Neighborhoods in Transition.

VII. Council Reports

VIII. Mayor's Report

IX. Public Comment – Issues Not on Agenda

Motion by McCurn to go into closed session pursuant to KRS 61.810 (1)(b) and (g) to discuss and deliberate on the sale of real property and the potential siting, expansion or upgrading of a business entity, as open discussions would jeopardize the proposal and be likely to affect the value of the property. Seconded by Ellinger. Motion passed without dissent.

Motion by Kay to return from closed session. Seconded by McCurn. Motion passed without dissent.

X. Adjournment

Motion by Kay to adjourn at 4:26pm. Seconded by Jennifer Reynolds. Motion passed without dissent.

SAM, 7/1/21

BUDGET AMENDMENT REQUEST LIST

JOURNAL	129335	DIVISION	Social Services/ Homelessness Prevention	Fund Name Fund Impact	General Fund 3,664,797.00 3,664,797.00CR .00
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To reallocate funds for Extended Social Resource grants from the placeholder account to the agencies as approved by the selection process.

JOURNAL	129564	DIVISION	Chief Development Officer	Fund Name Fund Impact	General Fund 2,500,000.00 .00CR 2,500,000.00
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To provide funds for Small Business Economic Stimulus Program as by creating a transfer from the General Fund to the Lexington Economic Development Fund.

JOURNAL	129549	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Municipal Aid Program 200,000.00 200,000.00CR .00
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To provide funds for grant match for U.S. Department of Transportation under the RAISE Discretionary Grants Program by reducing other funds to project management.

JOURNAL	129565-66	DIVISION	Chief Development Officer	Fund Name Fund Impact	Lexington Economic Dev Fund 2,500,000.00 2,500,000.00CR .00
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To provide funds for Small Business Economic Stimulus Program recognizing a transfer from the General Fund to the Lexington Economic Development Fund.

JOURNAL	129447-48	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HUD 1,774,387.00 1,774,387.00CR .00
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To establish grant budget for HOME FY 2022.

JOURNAL	129465-66	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HUD 414,034.00 414,034.00CR .00
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To establish grant budget for Emergency Solutions FY 2022.

JOURNAL	129467-68	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HUD 2,579,696.00 2,579,696.00CR .00
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To establish grant budget for Community Development Block Grant (CDBG) - FY 2022.

JOURNAL	129479-80	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HUD 103,729.22 103,729.22CR .00
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To budget additional funds for housing rehabilitation for HOME - FY 2016 grant by reallocating unspent funds and recognizing additional revenues received.

JOURNAL	129482	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HUD 63,065.00 63,065.00CR .00
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To correct account code for revenue related to Emergency Solutions FY 2021.

JOURNAL	129526-27	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HUD 126,953.51 126,953.51CR .00
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To reallocate funds for CDBG FY 2015 to match current expenses.

JOURNAL	129438-39	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 600,000.00 600,000.00CR .00
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To establish grant budget for ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project for FY 2022.

JOURNAL	129440-41	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 250,000.00 250,000.00CR .00
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To establish grant budget for Northeast New Circle Road Corridor Plan - FY 2022.

JOURNAL	129442-43	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 150,000.00 150,000.00CR .00
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To establish grant budget for East Lexington Trail Connectivity and Traffic Safety Study - FY 2022.

JOURNAL	129483-84	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 502,000.00 502,000.00CR .00
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To establish grant budget for Federal Highway FY 2022.

JOURNAL	129487-88	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 60,500.00 60,500.00CR .00
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To establish grant budget for Federal Transit Administration Section 5303 - FY 2022.

JOURNAL	129489-90	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 428,970.00 428,970.00CR .00
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To establish grant budget for SLX - FY 2022.

JOURNAL	129444-45	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HHS 147,680.00 147,680.00CR .00
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To provide additional Child Care Assistance grant funds for Extended School Program.

JOURNAL	129524-25	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HHS 15,000.00 15,000.00CR .00
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To provide additional funds for Head Start FY 2021.

JOURNAL	129506	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Homeland Sec 2,801.47 2,801.47CR .00
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To reallocate funds for Emergency Management FY 2020 to match current needs.

JOURNAL	129463-64	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants - Other 900,000.00 900,000.00CR .00
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To establish grant budget for Blue Grass Community Foundation/Charles Young water park - FY 2022.

JOURNAL	129580-81	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants - Other 424,952.17 424,952.17CR .00
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To amend COACH FY 2018 grant to reflect actual revenues received and to closeout grant.

JOURNAL	129582-83	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants - Other 131,233.00 131,233.00CR .00
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To amend FEND FY 2020 grant to reflect actual revenues received and to closeout grant.

JOURNAL	129584-85	DIVISION	Grants and Special Programs	Fund Name	Grants - Other
				Fund Impact	429,625.52
					429,625.52CR
					.00

To establish grant budget for Cities United - FY 2022.

JOURNAL	129433-34	DIVISION	Grants and Special Programs	Fund Name	Grants - State
				Fund Impact	3,534,166.00
					3,534,166.00CR
					.00

To establish grant budget for Police Training - FY 2022.

JOURNAL	129435-36	DIVISION	Grants and Special Programs	Fund Name	Grants - State
				Fund Impact	3,333,170.00
					3,333,170.00CR
					.00

To establish grant budget for Fire Training - FY 2022.

JOURNAL	129449-50	DIVISION	Grants and Special Programs	Fund Name	Grants - State
				Fund Impact	127,500.00
					127,500.00CR
					.00

To establish grant budget for Kentucky Household Hazardous Waste FY 2022.

JOURNAL	129446	DIVISION	Parks and Recreation	Fund Name	Extended School Fund
				Fund Impact	.00
					137,680.00CR
					137,680.00CR

To provide payroll recovery related to Child Care Assistance grant funds for Extended School Program.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Services District Fund	2,500,000.00
1136	Municipal Aid Program Fund	.00
1144	Lexington Economic Development Fund	.00
3120	US Department of Housing & Urban Development	.00
3160	US Department of Transportation	.00
3190	US Department of Health & Human Services	.00
3200	US Department of Homeland Security	.00
3300	Grants - Other	.00
3400	Grants - State	.00
4202	Extended School Program Fund	137,680.00CR



TO: Mayor Linda Gorton
Urban County Council

FROM: Polly Ruddick, Director, Office of Homelessness Prevention & Intervention

CC: Sally Hamilton, CAO

DATE: June 10, 2021

SUBJECT: Purchase Service Agreements – FY22 Overnight Emergency Shelter

Request:

Authorization to: Execute Purchase of Service agreements with the following six (6) Extended Social Resource (ESR) Program Grantees agencies, pursuant to administration agreements and RFP #14-2021 (Emergency Overnight Shelter): Hope Center, Inc. (\$850,000.00 {\$775,000.00 ESR award, \$75,000.00 direct allocation}), GreenHouse17 (\$160,000.00), Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. (\$130,000.00), Arbor Youth Services (\$200,000.00), Hospice of the Bluegrass, Inc. d/b/a Bluegrass Care Navigators (\$50,919.00), and the Salvation Army (\$150,000.00) to provide overnight emergency shelter, at a cost not to exceed \$1,540,919.00.

Why are you requesting?

Department needs this action completed because: Extended Social Resource (ESR) Overnight Emergency Shelter Component funding is awarded for specific program implementation. A total of 6 programs will be funded. Exhibits defining the program(s) and establishing expectations for outcomes contained in grantee's RFP responses are attached to each Purchase of Service Agreement. The agencies will demonstrate impact and compliance through regular program and financial reporting to the Office of Homelessness Prevention and Intervention.

ESR funding awards have been approved by the LFUCG Homelessness Intervention and Prevention Board's Program Performance and Evaluation Committee.

What is the cost in this budget year and future budget years?

The cost for this FY 22 is: \$1,540,919.00

The cost for future FY 23 is: \$0



Are the funds budgeted?

The funds are budgeted or a budget amendment is in process: Funds are budgeted in the Fiscal Year 2022 budget. Budget Amendment is in process to appropriate funds in the unique department ID accounts for each organization.

Account number: Arbor Youth Services 1101-900313-0001-71101: \$200,000.00

Bluegrass Care Navigators 1101-900368-0001-71101: \$50,919.00

Community Action Council 1101-900307-0001-71101: \$130,000.00

GreenHouse17 1101-900304-0001-71101: \$160,000.00

Hope Center 1101-900311-0001-71101: \$775,000.00 BA in process,
\$75,000.00 direct budgeted in FY22 adopted budget

The Salvation Army 1101-900317-0001-71101: \$150,000.00

File Number: 0615-21

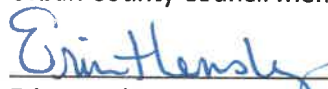
Director/Commissioner: Polly Ruddick/Sally Hamilton, CAO



MAYOR LINDA GORTON

**LEXINGTON**ERIN HENSLEY
COMMISSIONER
FINANCE

TO: Mayor Linda Gorton
Sally Hamilton, CAO
Urban County Council Members

FROM: 
Erin Hensley, Commissioner of Finance

DATE: June 21, 2021

SUBJECT: Ordinance for issuance and sale of Refunding Bonds – Multiple Series

Request

Authorization of the Ordinance for the Sale and Issuance of the Lexington-Fayette Urban County Government Various Purpose Taxable or Tax Exempt General Obligation Refunding Bonds in one or more subseries and to provide the option for defeasance of certain outstanding bonds.

Why are you requesting?

Department needs this action completed because the ordinance would allow for the sale of multiple refunding bonds through either a public or limited public offering allowing LFUCG to realize the greatest savings through refunding in low interest rate markets.

What is the cost in this budget year and future budget years?

The cost for this FY is: 0

The cost for future FY is: \$3,200,000 (FY23)

Are the funds budgeted?

The funds are budgeted

Account number: 1101-141401-1728-78401

File Number: 0661-21

Commissioner: Hensley





TO: Mayor Linda Gorton
Councilmembers

FROM: Jenifer Kay Wuorenmaa

CC: CAO Sally Hamilton
Commissioner Susan Speckert
David Barberie

DATE: June 22, 2021

SUBJECT: Horse Capital of the World Trade and Service mark Assignment

Request

Authorization to request approval to assign our trade and service marks related to the Horse Capital of the World to VisitLex and enter into a license agreement for LFUCG's continued use at no cost to the LFUCG.

Why are you requesting?

Department needs this action completed because: LFUCG has owned and maintained federal and state trade/service marks related to the term Horse Capital of the World for many years; however, VisitLex has been the primary promoter of these marks on its behalf. This is mainly because LFUCG utilizes VisitLex as its promotional agent, and the use of this terminology benefits the tourism industry in Lexington-Fayette County. This will provide VisitLex greater ability and flexibility in promoting and enforcing the use of these marks and is consistent with its and LFUCG's current and continued use.

What is the cost in this budget year and future budget years?

The cost for this FY is: NA

The cost for future FY is: NA



Are the funds budgeted? NA

The funds are budgeted or a budget amendment is in process: NA

Account number: NA

File Number: L0663-21

Director/Commissioner: Speckert



MAYOR LINDA GORTON



LEXINGTON

LISA FARMER
DIRECTOR (ACTING)
COMMUNITY CORRECTIONS

TO: Mayor Linda Gorton
Sally Hamilton, CAO
Council Members

FROM:

Lisa A. Farmer, Director

CC: Ken Armstrong, Commissioner

DATE: June 22, 2021

SUBJECT: **Approval Contract Addendum with Sentinel**

Request

Authorization to: Request Council authorization to approve a contract addendum with Sentinel to provide an Apple iPad as part of the Electronic Monitoring contract.

Why are you requesting?

Department needs this action completed because: As part of the Electronic Monitoring contract Sentinel currently provides a Smartphone for use by the electronic monitoring (HIP) program's field staff. Sentinel is adding an Apple iPad as part of the equipment to allow field staff to access the monitoring platform while out of the office. The Apple iPad will be provided at no cost to government.



What is the cost in this budget year and future budget years?

The cost for this FY is: 0

The cost for future FY is:

Are the funds budgeted?

The funds are budgeted or a budget amendment is in process: n/a

Account number: n/a

File Number: 0664-21

Director/Commissioner: Farmer/Armstrong



TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

FROM: CHARLIE LANTER, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: JUNE 22, 2021

SUBJECT: Acceptance of \$900,000 Grant Award from the Blue Grass Community Foundation for Splash! at Charles Young Park

Request: Council authorization to accept grant funds of \$900,000 from Blue Grass Community Foundation for the design and construction of a nature inspired water play area in Charles Young Park called Splash! No matching funds required.

Purpose of Request: LFUCG has been awarded \$900,000 in grant funds from Blue Grass Community Foundation for the permanent installation of Splash! a nature inspired water play project. Splash! will be a connector between the Charles Young Park playground and the Town Branch Commons trail – providing direct access from the park to the city’s trail network. This project is made possible by the leadership at Blue Grass Community Foundation with support from the following charitable donors and BGCF fundholders: Blue Grass Community Foundation, Community Ventures, J.M. Smucker Co., James and Martha Monroe Charitable Fund, and the Knight Foundation Donor Advised Fund.

What is the cost in this budget year and future budget years? \$900,000 has been awarded for Fiscal Year 2022. No matching funds are required. No costs have been identified for future budget years.

Are the funds budgeted? Budget amendment for Fiscal Year 2022 is in process.

File Number: 0665-21

Director/Commissioner: Conrad



TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

FROM: KEVIN ATKINS, CHIEF DEVELOPMENT OFFICER

DATE: THURSDAY, JUNE 24, 2021

SUBJECT: LEXINGTON EMPLOYMENT SECTOR DATA RESEARCH

REQUEST

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to approve the submitted Request for Proposal for Employment Sector Data Research:

- 1) *University of Kentucky Research Foundation* (not to exceed \$70,000);

WHY ARE YOU REQUESTING?

In the Fiscal Year (FY) 2022 Adopted Budget, the Lexington-Fayette Urban County Council authorized funding for employment sector data research. The purpose of funding is to provide an analysis of employment trends; an assessment of workforce characteristics and challenges; and an economic and fiscal impact analysis of hypothetical expansions in 10 of Lexington's main industrial sectors.

What is the cost in this budget year and future budget years?

The cost for this FY '22 is: \$70,000

Are the funds budgeted?: Yes

File Number: 1101-136102-1362-71299

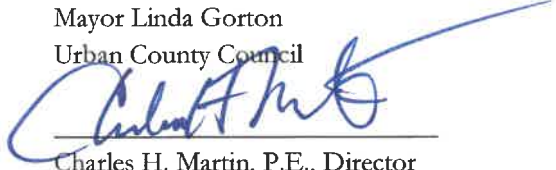
Director/Commissioner: Kevin Atkins



MAYOR LINDA GORTON

**LEXINGTON**CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

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

DATE: June 22, 2021

SUBJECT: Master Sewer Service Agreement Amendment
Jessamine-South Elkhorn Water District

Request

On behalf of the Jessamine County Fiscal Court, the Jessamine County Public School System and the Jessamine-South Elkhorn Water District (JSEWD), the Division of Water Quality recommends approval of an amendment to the Master Sewer Service Agreement between JSEWD and LFUCG.

Purpose of Request

In April of this year, Jessamine County officials approached LFUCG with a proposal to amend the existing sewer service agreement. The proposed amendment would:

- Maintain the current maximum capacity allocation of 2.0 million gallons per day based on a 12 month moving average, and
- Modify the existing service area boundary to include a 127.5 acre tract of land south of Ashgrove Pike. The Jessamine County School Board wants to construct a new middle school campus on this parcel. A future elementary school is a possibility as well.

Project Cost in FY21 and in Future Budget Years

There is no additional cost to LFUCG.

Director/Commissioner

Martin/Albright



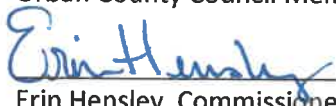
MAYOR LINDA GORTON



LEXINGTON

ERIN HENSLEY
COMMISSIONER
FINANCE

TO: Mayor Linda Gorton
Sally Hamilton, CAO
Urban County Council Members

FROM: 
Erin Hensley, Commissioner of Finance

DATE: June 24, 2021

SUBJECT: Energy Project Assessment District (EPAD) – 941 Manchester Street

Request

Authorization to approve and execute any documents related to an Energy Assessment District assessment at 941 Manchester Street, which permits the commercial property owner to finance energy improvements to the property through private loans that are then paid through an assessment on the property owner's tax bill. Council is requested to approve an ordinance authorizing the assessment on the same property, the Mayor to sign all documents related to the assessment, and applicable divisions to provide paid assessments to the lender.

Why are you requesting?

Department needs this action completed because in Ordinance 24-2018, LFUCG created an Energy Project Assessment District (EPAD) covering all of Fayette County, which allows a commercial property owner to finance energy improvements on its property through private loans that are paid by an assessment on the property owner's tax bill each year.

What is the cost in this budget year and future budget years?

The cost for this FY is: N/A

The cost for future FY is: N/A

Are the funds budgeted?

The funds are budgeted: N/A

Account number: N/A

File Number: 0673-21

Director/Commissioner: Hensley



MAYOR LINDA GORTON

**LEXINGTON**CHARLES H MARTIN
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

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

DATE: June 25, 2021

SUBJECT: Student Intern Clinical Education Agreement with the University of Kentucky for
Educational Training at the Town Branch WWTP Laboratory

Request

The Division of Water Quality recommends the approval of a Clinical Education Agreement between the University of Kentucky and LFUCG for student interns to work and receive training at the Town Branch Wastewater Treatment Plant (WWTP) laboratory.

Why are you requesting?

This agreement between the University of Kentucky and LFUCG would provide student intern staff support to the Division of Water Quality treatment plant laboratory at no cost to LFUCG. In exchange, the laboratory staff would provide training and practical, hands-on educational experience for the students related to their field of study.

What is the cost in this budget year and future budget years?

There is no cost to LFUCG for the interns to work at the Division of Water Quality treatment plant laboratory—the University of Kentucky will pay the interns and cover insurance.

Are funds budgeted?

NA

File Number:**Director/Commissioner:** Martin/Albright

MAYOR LINDA GORTON



LEXINGTON

JOHN MAXWELL
DIRECTOR
HUMAN RESOURCES

M E M O R A N D U M

TO: Linda Gorton, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM:

John Maxwell by Jm Walters

John Maxwell, Director
Division of Human Resources

DATE: June 25, 2021

SUBJECT: Create position – Division of Grants and Special Programs

Request:

The attached action is requesting authorization to create one (1) classified position of Homelessness Prevention Manager (Grade 526E) in the Division of Grants and Special Programs, effective upon passage of Council.

Why are you requesting?

At the request of the Council, the Division of Human Resources conducted a classification study on the requested position. The study was conducted according to standard procedures using the Job Analysis Questionnaire (JAQ) and position audit. The position was analyzed by staff using the whole job rank and factor comparison methods. As a result, a recommendation for their requested position as described in this action.

What is the cost in this budget year and future budget year?

To illustrate, this has a 12-month future impact of a cost \$103,609.04.



Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Homelessness Prevention Manager	\$0	\$74,628.32	\$74,628.32
Total Annual Impact/ Salary and Benefits \$103,609.04			

File Number:

0691-21

Director/Commissioner: John Maxwell/Sally Hamilton

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





TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

FROM: CHARLIE LANTER, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: JUNE 28, 2021

SUBJECT: Amendment to Agreements with GreenHouse17

Request: Council authorization to execute amendment to agreements with GreenHouse17's Emergency Shelter and Rapid Rehousing Programs to move Emergency Solutions Grant CARES Act funds from Shelter to Rapid Rehousing in the amount \$44,813.

Purpose of Request: On August 27, 2020 (Resolution 395-2020), Council authorized acceptance of federal Emergency Solutions Grant (ESG) from U.S. Department of Housing and Urban Development under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) for response to COVID-19. GreenHouse17 was awarded \$373,493 for Shelter operation and \$20,000 for a Rapid Rehousing Program. GreenHouse17 requests a grant adjustment to reduce the Shelter award by \$44,813 for a total amount of \$328,680. This is due to fewer hotels needed because of vaccine implementation, decreased transportation for delivery of services to hotels, difficulties meeting reimbursement expense and hazard pay for staff reduce due to state of emergency changes and increase the Rapid Rehousing Program \$44,813 for a total amount of \$64,813.

What is the cost in this budget year and future budget years? All funds were previously budgeted. Funds for future budget years are dependent upon availability of grant funds.

Are the funds budgeted? FY22 budget amendment in process.

File Number: 0693-21

Director/Commissioner: Lanter/Hamilton





TO: Linda Gorton, Mayor
Urban County Council

FROM: Elodie Dickinson, Director of Business & Workforce Engagement

CC: Kevin Atkins, Chief Development Officer

DATE: Monday, June 28, 2021

SUBJECT: Economic Development Grant (Workforce Partners) – Year 2 PSA Amendments

REQUEST

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to approve the submitted Amendments to Year 2 Purchase Of Service Agreements (PSA's) for the following Workforce Partners (in alphabetical order):

- 1) Building Institute of Central Kentucky;
- 2) *Community Action Council;*
- 3) *Kentucky Refugee Ministries, Inc.;*

WHY ARE YOU REQUESTING?

In the Fiscal Year (FY) 2022 Adopted Budget, the Lexington-Fayette Urban County Council authorized funding for Year 2 of the Economic Development Grant.

What is the cost in this budget year and future budget years?

The cost for this FY '22 is: \$130,000

Are the funds budgeted?: Yes

File Number: 1144 – 136102 – 1362 – 78103

Director/Commissioner: Kevin Atkins





TO: Linda Gorton, Mayor
Urban County Council

FROM: Elodie Dickinson, Director of Business & Workforce Engagement

CC: Kevin Atkins, Chief Development Officer

DATE: Monday, June 28, 2021

SUBJECT: Lexington Workforce Resource Center (Memo of Agreements)

REQUEST

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to approve the submitted Memo of Agreements from the following Workforce Partners (in alphabetical order):

- 1) *Bluegrass Area Development District (KY Career Center);*
- 2) *Bluegrass Community & Technical College;*
- 3) *Goodwill Industries of Kentucky;*
- 4) *Jubilee Jobs;*
- 5) *Kentucky Refugee Ministries, Inc.;*
- 6) *Lexington Rescue Mission;*
- 7) *Opportunity for Work & Learning;*
- 8) *Urban League of Lexington-Fayette County;*

WHY ARE YOU REQUESTING?

In the Fiscal Year (FY) 2022 Adopted Budget, the Lexington-Fayette Urban County Council authorized funding for the Lexington Workforce Resource Center, located at Charles Young Center.

What is the cost in this budget year and future budget years?

The cost for this FY '22 is: \$16,000

Are the funds budgeted?: Yes

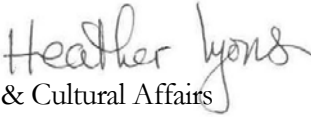
File Number: 1144-136102-1362-78103

Director/Commissioner: Kevin Atkins



June 28, 2021

TO: Mayor Linda Gorton
City Council

FROM: Heather Lyons 
Director of Arts & Cultural Affairs

RE: Authorization to execute Purchase of Service Agreement with Roots and Heritage Festival, Inc.

Authorization of Lexington-Fayette City Council is requested to execute the Purchase of Service Agreement with Roots and Heritage Festival, Inc. The Festival will take place from September 10 - 12, 2021. Festival activities will include a street bazaar, parade, children's activities, concerts and other entertainment.

The amount to be paid to the Roots and Heritage Festival, Inc. is \$35,500. This amount does not include approximately \$62,000 of in-kind services provided by various Divisions of the Lexington-Fayette Urban County Government. The funds are budgeted in account 1101-134201-1430-71299.

Council authorization to execute the Agreement is requested.

**TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL**

**FROM: CHARLIE LANTER, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: JUNE 28, 2021

SUBJECT: Acceptance of Funds for Head Start Program at the Family Care Center

Request: Council authorization to accept additional award of federal funds from Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc., in the amount of \$15,000 for provision of early childhood care and education services under the Head Start Program at the Family Care Center for FY 2021. No matching required.

Purpose of Request:

Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc., (Community Action Council) has offered the Lexington-Fayette Urban County Government Division of Family Services federal funds in the amount of \$15,000 for support of early childhood care services beginning June 30, 2021. Services to be provided include early childhood education, health services, social services, and parent involvement as outlined in the Head Start Program Performance Standards.

The Head Start Program is administered by the U.S. Department of Health and Human Services, Administration for Children and Families with the objective of promoting school readiness by enhancing the social and cognitive development of low-income children. The program is authorized by the Head Start Act, as amended by the Improving Head Start for School Readiness Act of 2007, Public Law 110-134, 42 U.S.C 9801.

What is the cost in this budget year and future budget years? Estimated \$15,000 in federal funding for Fiscal Year 2021. No matching funds required. Funds will be used to offset existing personnel and operating costs in the Family Care Center's Early Childhood Education Program. Future years' funding is dependent upon availability of federal funds for this program.

Are the funds budgeted? FY2022 budget amendment is in process.

File Number: 0697-21

Director/Commissioner: Joanna Rodes/Chris Ford

MAYOR LINDA GORTON



LEXINGTON

JOHN MAXWELL
DIRECTOR
HUMAN RESOURCES

M E M O R A N D U M

TO: Linda Gorton, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM:

John Maxwell by Amralters
John Maxwell, Director
Division of Human Resources

DATE: June 28, 2021

RE: Abolish and Create Positions - FY 2022 Budget

The attached action amends the classified civil service, unclassified civil service and sworn authorized strength, abolishing and creating positions as approved in the FY 2022 budget process, to become effective July 1, 2021.

These approved positions include the following:

- In 21-5 of the Code of Ordinances:
 - Abolish one (1) vacant classified position of Administrative Officer Sr. (Grade 526E) and create one (1) classified civil service position of Administrative Officer (Grade 523E) in the Department of Information Technology.
 - Abolish one (1) vacant classified position of Technical Specialist (Grade 515N) in the Division of Computer Services.
 - Abolish one (1) vacant classified position of Staff Assistant Sr. (Grade 510N) in the Division of Purchasing.
 - Create one (1) classified civil service position of Human Resources Analyst (Grade 520E) in the Division of Human Resources.



- Create three (3) classified civil service positions of Telecommunicator (Grade 514N) and one (1) Radio/Electronics Specialist (Grade 515N) in the Division of Enhanced 911.
 - Create one (1) classified civil service position of Fleet Operations Manager (Grade 521E) in the Division of Fire and Emergency Services.
 - Create one (1) classified civil service position of Grants Manager Sr. (Grade 526E) and one (1) classified civil service position of Affordable Housing Specialist (Grade 518N) in the Division of Grants and Special Programs.
- In 22-5 of the Code of Ordinances:
 - Create one (1) unclassified civil service position of Administrative Aide to the Mayor Sr. (Grade 524E) in the Office of the Mayor.
 - Abolish one (1) vacant unclassified civil service position of Staff Assistant Sr. (Grade 510N) in the Board of Elections.
 - Create one (1) unclassified civil service position of Public Works Apprentice (Grade 504N) in the Division of Streets and Roads.
- In 23-5 of the Code of Ordinances:
 - Create one (1) position of Police Sergeant (Grade 315N) in the Division of Police.
 - Create five (5) positions of Police Officer (Grade 311N) in the Division of Police.

The fiscal impact for FY 2022 (26 pay periods) will be budget neutral. All funding for the new positions is included in the FY 2022 approved budget.

File Number:

0698-21

Director/Commissioner: John Maxwell/Sally Hamilton

If you have questions or need additional information, please contact Alisha Lyle 859-258-3957.



TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

FROM: CHARLIE LANTER, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: JUNE 28, 2021

SUBJECT: Request Council authorization to submit an application, pending match confirmation with partners, to the U.S. Department of Transportation under the RAISE Discretionary Grants Program requesting federal funds in the amount of \$14,000,000 and providing \$3,500,000 in local match for the High Street Corridor Safety and Mobility Improvements Initiative.

Request: Council authorization to submit an application, pending match confirmation with partners, to the U.S. Department of Transportation under the RAISE Discretionary Grants Program requesting federal funds in the amount of \$14,000,000 and providing \$3,500,000 in local match for the High Street Corridor Safety and Mobility Improvements Initiative.

Purpose of Request:

Prompted by a significant accident record along the High Street corridor that has included the tragic loss of life, an effort to improve this roadway and address connectivity has been proposed. Grant funds would be used for design, right-of-way acquisition, utility work, and construction to address critical needs related to vehicular, bicycle, and pedestrian safety for a highly trafficked area of downtown Lexington. The sections to be constructed with the RAISE funding would include improvements along West High Street between Patterson Street and Oliver Lewis Way, along Oliver Lewis Way from McKinley Street to Manchester Street, Jefferson Street at High Street and Manchester, and Manchester between Oliver Lewis Way and Jefferson Street. Project partners have been engaged and determination of required 20% match is ongoing. Partners include the State of Kentucky Transportation Cabinet, Lexington Area MPO, Kentucky Utilities, Town Branch Park, Inc., and Lexington Center Corporation. With Council approval, application will be made by the grant submission deadline of July 12, 2021 provided that the required 20% match is identified. If less than the identified \$3.5M match is secured then a project application may be submitted with a scaled back scope and budget in order to meet the 20% match requirement. If adequate match is not identified then no application will be made.

What is the cost in this budget year and future budget years? \$17,500,000 to include \$14,000,000 in federal grant funds, \$200,000 in MAP funds, and the remainder of the match in the amount of \$3,300,000 from non LFUCG sources. Future years' funding is dependent upon availability of federal funds for this program.

Are the funds budgeted? Yes, 1136-303202-3251-91715

File Number: 0699-21

Director/Commissioner: Peacher/Scott

**LEXINGTON**

**TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL**

**FROM: TODD SLATIN, DIRECTOR
DIVISION OF CENTRAL PURCHASING**

DATE: JUNE 28, 2021

**SUBJECT: Professional services agreement Vaccine Distribution Management
Services**

Request:

Request Council authorization to execute a professional services agreement with Elevation Leadership LLC in the amount of \$37,000 plus travel and expenses for Vaccine Distribution Management Services. The original contract called for payment of \$29,000, and the contract's extension of two months will total \$8,000. The updated contract will expire August 31, 2021.

Why are you requesting?

Expedited and appropriate distribution of the COVID-19 vaccine is a critical component in Lexington's recovery from the pandemic. Elevation Leadership has chaired and organized the Mayor's Vaccine Distribution Task Force, coordinated communication efforts with the Urban County Government and the public, defined processes and objective measurements, and provided updates to the Mayor's Office and the Council. The Mayor would like to extend the contract to ensure more people in Lexington get vaccinated heading into the fall.

What is the cost in this budget year and future budget years?

Not to exceed \$8,000 plus travel and expenses in FY22.

Are the funds budgeted? Yes, budget amendment in process.

File Number: L0700-21



Director/Commissioner: Slatin/Henley

Account String: 1101-505204-5251-71299



**Neighborhood Development Funds
July 6, 2021
Work Session**

Amount	Recipient	Purpose
\$ 900.00	Pralltown Neighborhood Association Betty J. Boyd 195 Prall Street Lexington, KY 40508	To assist with their community picnic.
\$ 1,000.00	Dogwood Trace Neighborhood Association Mark Amann 4860 Bud Lane Lexington, KY 40513	To assist with landscaping improvements to the neighborhood entrance and beautification at the Harrodsburg Rd. intersection.
\$ 300.00	Man O'War Swim Conference c/o Cumberland Hill Neighborhood Jennifer Harvey 1001 Stowbridge Lane Lexington, KY 40515	To assist with their annual swim conference.



Planning and Public Safety Committee Virtual Meeting

May 4, 2021

Summary and Motions

Chair J. Brown called the meeting to order at 1:05 p.m. Committee Members Ellinger, McCurn, Lamb, Kloiber, Worley, Baxter, Bledsoe, Reynolds, and Plomin were in attendance. Vice-Mayor Kay and Council Members Moloney, Sheehan, and F. Brown were in attendance as non-voting members.

J. Brown began the meeting with the following statement: “Due to the COVID-19 pandemic and State of Emergency, this meeting is being held via live video teleconference pursuant to 2020 *Senate Bill 150*, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting.”

I. Approval of April 6, 2021 Committee Summary

Motion by Plomin to approve the April 6, 2021 planning and Public Safety Committee Summary.
Seconded by McCurn. The motion passed without dissent.

II. Recruitment, Retirement, and Retention for Public Safety

Ken Armstrong, Commissioner of Public Safety, provided a presentation on recruitment, retirement, and retention for the Divisions of Fire, Police, and Community Corrections. He explained that recruitment and retention may vary as each division has certain issues they experience with retention, the application process, and retirements. He pointed out that the hiring process was impacted by COVID-19 as well social unrest in the community, but he stressed that all 3 divisions have a solid recruitment plan in place for the long-term and short-term using both new and traditional methods. He mentioned the budgetary impact from overtime, equipment, and training. He reviewed the current staffing levels, highlighting that there is a recruiting class currently in process and one that is scheduled to begin. He reviewed the timeline for the hiring process and emphasized the rigorous application process which is necessary to get the best employees especially considering the liability involved with these positions. He spoke about the seniority of current strength and highlighted those with 20 or more years of service compared to those with 3 years or less years and said typically when someone stays 3 or more years, they stay long-term.

Responding to Baxter’s question about whether testing is provided in-house or by an outside agency, Armstrong explained that Police and Fire testing is administered by outside entities and Community Corrections uses a certified test provided by an outside entity, but it is administered by staff.

Lamb asked if candidates currently complete the academy and leave to join another agency as they have in the past or if there are now parameters in place that stipulate a service requirement upon completion of the training. Armstrong said he is not aware of a requirement in place right now and this is not a pattern that he is seeing currently, but there are people retiring and going to other law enforcement entities. Since Police and Fire have their own retirement system, Lamb asked if Community Corrections is the only division moving from a 20-year to a 25-year retirement and Armstrong clarified that this also includes Police and Fire, with the exception of those who were grandfathered in under a different system. Lamb expressed concern that the number of current strength in Division of Police with 20 or more years seems

low and Armstrong explained that this is because there were several officers who unexpectedly retired last year.

Of the 31 retirements in Police, Plomin asked how many of those were considered early retirements. Armstrong stressed that the majority of the “early” retirements refers to those who served 21 or 22 years and they were exercising their right to retire after meeting the minimum service requirement. Plomin asked about the budgetary impact for overtime and equipment and Armstrong explained this was for new recruits.

Bledsoe spoke about the screening process which is designed to get quality candidates for all 3 divisions before we invest time in the lengthy training. She expressed concern about the difference already this year in the Police Academy which is down 20% when typically we lose 15-20% from the first day of training until the last (which is months away) and this indicates we will have fewer officers on patrol and/or able to respond to district issues. Armstrong explained that the training program is designed to instruct Police, Fire, or Corrections candidates on how to correctly perform the job and in a way that best serves the community. He highlighted the primary responsibility in Division of Police is that the calls for service are answered. At times, he said, the allocation of personnel in specialized units has to be put on hold to ensure there is adequate patrol on the street and officers responding to those calls. Bledsoe stressed that with fewer officers, there would be a reduction in some of the services provided which will impact the community and she highlighted that it is an 18-month process to get people trained and on the job.

Ellinger asked what accounts for the difference in “actual” versus “sworn available” and Armstrong explained that “sworn available” is the number of actual officers available for duty and the difference in actual and sworn available could be due to military leave, illness, or another type of leave. Ellinger asked why the difference would be larger in Division of Police and Armstrong clarified that the “actual” number includes 35 recruits.

Moloney asked if there are candidates completing our training process, but relocating to another city for an increase in salary. Armstrong explained that this occurs occasionally, but normally there is a reason behind it such as retiring and going on to work for another organization. Moloney asked if there is a significant difference between retiring at 20 years or 25 years and Armstrong said it amounts to an additional 2.5% for every year served after 20 years.

Speaking about the number of police officer resignations on today’s Work Copy Docket, Lamb asked if recruits also come through as resignations or if these are only sworn police officers. Armstrong confirmed that recruits are included in this number and that 5 out of the 8 resignations on the Work Copy Docket for today came from recruits.

Plomin asked if a strategy could be implemented that would replace an officer in a position that could be performed by a civilian so the officer could be on the street. Armstrong explained that this is reviewed frequently, but often it is based on the sensitivity of the assignment.

J. Brown spoke about the lengthy training process, but emphasized the need for officers to have the training provided. He asked if it would be beneficial to add money in the budget for recruiting in Public Safety which could be shifted based on a division’s vacancies. Armstrong said any funding allocated to recruitment would be great. J. Brown stressed that a holistic approach might be the best way to address recruiting across all Public Safety divisions.

No comment or action was taken on this item.

III. Lexington Police Department Policy – No-Knock Warrants

Keith Horn, Managing Attorney in the Law Department, began the presentation by defining a no-knock warrant as a search or arrest warrant that authorizes entry without notice, meaning officers would not be required to knock and announce themselves and their purpose prior to entry. He provided a summary of *Senate Bill 4* which establishes requirements for issuance and execution of no-knock warrants and prohibits issuance of such warrants unless there are exigent circumstances, part of which would be establishing a life is in danger. He spoke about the meaning of a violent offender as defined in KRS 439.3401 and detailed a variety of offenses that fall under this category. He reviewed the requirements under *Senate Bill 4* that an officer is to follow when obtaining and executing a warrant and he explained the penalties associated with violating the provision of this act. Concluding the presentation, Horn emphasized that the proposed LFUCG Draft Ordinance bans the use of no-knock warrants by Lexington Police Department and the Draft Ordinance provides general requirements for executing regular search warrants.

J. Brown explained that *Senate Bill 4* provides guidance for no-knock warrants on a statewide basis, but it is important to have a local policy to address the issues raised by our community. In addition to us having a permanent policy, he said, this also allows us to have our own ordinance to protect the citizens and officers in our community. He requested consideration of a July 1, 2021 effective date which would allow time to have all officers equipped with body worn cameras.

Kloiber asked who was involved in putting the proposal together. J. Brown explained that a Draft Ordinance had previously been put together by the Law Department, but there was a review of language provided by the Black Faith Leaders and Louisville's Ordinance. Considering both of these, we worked with the Lexington Police Department and the Law Department to craft the language incorporated into the LFUCG Draft Ordinance.

Lamb asked if the "absent exigent circumstances" language removes the ban. Horn explained the Draft Ordinance bans no-knock warrants which means those would no longer be utilized by Division of Police. He explained "exigent circumstances" is doctrine that has existed for a long time and it permits entry of a premises without a warrant if exigent circumstances exist and it permits entry without announcing if you have a warrant and an exigent circumstance exists. As an example, he said, if an officer approaches a house and sees through the window that someone is in danger or a violent crime is in process, the officer can enter without knocking or announcing because it is an exigent circumstance. Responding to Lamb's question about the effective date of *Senate Bill 4*, Horn said it goes into effect June 29, 2021. He added that if we do not move forward with the ban on no-knock warrants, any no-knock warrant sought would have to meet the requirements set forth in *Senate Bill 4* before it could be issued.

Worley asked how the proposed Draft Ordinance and *Senate Bill 4* correlate since *Senate Bill 4* still allows for no-knock warrants. Horn explained that *Senate Bill 4* does not require a department to use a no-knock warrant, but it sets parameters for seeking and executing no-knock warrants. He added that it does not prohibit a local government from deciding that their department is not going to seek no-knock warrants. Worley asked if there is space for a local government to regulate even though the state statute does not prohibit no-knock warrants. Horn said the state has not preempted the field in this case so local governments can be more restrictive in their legislation, but can't pass something that would permit less than what has been laid out in *Senate Bill 4*. In reference to no-knock warrants in Lexington, Worley asked

if it is true that in the past 5 years there have been (4) no-knock warrants executed and Lawrence Weathers, Chief of Lexington Police Department confirmed this to be correct. When Worley asked if it is true that all 4 of these cases involved violent offenders and Weathers said that is correct and said he is not aware of injuries associated with any of them. Worley spoke about the language “15 seconds or reasonable time” and he asked if there is a policy directly related to “reasonable time” in the current execution standards. Weathers said the “reasonable time” requirement is included because situations are dynamic and placing a time limit is potentially dangerous for officers or those on the inside.

J. Brown asked if the language “15 seconds or reasonable time” language was to build consistency in the General Orders regarding the execution of warrants. Horn said that is correct and the General Order pertaining to search warrants says that a reasonable amount of time is typically 15-20 seconds, but this leaves room for circumstances on the ground. J. Brown spoke about the Mayor’s Moratorium in relation to the Ordinance and asked which would take precedence. Horn explained that if it is an area that can be legislated on, the legislation is going to take precedence over the Moratorium. Because this is an area that be legislated on, an ordinance can be passed that bans no-knock warrants and the Moratorium would no longer be necessary because Lexington Police Officers would no longer be seeking no-knock warrants.

Motion by Reynolds to move the ordinance on no-knocks to the full Council [an ordinance enacting section 23-51 of the code of ordinances of the Lexington-Fayette Urban County Government, banning the use of no-knock warrants by the Division of Police; requiring Lexington police officers to knock and announce themselves before entering a premises to execute a warrant; and requiring any Lexington police officer present in the initial entry and securing of the scene of a warrant to be equipped with and activate a body worn camera] (effective July 1, 2021). Seconded by Ellinger. The motion passed without dissent (as amended).

Bledsoe spoke about the issue of 15 seconds which is in policy and said she understands the concern that comes with dynamic situations and different types of housing.

Motion by Bledsoe to amend section 23-51 (c)(3) to remove the language “15 seconds” and have it read “wait a reasonable amount of time after knocking and announcing before entering”. Seconded by Ellinger. The motion passed without dissent.

Reynolds expressed concern that a reasonable amount of time can be vague, but she does not want to limit this to 15 seconds if that is too much. Weathers explained that sometimes there is a need to execute a no-knock search warrant. He said they are strictly served for the safety and protection of those on the other side of the door. He said the history of no-knocks shows they are safe, but there are exceptions like the incident in Louisville, but those exceptions are not the rule. He said we need to look at department’s experience and expertise and stop focusing on what happened elsewhere. Regarding the 15 seconds, he said it comes down to judgment and regardless of the amount of time they wait, they will do their best to ensure that no one is hurt.

Worley said he is supportive of the Ordinance and he wants the public to be aware of the full scope of no-knock warrants in Fayette County. He stressed that doing this is not a criticism of the Chief’s judgment

or the Lexington Police Department. Lamb suggested gathering public input while this is moving forward through the process to provide an opportunity for the public to voice concerns. J. Brown emphasized that the intent is not to rush this through, but to allow time for public comment during council meetings and this will also allow time for constituents to e-mail concerns before the report-out. Kay expressed gratitude to the Police Department for their service to this community. He said there are abuses that can occur because they have occurred in other places, but we are approaching this in a responsible way. J. Brown agrees that this is no reflection on our local Police Department, but we are being responsive to community concerns.

IV. Items Referred to Committee

Motion by Lamb to remove *Article 6 - Alternative Zone Change Process* item from committee. Seconded by Plomin. The motion passed without dissent.

Motion by McCurn to remove the *Dockless Vehicles (Scooters) Ordinance Amendments* item from committee. Seconded by Lamb. The motion passed without dissent.

Worley requested an update on the *Electronic Billboards* item since there are lawsuits with advertising companies that claim our current sign ordinance is unconstitutional. Plomin said because of the litigation, the subcommittee has paused the work on this. Worley asked if there was an update that could be provided and Plomin said there could be update on what has taken place so far.

Motion by Reynolds to remove the *Lexington Police Department Policies and Procedures: Off-Duty Employment* and *Lexington Police Department Policies and Procedures: Use of Force* items from committee. Seconded by Lamb. The motion passed without dissent.

Motion by Lamb to adjourn. Seconded by McCurn. Motion passed without dissent.

The meeting adjourned at 2:43 p.m.