Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Tuesday, March 15, 2022

3:00 PM

REVISED Packet

Council Chamber

Urban County Council Work Session

Urban County Council
Schedule of Meetings
March 14, 2022 – March 21, 2022

Monday, March 14
No Meetings

Tuesday, March 15
CANCELLED: Budget, Finance & Economic Development Committee……..1:00 pm
Council Chamber – 2nd Floor Government Center

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

Wednesday, March 16
No Meetings

Thursday, March 17
Lexington Industrial Authority Board……..9:00 am
Conference – 12th Floor Government Center

Corridors Commission……..12:00 pm
Video Teleconference

Council Workshop: Diversity & Inclusion……4:00 pm
Video Teleconference

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

Council Spring Recess Begins (Regular meetings resume April 12, 2022)

Friday, March 18
No Meetings

Monday, March 21
No Meetings

Lexington-Fayette Urban County Council
REVISED Work Session Agenda
March 15, 2022

I. Public Comment - Issues on Agenda

II. Requested Rezonings/ Docket Approval – Yes

III. Approval of Summary – Yes, p. 1-2

- **a** Table of Motions: Council Work Session, March 8, 2022

IV. Budget Amendments – Yes, p. 3-5

V. New Business – Yes, p. 6-40

VI. Continuing Business/ Presentations

- **a** Neighborhood Development Funds: March 15, 2022, p. 41
- **b** Presentation: Police Technology; By: Assistant Chief Eric Lowe, p. 42-51
- **c** Presentation: CBA: Firefighters, Lieutenants and Captains; By: David Barberie, p. na

VII. Council Reports

VIII. Mayor's Report – Yes

IX. Public Comment - Issues Not on Agenda

X. Adjournment

Administrative Synopsis - New Business Items

a	**0194-22**	Authorization for the Mayor to execute a renewal of a Software Maintenance/End User License Agreement for Representative Payee software with Horizon Information Systems at a cost of $670.40. Funds are budgeted. (L0194-22) (Sanders/Lanter) p. 6
b	**0234-22**	Authorization to execute certificates of consideration and other necessary documents, and to accept deeds for property interests needed for the Leestown Road Industrial Pump Station Project, at a cost not to exceed $8,372.00. Funds are budgeted. (0234-22) (Martin/Albright) p. 7-8
c	**0238-22**	Authorization of the update Solid Waste Management Area Designation and Plan for Lexington-Fayette County for 2023-2027 as part of the solid waste management five-year planning process, pursuant to KRS 224.43-340 and 224.43-345. No budgetary impact. (L0238-22) (Thurman/Albright) p. 9
d	**0239-22**	Authorization to execute an agreement awarding a Class B (Infrastructure) Incentive Grant to Beaver Creek Hydrology, LLC, for stormwater quality projects, in the amount of $127,050.00. Funds are budgeted. (0239-22) (Martin/Albright) p. 10-11
e	**0240-22**	Authorization to execute an agreement awarding a Class B (Education) Incentive Grant to The Living Arts and Science Center, Inc., for stormwater quality projects, in the amount of $34,426.00. Funds are budgeted. (L240-22) (Martin/Albright) p. 12-13
f	**0241-22**	Authorization to execute a contract between Fayette County Public Schools and the Division of Family Services, for preschool services at the Family Care Center. No budgetary impact. (0241-22) (Allen-Bryant) p. 14
g	**0242-22**	Authorization to execute an agreement awarding a Class B (Education) Incentive Grant to The University of Kentucky Research Foundation (UKRF), for stormwater quality projects, in the amount of $34,997.00. Funds are budgeted. (L0242-22) (Martin/Albright) p. 15-16
h	**0243-22**	Authorization to abolish one (1) vacant classified position of Administrative Specialist Sr. (Grade 516N) and create one (1) classified position of Paralegal (Grade 517N) in the Department of Law, effective upon passage of Council. This action has a future impact of a cost of $3,164.53 and funds are budgeted. (L0243-22) (Maxwell/Hamilton) p. 17-18
i	**0252-22**	Authorization to establish Metals Treatment Technologies (MT2) Firing Range Services as a Sole Source Vendor for lead remediation of the berm at the Police Firearms Range at a cost of $50,460.00, which is required by US EPA. Funds are budgeted. (L0252-22) (Weathers/Armstrong) p. 19
j	**0253-22**	Authorizing to execute certificates of consideration and other necessary documents, and to accept deeds for property interests needed for the East Hickman Force Main Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed $26,000.00. Funds are budgeted. (L0253-22) (Martin/Albright) p. 20-21

k	**0255-22**	Authorizing to execute an agreement between LFUCG and Columbia Gas for the relocation of an existing 6-inch gas main needed for the Wolf Run Trunk E Remedial Measures Project, at a cost not to exceed $14,786.00. Funds are budgeted. (L0255-22) (Martin/Albright) p. 22-23
l	**0256-22**	Authorization to execute an agreement with Cloudburst Consulting Group with funding from the America Rescue Plan Act for a Racial and Equity Analysis, providing recommendations to align systems of care and organizations across Fayette County to prevent and end homelessness with a primary focus on racial equity, at a cost not to exceed $87,385.00. Funds are budgeted. (L0256-22) (Lanter) p. 24-25
m	**0258-22**	Authorization to accept a donation from the Creech Family Foundation, Inc., in the amount of $30,000.00 for the purchase of handicap accessible fitness equipment to be added to Castlewood Park. (L0258-22) (Conrad/Ford) p. 26
n	**0259-22**	Authorization to accept the Collective Bargaining Agreement between LFUCG and Lexington Professional Firefighters IAFF Local 526, on behalf of Firefighters, Lieutenants and Captains. The agreement is for a three-year term (retroactive July 1, 2021) with an additional cost of $2.4 million for this fiscal year. Funds are budgeted and a budget amendment will be processed as needed. (L0259-22) (Barberie/Speckert) p. 27
o	**0260-22**	Authorization to amend Section 22-53.1(c) of the Code of Ordinances to change the maximum age requirement for a Police Academy Examination Candidate from thirty-seven to forty-one. The candidate shall not have reached their forty-first birthday by the application filing deadline date. No budgetary impact. (L0260-22) (Weathers/Armstrong) p. 28
p	**0261-22**	Authorization to amend Section 18-47(a) of the Code of Ordinances to change the minimum age requirement for a Police Safety Officer from twenty-one (21) years of age to eighteen (18) years of age. The Safety Officer shall be at least eighteen (18) years of age. No budgetary impact. (L0261-22) (Weathers/Armstrong) p. 29
q	**0263-22**	Authorization to submit an application, and accept award if offered, to the Division of Waste Management in the amount of $102,000 for the support of a one-day household hazardous waste recycling event for Fayette County. A match in the amount of $25,500 is required. Funds are budgeted. (L0265-22) (Thurman/Albright) p. 30
r	**0265-22**	Authorization to accept a direct reallocation of federal Emergency Rental Assistance grant funds totaling $11,700,000.00 from the U.S. Department of the Treasury for the continued administration of the Housing Stabilization Program by the Division of Grants & Special Programs. No matching funds are required. A budget amendment is in process. (L0265-22) (Lanter) p. 31
s	**0266-22**	Authorization to approve Advanced Eco Systems as a sole source provider for the purchase of Zumro decontamination accessory kits for hospitals for the Division of Emergency Management at a cost not to exceed $136,362.00. Funds are budgeted. (L0266-22) (Dugger/Armstrong) p. 32

t	**0267-22**	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 not to exceed $25,000,000 and providing a local match not to exceed $11,000,000 for the High Street Corridor Safety and Mobility Improvements Initiative. (L0267-22) (Peacher/Scott) p. 33-34
u	**0268-22**	Authorization to amend Resolution No. 457-2020, authorizing the acceptance of deeds for property interests needed for the New Circle Road Trunk Sewers A & B Project, a Remedial Measures Project required by the Consent Decree, increasing the cost of acquisition of easements by $40,000.00, from $51,000.00 to $91,000.00. Funds are budgeted. (L068-22) (Martin/Albright) p. 35-36
v	**0269-22**	Authorization to execute an amendment to a sub-recipient agreement with Community Action Council and allocate $10,530,000.00 of Emergency Rental Assistance grant funds from the U.S. Department of the Treasury for the continued operation of the Housing Stabilization Program. A budget amendment is in process. (0269-22) (Lanter) p. 37
w	**0270-22**	Authorization to execute Supplemental Agreement No. 1 with the Kentucky Transportation Cabinet to amend the funding agreement for Mt Tabor Road Multimodal Improvements Project (Item No 07-003721.00), as funded under the Congestion Mitigation and Air Quality (CMAQ) Program, moving funds from the utility phase to the construction phase. A budget amendment will be processed. (L0270-22) (Burton/Albright) p. 38-39
x	**0257-22**	Authorization to enter into a Memorandum of Agreement with Bluegrass Community and Technical College (BCTC) to set forth and ensure compliance with any and all terms and conditions of the participation of fire personnel in college courses associated with the Fire Academy, with the opportunity for these personnel to earn BCTC credits that apply toward an Associate of Fire Science Degree. Costs not to exceed $45,000.00. Funds are budgeted. (L0257-22) (Wells/Armstrong) p. 40

URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
March 8, 2022

Mayor Gorton called the meeting to order at 3:21pm. Council Members Kay, Moloney, Ellinger, J. Brown, McCurn, LeGris, Lamb, Sheehan, Kloiber, Worley, F. Brown, Baxter, Bledsoe and Reynolds were present. Council Member Plomin was absent.

I. Public Comment – Issues on Agenda

II. Requested Rezonings/Docket Approval

III. Approval of Summary

Motion by Kay to approve the March 1, 2022 Work Session summary. Seconded by Ellinger. Motion passed without dissent.

IV. Budget Amendments

V. New Business

Motion by Sheehan to approve new business. Seconded by Baxter. Motion passed without dissent.

VI. Continuing Businesses/Presentations

Motion by Sheehan to approve neighborhood development funds. Seconded by Reynolds. Motion passed without dissent.

CM Lamb provided a summary of the January 11, 2022 General Government & Social Services Committee meeting. No motions were reported from this meeting.

VII. Mayor's Report

VIII. Council Reports

Motion by Kloiber to refer to the Planning and Public Safety Committee potential enhancements to the PDR (Purchase of Development Rights) program. Seconded by Ellinger. Motion passed without dissent.

Motion by Lamb to refer an update on Aging and Disability Services to the General Government and Social Services Committee to be heard in April. Seconded by Baxter. Motion passed without dissent.

Motion by F. Brown to refer to the Environmental Quality and Public Works Committee an update from Commissioner Albright about the pavement management system. Seconded by McCurn. Motion passed without dissent.

IX. Public Comment – Issues Not on Agenda

X. Adjournment

Motion by Bledsoe to adjourn at 3:58pm. Seconded by Ellinger. Motion passed without dissent.

SAM, 3/10/22

BUDGET AMENDMENT REQUEST LIST

JOURNAL	133495	**DIVISION**	Public Safety Administration/ Emergency Management	**Fund Name**	General Fund	
				Fund Impact		5,500.00
						5,500.00CR
						.00

To provide funds for repairs and maintenance of warning sirens by reducing funds for legal professional services.

JOURNAL	133543-44	**DIVISION**	Parks and Recreation	**Fund Name**	General Fund	
				Fund Impact		12,871.60
						12,871.60CR
						.00

To provide funds for Repairs and Maintenance by recognizing scrap revenues from metal sales.

JOURNAL	133590	**DIVISION**	Fire and Emergency Services	**Fund Name**	General Fund	
				Fund Impact		9,600.00
						9,600.00CR
						.00

To provide funds to purchase a Personal Protective Equipment (PPE) dryer by decreasing funds for minor equipment.

JOURNAL	133594-95	**DIVISION**	Parks and Recreation	**Fund Name**	General Fund	
				Fund Impact		6,218.01
						6,218.01CR
						.00

To provide funds to Golf Cost of Inventory-Chemical and Equipment under $5000 by recognizing chemical rebates and sponsorship for city golf tournaments.

JOURNAL	133592-93	**DIVISION**	Parks and Recreation	**Fund Name**	Donation Fund	
				Fund Impact		30,000.00
						30,000.00CR
						.00

To provide funds for accessible outdoor fitness equipment at Castlewood Park by recognizing a donation from Creech Family Foundation.

JOURNAL	133648	**DIVISION**	Environmental Services	**Fund Name**	Urban Fund	
				Fund Impact		50,000.00
						50,000.00CR
						.00

To provide funds for Energy Improvement Projects FY 2022 allocation by providing a transfer to the Urban Service Construction Fund.

JOURNAL	133646	**DIVISION**	Environmental Services	**Fund Name**	Urban Service Construction	
				Fund Impact		50,000.00
						50,000.00CR
						.00

To provide funds for Energy Improvement Projects FY 2022 allocation by recognizing a transfer from the Urban Service Fund.

JOURNAL	133422-23	**DIVISION**	Finance/ Various	**Fund Name**	2022 Bond Projects
				Fund Impact	3,806,398.65
					3,806,398.65CR
					.00

To increase budgets for various bond projects as well as the revenue to accurately reflect the FY 2022 bond proceeds.

JOURNAL	133631	**DIVISION**	Grants and Special Programs	**Fund Name**	US Dept of Treasury
				Fund Impact	13,076.93
					13,076.93CR
					.00

To move funds remaining from Sheriff Premium Pay to Construction Contingency related to American Rescue Plan Act (ARPA) State and Local Recovery Funds/Administrative budget.

JOURNAL	133653-54	**DIVISION**	Grants and Special Programs	**Fund Name**	US Dept of Treasury
				Fund Impact	11,713,298.61
					11,713,298.61CR
					.00

To budget additional federal rent assistance funds for the Housing Stabilization Program.

JOURNAL	133651	**DIVISION**	Environmental Services	**Fund Name**	Sanitary Sewer Fund
				Fund Impact	110,520.00
					110,520.00CR
					.00

To provide funds for Energy Improvement Projects FY 2022 allocation by providing a transfer to the Sanitary Sewer Construction Fund.

JOURNAL	133632	**DIVISION**	Engineering	**Fund Name**	Sewer Construction
				Fund Impact	115,000.00
					115,000.00CR
					.00

To provide funds for Change Order #1 to replace sanitary sewer facilities within the Meadows-Northland-Arlington Phase 6B1 project limits by decreasing balances in other sewer projects.

JOURNAL	133649	**DIVISION**	Environmental Services	**Fund Name**	Sewer Construction
				Fund Impact	110,520.00
					110,520.00CR
					.00

To provide funds for Energy Improvement Projects FY 2022 allocation by recognizing a transfer from the Sanitary Sewer Fund.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Services District Fund	.00
1103	Donation Fund	.00
1115	Full Urban Services District Fund	.00
1116	Urban Service Construction	.00
2612	2022 Bond Projects	.00
3230	US Department of Treasury	.00
4002	Sanitary Sewer Revenue and Operating Fund	.00
4003	Sanitary Sewer Construction Fund	.00

ARPA
BUDGET AMENDMENT REQUEST LIST

JOURNAL	133477-78	**DIVISION**	Grants and Special Programs	**Fund Name**	US Dept of Treasury
				Fund Impact	16,228,000.00
					16,228,000.00CR
					.00

To provide funds for various projects from American Rescue Plan Act (ARPA) State and Local Recovery Funds, as approved by Council February 17, 2022.

Cardinal Run North	$ 10,100,000.00
BCTC Dental Hygiene Relocation	2,000,000.00
Police Fleet	1,500,000.00
OHPI Contracts (Pets and Families)	1,000,000.00
Village Branch Library	1,000,000.00
Greenhouse17	400,000.00
Workforce Development	150,000.00
Radio Lex	78,000.00

BUDGET AMENDMENT REQUEST SUMMARY

3230	US Department of Treasury	.00

MAYOR LINDA GORTON

LEXINGTON

SALLY HAMILTON
CHIEF ADMINISTRATIVE OFFICER

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: Charlie Lanter, Commissioner of Housing Advocacy & Community Development

CC: Danielle Sanders, Director of Community & Resident Services

DATE: February 15, 2022

SUBJECT: Renewal of Software Maintenance Agreement with Horizon Information Systems

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Request:

Request Council authorization for the Mayor to execute a renewal of a Software Maintenance/End User License Agreement with Horizon Information Systems.

Purpose:

This agreement will provide maintenance for the Representative Payee software for Community & Resident Services. This service agreement period is for January 1, 2022 through December 31, 2022, with one-year renewals upon payment of fees, and includes licenses for three users, and help desk and software updates maintenance.

Budgetary implications:

The cost for Fiscal Year 2022 is $670.40.

Are the funds budgeted?

Yes. This will be paid from 1101-606201-6201-75103.

File Number: 0194-22

Director/Commissioner: Danielle Sanders/Charlie Lanter

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: February 23, 2022

SUBJECT: Easement Acquisitions for the Leestown Road Industrial Pump Station Project

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Request

The purpose of this memorandum is to request a Resolution authorizing the acceptance of Deeds of Easement from the owners of record on properties needed for the construction of the Leestown Road Industrial Pump Station project at a cost of $8,372.00.

Purpose of Request

The requested resolution will provide funds for the purchase of permanent and temporary easements on two (2) affected parcels – 164 Trade Street and 172 Trade Street.

Project Cost in FY22 and Future Budget Years

The cost to acquire the necessary easements is $8,372.00.

Are Funds Budgeted

The funds are budgeted in the following account:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
4003	303408	3466	92811	LEESTROWNPS_2021	CONSTRUCT	2021

Director / Commissioner

Martin / Albright

Leestown Road Industrial Pump Station Replacement

Project Location Map

172 Trade Street

MAYOR LINDA GORTON

LEXINGTON

TRACEY THURMAN
DIRECTOR
WASTE MANAGEMENT

MEMORANDUM

TO: Mayor Linda Gorton
Urban County Council

FROM: Tracey Thurman
Tracey Thurman, Director
Division of Waste Management

DATE: February 28, 2022

SUBJECT: Request Approval of an Update of Area Designation for the Solid Waste Management Plan for Lexington-Fayette County for 2023-2027, Pursuant to KRS 224.43-340 and 224.43-345

Request: The purpose of this memorandum is to request approval of the Solid Waste Management Area Designation for 2023-2027, pursuant to KRS 224.43-340 and 224.43-345, as required by the Lexington-Fayette County Solid Waste Management five-year planning process.

Authorization to: Designate the Solid Waste Management Area for the next five years (2023-2027) as Lexington-Fayette County; the area includes no other cities or counties.

Why are you requesting? State law requires Lexington's Division of Waste Management to submit a five-year plan. The plan requires the designation of the Solid Waste Management Area. As part of the solid waste management planning process, the area must be officially designated. There is no change to the designation area from the last five-year period. The official designation area is Lexington-Fayette County and includes no other cities or counties.

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

The cost for this FY is: None

The cost for future FY is: None

Are the funds budgeted? N/A

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

Account number(s): N/A

Cc: Nancy Albright, Commissioner

MAYOR LINDA GORTON

LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

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

DATE: March 1, 2022

SUBJECT: Recommendation for an FY22 (Class B Infrastructure) Stormwater Quality Projects Incentive Grant for Beaver Creek Hydrology, LLC

Request

The purpose of this memorandum is to request approval of an FY22 (Class B Infrastructure) Stormwater Quality Projects Incentive Grant for Beaver Creek Hydrology, LLC, in the amount of $127,050.00.

Purpose of Request

The purpose of the project is to improve water quality and reduce stormwater runoff before draining into the unnamed tributary to Town Branch. The project elements includes retrofit an existing parking lot with permeable pavers and installation of an underdrain system for drainage and temporary storage. The project will also incorporate the installation of one (1) permanent educational signs with information highlighting the planning, construction and performance of the completed project.

Project Cost in FY22 and in Future Budget Years

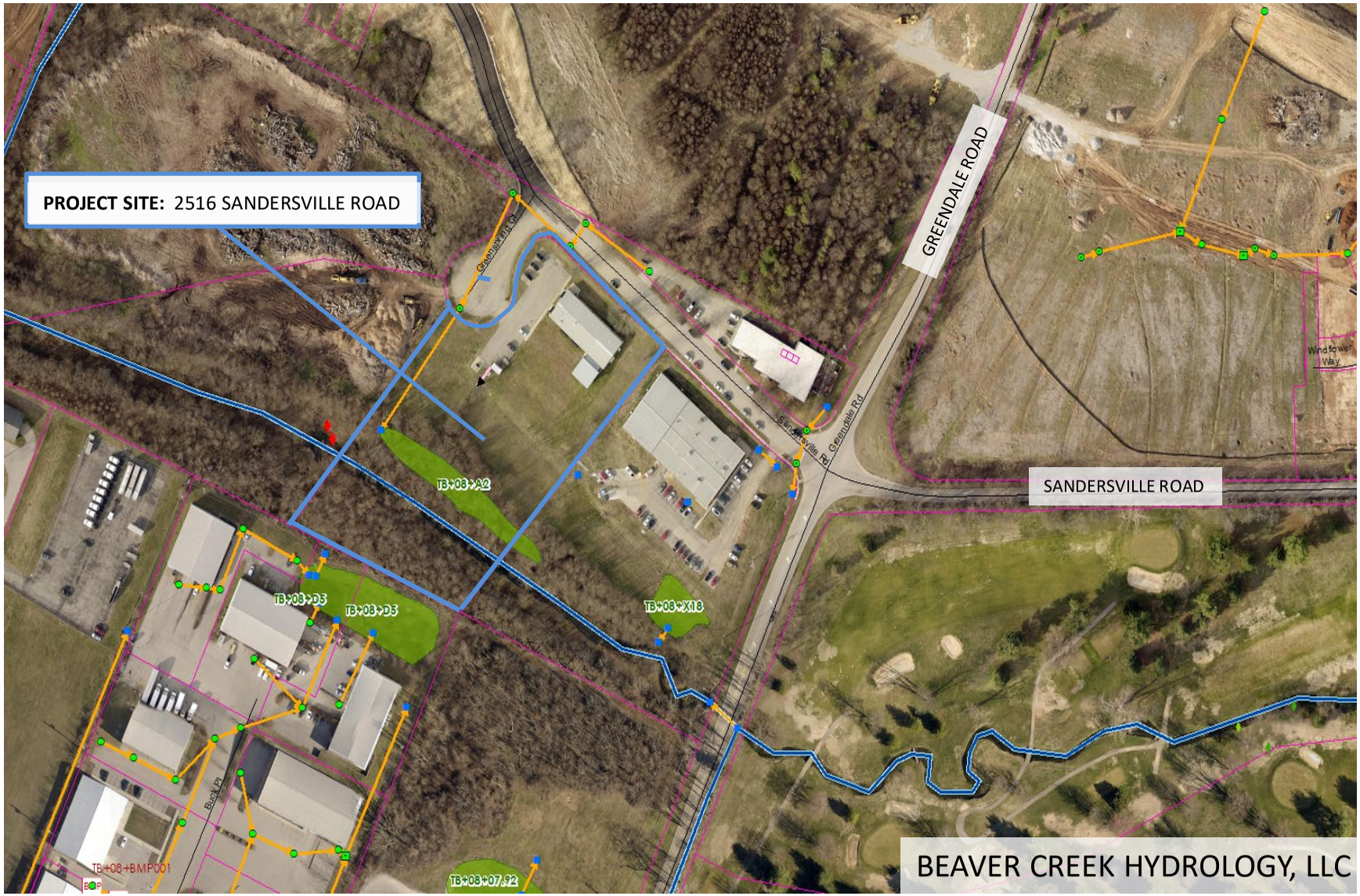
The grant has been approved for FY 2022 funding by the Water Quality Fees Board in the amount of $127,050.00.

Are Funds Budgeted

Funds are budgeted in: 4052 – 303204 – 3373 – 78112 – WQINCENTIVE_22 – WQ_GRANT

Martin/Albright

Stormwater Quality Projects Incentive Grant Program



0239-22

MAYOR LINDA GORTON

LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

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

DATE: February 22, 2022

SUBJECT: Recommendation for an FY22 (Class B Education) Stormwater Quality Projects Incentive Grant for The Living Arts and Science Center, Inc. (LASC)

Request

The purpose of this memorandum is to request approval of an FY22 (Class B Education) Stormwater Quality Projects Incentive Grant for The Living Arts and Science Center, Inc. (LASC) in the amount of $34,426.00.

Purpose of Request

The purpose of the project is to develop and present additional curriculum and disseminate educational content utilizing established programs and LASC's facility and grounds. Grant funds will support programs such as the Kentucky Wildlife and Water outreach programs, an after-school ecology curriculum for Science Explores, LTMS, Wildlife and Water summer camps, Eco Workshops for families, monthly PreK STEM Day's, and a Water is Life Day community event, and ongoing educational displays. LASC anticipates reaching students, teachers, and family members through their various programs, regular classes, and workshops throughout the year. They also anticipate reaching additional audiences through field trips and activities at LASC, on their website, through social media, and in handouts.

Project Cost in FY22 and in Future Budget Years

The grant has been approved for FY 2022 funding by the Water Quality Fees Board in the amount of $34,426.00.

Are Funds Budgeted

Funds are budgeted in: 4052 – 303204 – 3373 – 78112 – WQINCENTIVE_22 – WQ_GRANT

Martin/Albright

Stormwater Quality Projects Incentive Grant Program

MAYOR LINDA GORTON

LEXINGTON

KACY ALLEN-BRYANT
COMMISSIONER
SOCIAL SERVICES

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: Kacy Allen-Bryant, Commissioner of Social Services

DATE: March 2, 2022

SUBJECT: Family Care Center Preschool Services Contract with Fayette County Public Schools

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Request:

Request Council Authorization for the Mayor to execute a contract between Fayette County Public Schools and the Division of Family Services, for preschool services at the Family Care Center.

Why are you requesting?

This contract will provide for the operation of preschool classrooms onsite at the Family Care Center. Fayette County Public Schools is legally required, effective at the beginning of the 2021-2022 school year, to make available free appropriate education and related services to all eligible children with disabilities, and the Family Care Center can provide those preschool services that will fully comply with the state requirements.

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

There is no fiscal impact associated with this contract.

Are the funds budgeted?

There is no fiscal impact associated with this contract.

File Number: 0241-22

Director/Commissioner: Joanna Rodes / Kacy Allen-Bryant

MAYOR LINDA GORTON

LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

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

DATE: February 28, 2022

SUBJECT: Recommendation for an FY22 (Class B Education) Stormwater Quality Projects Incentive Grant for The University of Kentucky Research Foundation (UKRF).

Request

The purpose of this memorandum is to request approval of an FY22 (Class B Education) Stormwater Quality Projects Incentive Grant for The University of Kentucky Research Foundation (UKRF) in the amount of $34,997.00.

Purpose of Request

The purpose of the project is to continue to develop the "No P on my Lawn!" campaign about the effects of excess phosphorous (P) on the Commonwealth's surface water quality by incorporating surveys to assess more dog owner perceptions and practices and measurement of actual practices; and public education and involvement relating to "No P on my Lawn!" through various initiatives / materials.

Project Cost in FY22 and in Future Budget Years

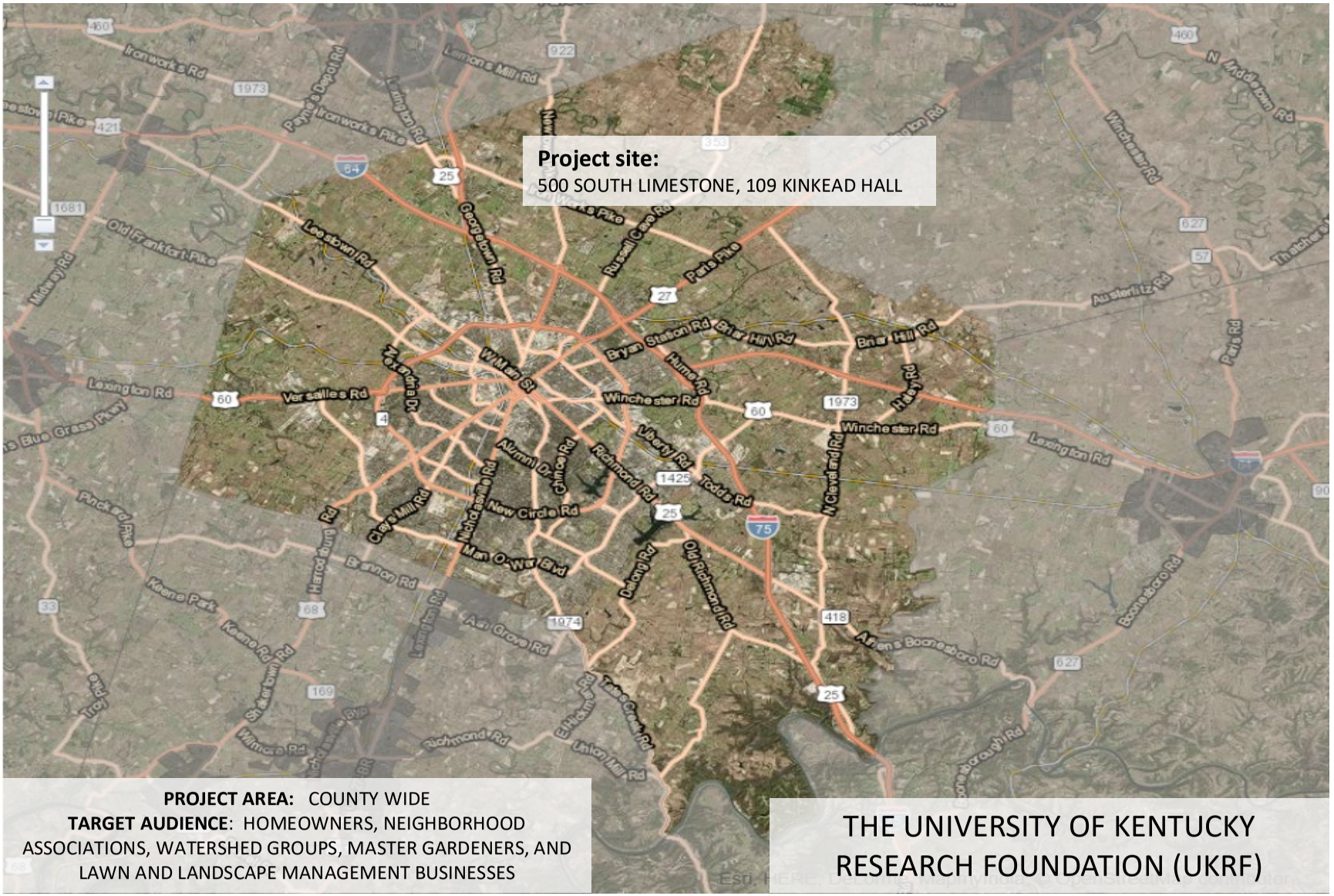
The grant has been approved for FY 2022 funding by the Water Quality Fees Board in the amount of $34,997.00.

Are Funds Budgeted

Funds are budgeted in: 4052 – 303204 – 3373 – 78112 – WQINCENTIVE_22 – WQ_GRANT

Martin/Albright

Stormwater Quality Projects Incentive Grant Program



PROJECT AREA: COUNTY WIDE
TARGET AUDIENCE: HOMEOWNERS, NEIGHBORHOOD ASSOCIATIONS, WATERSHED GROUPS, MASTER GARDENERS, AND LAWN AND LANDSCAPE MANAGEMENT BUSINESSES

THE UNIVERSITY OF KENTUCKY RESEARCH FOUNDATION (UKRF)

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
John Maxwell, Director
Division of Human Resources

DATE: March 2, 2022

SUBJECT: Abolish/Create Position – Department of Law

Request:
The attached action is requesting authorization to abolish one (1) vacant classified position of Administrative Specialist Sr. (Grade 516N) and create one (1) classified position of Paralegal (Grade 517N) in the Department of Law, effective upon passage of Council.

Why are you requesting?
Upon the request of the division, the Division of Human Resources conducted a classification study on the requested position. The position was analyzed by staff using the whole job rank and factor comparison methods. As a result, a recommendation for their requested position is described in this action.

What is the cost in this budget year and future budget year?
This action has a future impact of a cost of $3,164.53.

Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Administrative Specialist Sr.	($46,983.04)	$0	($46,983.04)
Paralegal	$0	$49,331.36	$49,331.36

Total Annual Impact/ Salary and Benefits $3,164.53

File Number:
0243-22
Director/Commissioner: John Maxwell/Sally Hamilton

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

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Linda Gorton
Mayor

Kenneth Armstrong
Commissioner

TO: Mayor Linda Gorton
Urban County Council

Lawrence B. Weathers

FROM: Chief Lawrence B. Weathers
Lexington Police Department

CC: Commissioner Kenneth Armstrong
Department of Public Safety

DATE: March 3, 2022

SUBJECT: Metals Treatment Technologies (MT2) Firing Range Services – Sole Source Certification & Proposal

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Request
Authorization to establish Metals Treatment Technologies (MT2) Firing Range Services as a Sole Source Vendor for lead remediation of the berm at the Police Firearms Range.

Why are you requesting?
For the lead remediation of the berm at the Police Firearms Range, which is required by US EPA. MT2 provides lead maintenance services in accordance with applicable Federal, State, and local safety and environmental regulations. Based upon our reported range usage, as maintained by the Range Officer, MT2 will recover and recycle 10-12 tons of lead from the backstop berms and apron areas. They ensure 80-90% of lead bullets and bullet fragments are removed. MT2 has all certified crews who will restore the berms and clean the range upon completion of reclamation of lead. Documentation, including waste manifests and lead reclamation certificates are provided within 1-2 weeks of project completion. Lead reclamation proceeds offset the cost of services. MT2 guarantees, through their ECOBOND soil treatment process, to meet US EPA Resource Conservation and Recovery Act guidelines of hazardous lead Toxicity Characteristic Leaching Procedure to reduce leachability of lead into surface soils and reduce the potential for lead infiltration to groundwater. Requesting Mayor and Council approval of the attached Sole Source and Proposal.

What is the cost in this budget year and future budget years? $50,460 – One Time Purchase

Are the funds budgeted? Yes, Accounting – 1101-505507-5571-71205 - $50,000
1101-505507-5571-71299 - $460

File Number: 0252-22

Director/Commissioner: **Lawrence B. Weathers, Chief**
Lexington Police Department

LBW/rmh

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: March 2, 2022

SUBJECT: Easement Acquisition for the East Hickman Force Main Project (EH-1)
Consent Decree (RMP)

Request

The purpose of this memorandum is to request a resolution authorizing the acceptance of Deeds of Easement from the owners of record on properties needed for the construction of the East Hickman Force Main Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed $26,000.00.

Purpose of Request

The requested resolution will provide funds for the purchase of permanent and temporary easements on five (5) affected parcels.

Project Cost in FY22 and Future Budget Years

The cost to acquire the necessary easements will not exceed $26,000.00.

Are Funds Budgeted

The funds are budgeted in the following account:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
4003	303408	3466	92811	EHFM_2016	CONSENT_DE	2016

Director / Commissioner

Martin / Albright

East Hickman Force Main (RMP Project No. EH-1)

Project Location Map

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: March 3, 2022

Subject: Pipeline Relocation Agreement – Columbia Gas
Wolf Run Trunk E Sanitary Remedial Measures Project

Request

The Division of Water Quality is recommending the execution of an agreement between LFUCG and Columbia Gas for the relocation of an existing 6-inch gas main negatively impacting completion of the Wolf Run Trunk E RMP project. This agreement contemplates a $14,786.00 cost to LFUCG for the relocation.

Purpose of Request

The purpose of this request is to execute the necessary documents required by Columbia Gas. The above referenced gas line, previously unidentified during the design phase of this project, is in direct conflict with the proposed sanitary sewer improvements and must be relocated in order to complete the project.

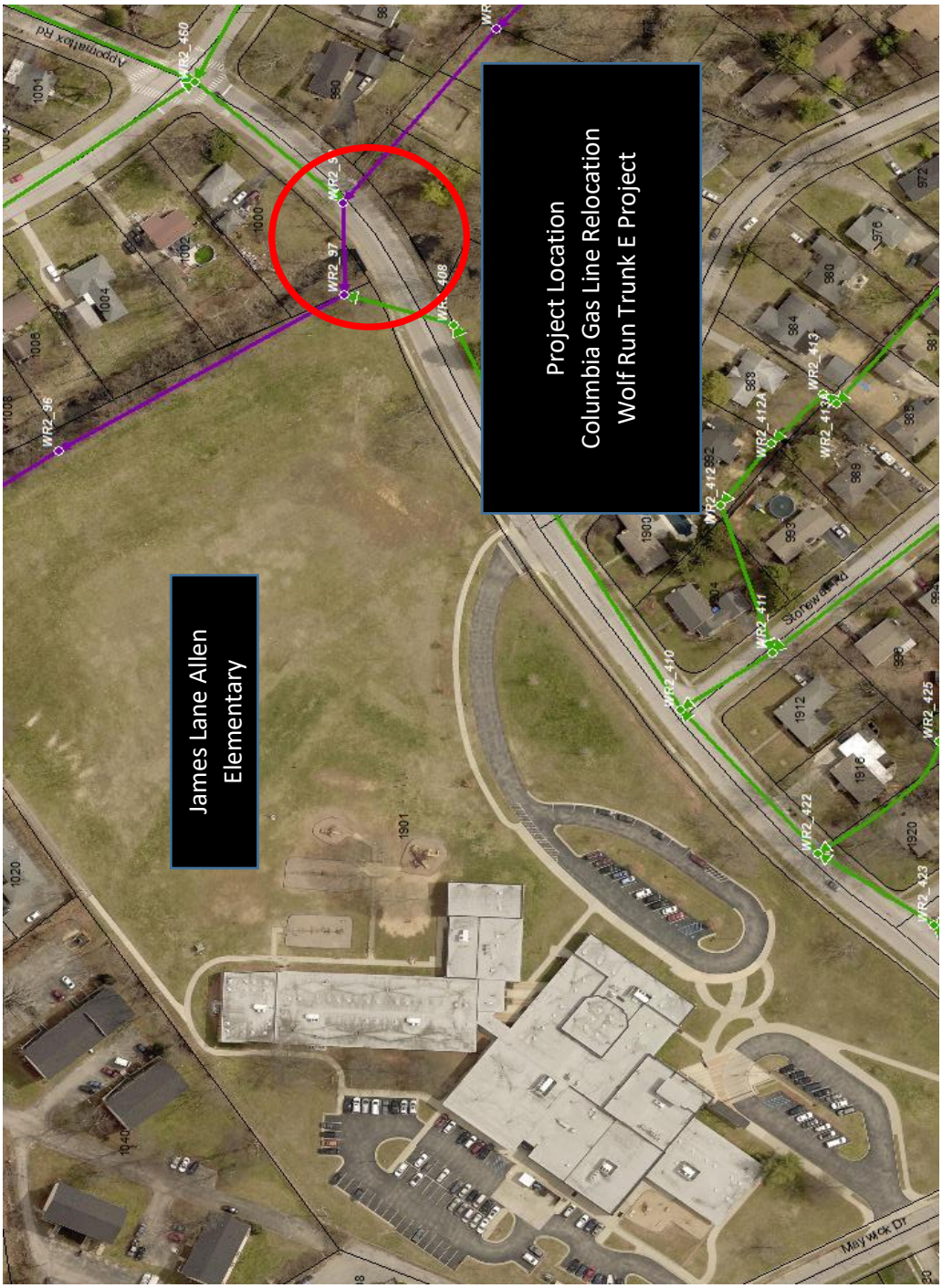
Replace and Repair Cost in FY22

This agreement contemplates a $14,786.00 cost to LFUCG for relocating the gas line but allows for reconciliation of actual costs (more or less than the estimate). There is no impact to future fiscal years.

Are Funds Budgeted:

Funds are budgeted in: 4003 303408 3466 92811 WRMAINTRKE_2020 CONSENT_DE

Martin/Albright


Project Location
Columbia Gas Line Relocation
Wolf Run Trunk E Project
James Lane Allen
Elementary
WR2_460
WR2_97
WR2_96
WR2_411
WR2_410
WR2_422
WR2_425
Maywick Dr

MAYOR LINDA GORTON

LEXINGTON

CHARLIE LANTER
COMMISSIONER
HOUSING ADVOCACY AND COMMUNITY DEVELOPMENT

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

FROM: **CHARLIE LANTER, COMMISSIONER**
HOUSING ADVOCACY AND COMMUNITY DEVELOPMENT

DATE: **MARCH 4, 2002**

SUBJECT: **Racial Equity Analysis for Lexington's Homelessness System**

Request: Council authorization to execute an agreement with Cloudburst Consulting Group with funding from the America Rescue Plan Act for a Racial and Equity Analysis, providing recommendations to align systems of care and organizations across Fayette County to prevent and end homelessness with a primary focus on racial equity at a cost not to exceed $87,385.00..

Purpose of Request Demographic data from the KYHMIS for both fiscal year 2019 and 2020 demonstrated the ongoing impacts of structural racism in the Fayette County homeless services response system. These data show an overrepresentation of Blacks/African Americans entering the homeless system (28.2%) as well as a reduced rate for Hispanic/Latinos (4.6%). Data showed Blacks/African Americans experienced homelessness longer that White counterparts, on average 72 days longer (FY20). In FY20, it was shown that multiracial households returned to homelessness at nearly five (5) times the rate of Whites as well as exited the system to permanent housing at significantly lower rates, only 13% of the time.

The proposed racial equity systems analysis will provide analysis from system level to an organizational level. The goal of this collaborative analysis between system and organizations will be used as a roadmap for concrete actions that can be taken.

The CoC believes that coordinating goals and strategies centered on racial equity will strengthen local actions and potentially deepen the impact of the local strategic plan to prevent and effectively end homelessness.

These funds are allocated from ARPA funding included in the FY22 budget for the Office of Homelessness Prevention & Intervention.

What is the cost in this budget year and future budget years? The cost in FY22 is $87,385.00. There is not impact on future budget years.

Are the funds budgeted? Yes. Funds are budgeted in 3230-155003-0001-78112

File Number: 0256-22

Director/Commissioner: Lanter/Lanter

MAYOR LINDA GORTON

LEXINGTON

MONICA CONRAD
PARKS AND RECREATION
DIRECTOR

MEMORANDUM

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

FROM: **Monica Conrad, Director**
Parks and Recreation

DATE: **March 4, 2022**

SUBJECT: **Creech Family Foundation, Inc. Donation**

Request:

Authorization to facilitate council action to accept a donation from the Creech Family Foundation, Inc., in the amount of $30,000.00 for the purchase of handicap accessible outdoor fitness equipment to be added to Castlewood Park.

Purpose of Request:

The purpose of this request is to receive the donation and redistribute into a Parks expense account so the fitness equipment can be purchased.

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

The cost for this FY is: $30,000 donation

The cost for future FY is: N/A

Are the funds budgeted?

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

Account number: 1103 707602 7221 90320 716

File Number: 0258-22

Director/Commissioner: Monica Conrad/Chris Ford

Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Linda Gorton
Mayor

Susan Speckert
Commissioner

TO: Linda Gorton, Mayor
Members, Urban County Council

FROM: David Barberie
Department of Law

DATE: March 7, 2022

RE: Collective Bargaining Agreement – Fire Lieutenants and Captains

Request:
The Department of Law, on behalf of the Department of Fire and Emergency Services and the Division of Human Resources, requests a Resolution accepting the Collective Bargaining Agreement between LFUCG and Lexington Professional Firefighters IAFF Local 526, on behalf of Firefighters, Lieutenants and Captains. A draft copy of the agreement, which was ratified by the Union, is attached.

Why are you requesting?
This action is requested because the Council previously adopted Resolution No. 329-2011 (attached), which requires negotiated collective bargaining agreements to be placed before the Council for acceptance. Pursuant to the resolution, the summary statement regarding the impact of the agreement is also attached.

What is the cost in this budget year and future budget years?
This agreement, which is 3 years in length (retroactive to July 1, 2021), is anticipated to cost an estimated additional amount of $11.7 million for its term, with an additional cost impact for this fiscal year of $2.4 milllion.

Are the funds budgeted?
The majority of funds for this fiscal year are budgeted, with a budget amendment for some portion of the additional FY22 impact to be processed as needed.

File Number: 0259-22

Director/Commissioner: Susan Speckert, Commissioner of Law

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Linda Gorton
Mayor

Kenneth Armstrong
Commissioner

TO: Mayor Linda Gorton
Urban County Council

Lawrence B. Weathers

FROM: Chief Lawrence B. Weathers
Lexington Police Department

CC: Commissioner Kenneth Armstrong
Department of Public Safety

DATE: March 7, 2022

SUBJECT: Amend Code of Ordinance – Section 22-53.1 (C) –
Police Academy Examination Candidate Maximum Age Requirement

Request
Authorization to amend Code of Ordinance – Section 22-53.1 (C) to change the maximum age requirement for a Police Academy Examination Candidate from thirty-seven to forty-one.

Why are you requesting?
The amendment to Section 22-53.1 (C) is to change the maximum age requirement for a Police Officer Candidate. The candidate shall not have reached their forty-first birthday by the application filing deadline date. The Lexington Police Department is requesting approval from the Urban County Council and Mayor Gorton.

What is the cost in this budget year and future budget years? No budgetary impact

Are the funds budgeted? N/A

File Number: 0260-22

Director/Commissioner: **Lawrence B. Weathers, Chief**
Lexington Police Department

LBW/rmh

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Linda Gorton
Mayor

Kenneth Armstrong
Commissioner

TO: Mayor Linda Gorton
Urban County Council

Lawrence B. Weathers

FROM: Chief Lawrence B. Weathers
Lexington Police Department

CC: Commissioner Kenneth Armstrong
Department of Public Safety

DATE: March 7, 2022

SUBJECT: Amend Code of Ordinance – Section 18-47 (A) –
Police Safety Officer Minimum Age Requirement

Request
Authorization to amend Code of Ordinance – Section 18-47 (A) to change the minimum age requirement for a Police Safety Officer from twenty-one (21) years of age to eighteen (18) years of age.

Why are you requesting?
The amendment to Section 18-47 (A) is to change the minimum age requirement for a Police Safety Officer. The Safety Officer shall be at least eighteen (18) years of age. The Lexington Police Department is requesting approval from the Urban County Council and Mayor Gorton.

What is the cost in this budget year and future budget years? No budgetary impact

Are the funds budgeted? N/A

File Number: 0261-22

Director/Commissioner: **Lawrence B. Weathers, Chief**
Lexington Police Department

LBW/rmh

MAYOR LINDA GORTON

LEXINGTON

CHARLIE LANTER
COMMISSIONER
HOUSING, ADVOCACY
& COMMUNITY DEVELOPMENT

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

FROM: **CHARLIE LANTER, COMMISSIONER**
HOUSING, ADVOCACY & COMMUNITY DEVELOPMENT

DATE: **March 4, 2022**

SUBJECT **Application for Household Hazardous Waste Management Grant Program**

Request: Council authorization to submit an application, and accept award if offered, to the Department of Environmental Quality—Division of Waste Management in the amount of $102,000 for the support of a one-day household hazardous waste recycling event for Fayette County, the acceptance of which obligates the government to provide match in the amount of $25,500.

Purpose of Request: The Division of Waste Management has prepared an application for submission to the state agency requesting funds for support of a one-day countywide household waste recycling event. Funds will be used to contract with a vendor for appropriate disposal of hazardous waste. The Recycling and Household Hazardous Waste Grants Program was established in 2006 by Senate Bill 50. KRS 224.43-505 (2)(c) specifies the establishment of a Recycling and Household Hazardous Waste management grants program.

Cost in this budget year and future budget years: State funds in the amount of $102,000 will be budgeted in Fiscal Year 2023. If grant is awarded, a match is required in FY23 in the amount of $25,500 in the Urban Services Funds (Fund 1115). Total cost will be $127,500. No expenses are anticipated for future budget years.

Are funds budgeted? A budget amendment will be completed if approved.

File Number: 0263-22

Director/Commissioner: Thurman/Albright

MAYOR LINDA GORTON

LEXINGTON

COMMISSIONER CHARLIE LANTER
HOUSING ADVOCACY &
COMMUNITY DEVELOPMENT

TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

FROM: CHARLIE LANTER, COMMISSIONER
HOUSING ADVOCACY & COMMUNITY DEVELOPMENT

DATE: March 7, 2022

SUBJECT: Accept Emergency Rental Assistance grant from the U.S. Department of the Treasury for the continued administration of the Housing Stabilization Program

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Request: Council authorization to accept a direct reallocation of federal Emergency Rental Assistance grant funds totaling $11,700,000.00 from the U.S. Department of the Treasury for the continued administration of the Housing Stabilization Program by the Division of Grants & Special Programs. No matching funds are required.

Purpose of Request: In January 2021, LFUCG was awarded Emergency Rental Assistance funds totaling $9,663,722.30 by the U.S. Department of the Treasury to provide rental and utility assistance to eligible residents of Fayette County. The Division of Grants & Special Programs administered spending of these funds through the Housing Stabilization Program. LFUCG received an additional award totaling $7,646,451.20 from the U.S. Department of the Treasury in May 2021 and received a sub-award totaling $11,700,000.00 from Kentucky Housing Corporation pursuant to a Memorandum of Agreement executed in July 2021. Day-to-day operation of the Housing Stabilization Program is carried out by Community Action Council and other sub-recipient organizations.

In order to meet significant continued need for rent and utility assistance, the Commonwealth of Kentucky and Kentucky Housing Corporation have offered to voluntarily reallocate an additional $11,700,000.00 of Emergency Rental Assistance funds that were allocated to the state in January 2021. The U.S. Department of the Treasury has notified LFUCG that it has approved the state's request for such a voluntary reallocation to LFUCG. Upon receipt, these funds will be used to continue administration of the Housing Stabilization Program, with Community Action Council continuing to carry out the program's day-to-day operation, subject to Council's separate approval of an amendment to the existing sub-recipient agreement with Community Action Council.

What is the cost in this budget year and future budget years? An award of federal funds totaling $11,700,000.00 is anticipated for FY 2022. No matching funds are required.

Are the funds budgeted? A budget amendment for FY 2022 is in progress.

File Number: XXXX-22

Director/Commissioner: Lanter

MAYOR LINDA GORTON

LEXINGTON

CHARLIE LANTER
COMMISSIONER
HOUSING, ADVOCACY
& COMMUNITY DEVELOPMENT

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

FROM: **CHARLIE LANTER, COMMISSIONER**
HOUSING, ADVOCACY & COMMUNITY DEVELOPMENT

DATE: **March 4, 2022**

SUBJECT: **Approval of Advanced Eco Systems as a Sole Source Provider Contract to Purchase Zumo Decontamination Accessory Kits for Hospitals for Division of Emergency Management**

Request: Council authorization to approve Advanced Eco Systems as a sole source provider contract for the purchase of Zumro decontamination accessory kits for hospitals for the Division of Emergency Management at a cost not to exceed $136,362.00.

Purpose of the Request: The Division of Emergency Management is requesting to establish Advanced Eco Systems as a sole source provider to purchase Zumro decontamination accessory kits for hospitals. The decontamination system equipment is specially manufactured and no other manufacturer provides this type of equipment. Twelve benchmarks are key in assessing capabilities and reporting on the Chemical Stockpile Emergency Preparedness Program (CSEPP) status. Each benchmark is allocated funds under CFDA 97.040. $136,362.00 is from CSEPP FY21 State allocated funds under the Medical and Protective Actions Benchmarks KY-FAY-481.

What is the cost in this budget year and future budget years? Estimated cost is $136,362.00. No future cost are anticipated.

Are the funds budgeted? Yes, 3200-505201-0001-96705; CSEPP_2021 KY-FAY-481 ($136,362)

File Number: 0266-22

Director/Commissioner: Dugger/Armstrong

MAYOR LINDA GORTON

LEXINGTON

CHARLIE LANTER
COMMISSIONER
HOUSING, ADVOCACY
& COMMUNITY DEVELOPMENT

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

FROM: **CHARLIE LANTER, COMMISSIONER**
HOUSING, ADVOCACY & COMMUNITY DEVELOPMENT

DATE: **March 7, 2022**

SUBJECT **Request Council authorization to submit a RAISE grant application and approve 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 not to exceed $25,000,000 and providing a local match not to exceed $11,000,000 for the High Street Corridor Safety and Mobility Improvements Initiative.

Purpose of Request: Previously, a grant application was approved for submittal in fall 2021 for this project, but no award was received. After reassessment, a resubmittal of this grant application is requested with amended project footprint and improved project scope to align better with USDOT goals for a more competitive application to the federal RAISE grant program. This project is prompted by a significant accident record along the High Street corridor that has included loss of life and is an effort to improve this roadway and address connectivity. 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 Broadway and Oliver Lewis Way, along Oliver Lewis Way from Broadway to Manchester Street, Jefferson Street at High Street and Manchester, Manchester between Oliver Lewis Way and Jefferson Street, and Patterson Street from High St to Oliver Lewis Way. Project partners have been engaged and determination of required local match is ongoing. Partners include the State of Kentucky Transportation Cabinet, Lexington Area MPO, Town Branch Park, Inc., and Lexington Center Corporation. With Council approval, application will be made by the grant submission deadline of April 14, 2022, provided that the required local match is identified. If less than the identified match is secured then a project application may be submitted with a scaled back scope and budget in order to meet the desired local match. If adequate match is not identified then no application will be made.

Cost in this budget year and future budget years: $36,000,000 to include $25,000,000 in federal grant funds, $5,000,000 from LFUCG bond funds, and $6,000,000 of the match from non- LFUCG

sources. LFUCG sources. Future years' funding is dependent upon availability of federal funds for this program.

Are funds budgeted? A budget amendment will be completed if approved.

File Number: 0267-22

Director/Commissioner: Peacher/Scott

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: March 2, 2022

SUBJECT: Amendment of Resolution No. 457-2020, Easement Acquisitions for New Circle Road Trunks A & B (RMP Nos. CR-14 & CR-15) – Consent Decree Project

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Request

The purpose of this memorandum is to request amendment of Resolution No. 457-2020, increasing the easement acquisition budget by $40,000 for this project from $51,000 to $91,000.

Purpose of Request

Resolution 457-2020 provided funding for the purchase of permanent and temporary easements impacted by the New Circle Road Trunks A & B Sewer Project. This recommended increase to Resolution 457-2020 is the result of further negotiations between the owners of 1634 North Broadway and LFUCG, validated by means of a current appraisal report.

Project Cost in FY22

The cost to acquire the necessary easements for the project will not exceed $91,000.

Are Funds Budgeted

The funds are budgeted in the following account:

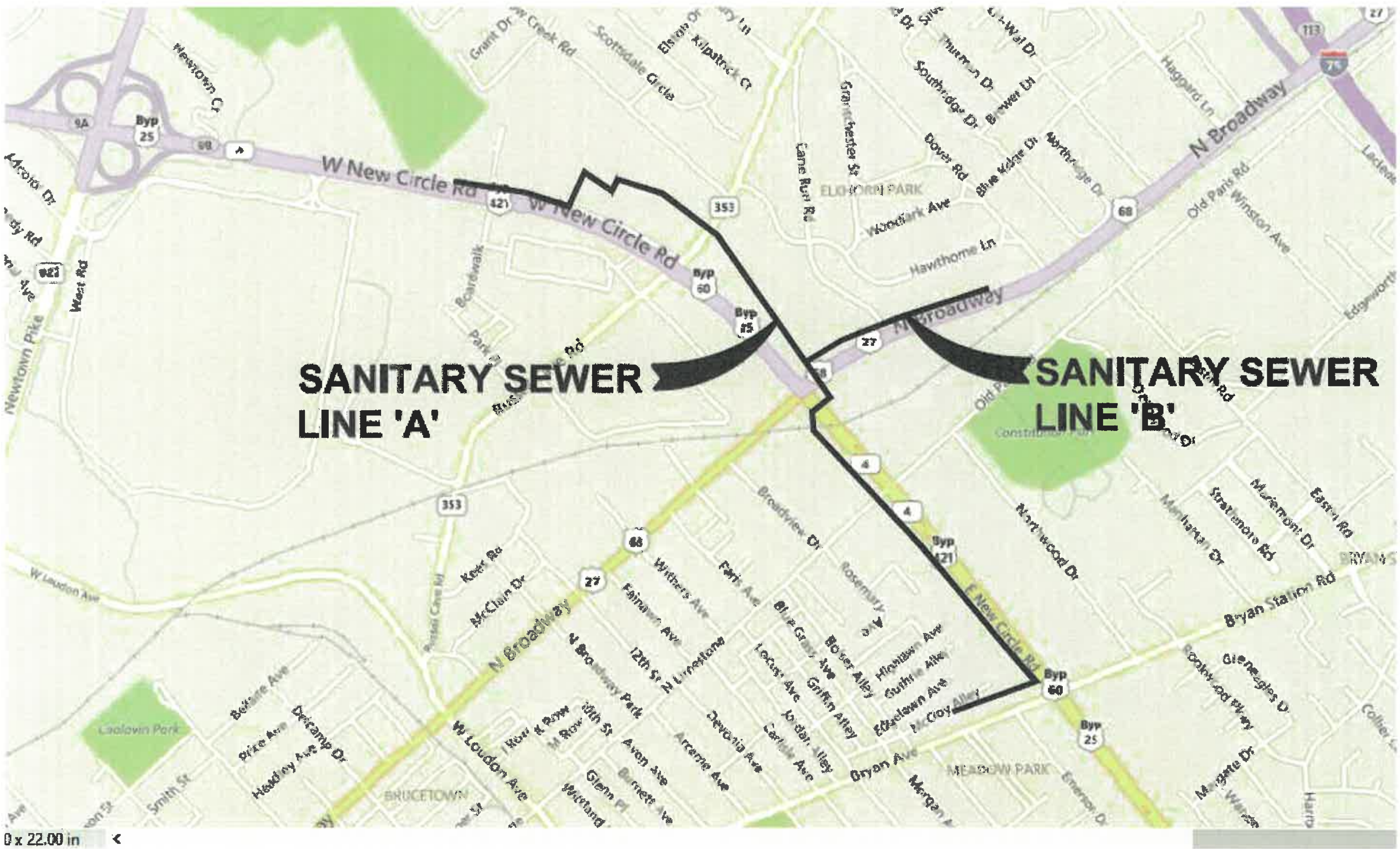
FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
4003	303408	3466	92811	NEWCIR_TRUNK_A	CONSENT_DE	2019

Director / Commissioner

Martin / Albright

New Circle Road Trunks A and B (RMP Project Nos. CR14 and CR15)

Project Location Map



MAYOR LINDA GORTON

LEXINGTON

COMMISSIONER CHARLIE LANTER
HOUSING ADVOCACY &
COMMUNITY DEVELOPMENT

TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

FROM: CHARLIE LANTER, COMMISSIONER
HOUSING ADVOCACY & COMMUNITY DEVELOPMENT

DATE: March 7, 2022

SUBJECT: Authorization to execute an amendment to an existing agreement with Community Action Council for the continued operation of the Housing Stabilization Program

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Request: Council authorization to execute an amendment to a sub-recipient agreement with Community Action Council and allocate $10,530,000.00 of Emergency Rental Assistance grant funds from the U.S. Department of the Treasury for the continued operation of the Housing Stabilization Program.

Purpose of Request: In January 2021, LFUCG was awarded Emergency Rental Assistance funds totaling $9,663,722.30 by the U.S. Department of the Treasury to provide rental and utility assistance to eligible residents of Fayette County. The Division of Grants & Special Programs administered spending of these funds through the Housing Stabilization Program. LFUCG received an additional award totaling $7,646,451.20 from the U.S. Department of the Treasury in May 2021 and received a sub-award totaling $11,700,000.00 from Kentucky Housing Corporation pursuant to a Memorandum of Agreement executed in July 2021. Day-to-day operation of the Housing Stabilization Program is carried out by Community Action Council and other sub-recipient organizations.

In order to meet significant continued need for rent and utility assistance, the Commonwealth of Kentucky and Kentucky Housing Corporation have offered to voluntarily reallocate an additional $11,700,000.00 of Emergency Rental Assistance funds that were allocated to the state in January 2021. The U.S. Department of the Treasury has notified LFUCG that it has approved the state's request for such a voluntary reallocation to LFUCG. Upon receipt, these funds will be used to continue administration of the Housing Stabilization Program, with Community Action Council continuing to carry out the program's day-to-day operation, subject to Council's approval of this amendment to the existing sub-recipient agreement with Community Action Council.

What is the cost in this budget year and future budget years? The $10,530,000.00 allocation in this proposed amendment is funded entirely by federal grant funds. Any funds unspent in FY22 will remain available for spending in FY23 until September 30, 2022 or the expiration of any extension granted by the U.S. Department of the Treasury.

Are the funds budgeted? A budget amendment for FY 2022 is in progress.

File Number: XXXX-22

Director/Commissioner: Lanter

MAYOR LINDA GORTON

LEXINGTON

CHARLIE LANTER
COMMISSIONER
HOUSING, ADVOCACY
& COMMUNITY DEVELOPMENT

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

FROM: **CHARLIE LANTER, COMMISSIONER**
HOUSING, ADVOCACY & COMMUNITY DEVELOPMENT

DATE: **MARCH 8, 2022**

SUBJECT: **Supplemental Agreement No. 1 for Mt Tabor Road Multimodal Improvements Project – Construction Phase**

Request: Council authorization to execute Supplemental Agreement No. 1 with the Kentucky Transportation Cabinet to amend the funding agreement for Mt Tabor Road Multimodal Improvements Project (Item No 07-003721.00), as funded under the Kentucky Transportation Cabinet Office of Local Programs Congestion Mitigation and Air Quality (CMAQ) Program for capital improvements project.

Purpose of Request: On July 9, 2020 (Resolution 349-2020), Council approved the acceptance of $1,096,000 in from CMAQ Program federal funds from Kentucky Transportation Cabinet for the construction of Mt Tabor Road Multi-Modal Improvements Project. The Mt Tabor Road Multimodal Improvements Project is a project on Mt Tabor Road. This project will widen approximately 1334 feet of Mt. Tabor Road from the service road for Richmond Road to Patchen Drive.

The Kentucky Transportation Cabinet requests execution of Supplemental Agreement No. 1 to move funds from utility phase to the construction phase and to correct KYTC state forces funding set up for construction in the agreement's attachment A entered into on August 3, 2020.

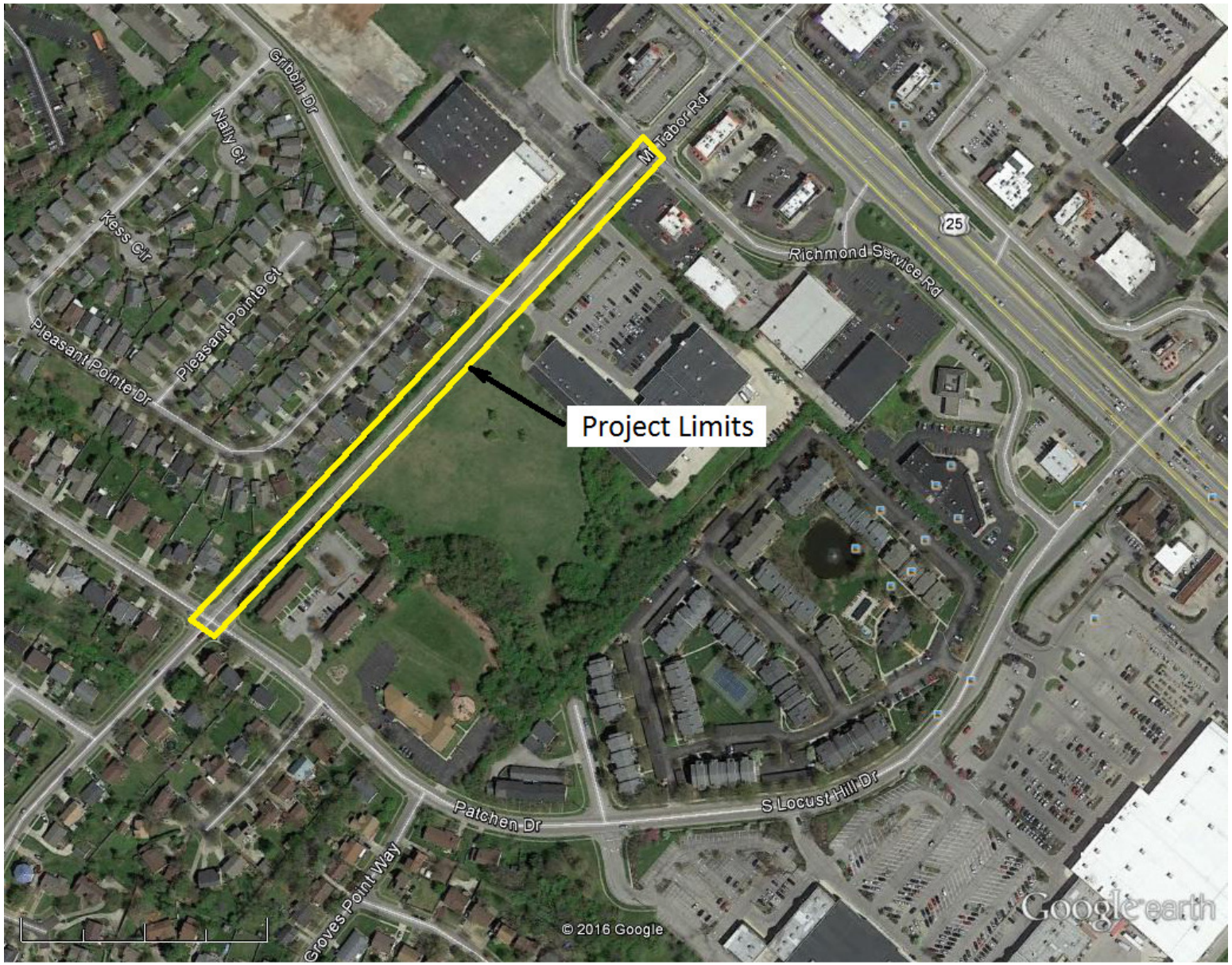
Cost in this budget year and future budget years: No impact to budget all funds were previously budgeted. Funds for future budget years are dependent upon availability of grant funds.

Are funds budgeted? A budget amendment will be completed to move funds from utility to construction account 3160-303202-3251-91715 CONST

File Number: 0270-22

Director/Commissioner: Burton/Albright

Attachment 1
Location Map of Proposed Project
Mt Tabor Road from Richmond Road Service Road to Patchen Drive



MAYOR LINDA GORTON

LEXINGTON

SALLY HAMILTON
CHIEF ADMINISTRATIVE OFFICER

TO: Mayor Linda Gorton
Urban County Council

FROM: Chief Jason Wells
Lexington Fire Department

DATE: March 2, 2022

SUBJECT: Memorandum of Agreement – Bluegrass Community and Technical College

---

Request authorization to:
Accept a new Memorandum of Agreement with Bluegrass Community and Technical College (BCTC), a college of the Kentucky Community and Technical College System (KCTCS).

Why are you requesting?
The purpose of this MOA is to enter into this Agreement to set forth and ensure compliance with any and all terms and conditions of the participation of fire personnel in college courses associated with the Fire Academy, with the opportunity for these personnel to earn BCTC credits that apply toward an Associate of Fire Science Degree. The fire department and KCTCS/BCTC agree that the participation of fire personnel as proposed, described, and agreed upon within this Agreement provides mutual and valuable benefit to both parties. The attached Agreement contains the pertinent details and requires Mayor Gorton's signature.

Department needs this action completed because:
This Agreement provides a benefit to the members of the Division of Fire and the community that we serve.

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

The cost for this FY is:
Estimated cost will be based on a per student standard fee, not to exceed $45,000.

Are the funds budgeted?

The funds are budgeted or a budget amendment is in process: Yes
Account number: 1101-505701-5701-78110

File Number:

Director/Commissioner: Jason G. Wells, Chief
Lexington Fire Department

Neighborhood Development Funds
March 15, 2022
Work Session

Amount	Recipient	Purpose
$ 1,000.00	Friends of the Cartmell House Donna Hewett 4844 Waterside Drive Lexington, KY 40513	To assist with flood repairs.
$ 2,400.00	Pensacola Park Neighborhood Assoc. Jesse Voight 1859 Nicholasville Road Lexington, KY 40503	To assist with tree planting and completion of a memorial for the late Council Member Jake Gibbs.
$ 1,875.00	Lexington African-American Sports Hall of Fame Robert Jones 544 Green Valley Drive Lexington, KY 40511	To assist with an annual sports hall of fame awards induction ceremony/banquet.
$ 300.00	East End Community Development Corp. Billie Mallory 369 Bassett Avenue Lexington, KY 40502	To assist with community events.
$ 1,100.00	16th District PTA c/o Hayes Middle School Carla Jackson 260 Richardson Place Lexington, KY 40509	To support the annual Dance Blue Marathon.
$ 1,000.00	LexArts Amelia Sweetall 161 N. Mill Street Lexintgton, KY 40507	To assist with two pop-up events in the 5th District.

Flock Safety Pilot Program

Lexington Division of Police

LEXINGTON

LEXINGTON

Flock Safety

- Founded in 2017 in Atlanta Georgia
- Currently have License Plate Readers in 1500+ cities across US
- 850+ Law Enforcement Agencies are customers
- Kentucky Agencies are Owensboro, Madisonville, Hopkinsville, Middleton and will soon include Louisville
- Regional agencies include Knoxville, Nashville, Cincinnati, Indianapolis, Bloomington, Dayton, Columbus
- Partner with Axon Enterprise Inc. – Our body worn camera vendor

Flock Safety Pilot Program

LEXINGTON

Flock Safety

- License Plate Readers (LPRs) – Fixed locations
- Powered by solar and connected with cellular data
- LPRs take 6-7 still images when a vehicle passes by
- LPRs can read the license plate and determine the color, make and type of vehicle which are all searchable.
- Vehicle is automatically checked to see if it is on a hot list and law enforcement is notified if there is a "hit." (NCIC, AMBER Alerts, agency specific lists.
- Will not be used for speed or red light enforcement

Flock Safety Pilot Program

LEXINGTON

Flock Safety

LEXINGTON

Flock Safety

- Images and data are only stored in the system for 30 days
- If they are part of a criminal investigation they must be stored in our digital evidence management system within that 30 days or they will be deleted.
- Flock Safety, Axon and the National Police Foundation have partnered to conduct a study on the effectiveness of license plate readers for law enforcement
- In exchange for participation we will receive 25 LPRs free for one year ($68,750 value including installation)
- We will share general crime data with them and participate in a monthly call

Flock Safety Pilot Program

LEXINGTON

Flock Safety

- LPRs are directed at vehicles travelling on a right of way
- LPRs will be located in multiple locations throughout Lexington based on our violent crime patterns
- LPRs are moveable based on changing crime patterns
- LPRs are used to gather leads to investigate crimes reported to us, not for enforcement in neighborhoods
- We met with NAACP, ACLU and the Human Rights Commission to discuss this program and their main concern was where we choose to place the cameras

Flock Safety Pilot Program

LEXINGTON

Flock Safety

- Primary goals of the program:
  - To solve and reduce crime
  - To locate and recover missing and endangered people (AMBER Alerts, Golden Alerts, etc.)
- As part of participating in the study the National Police Foundation will provide a custom report for our agency detailing:
  - Effect of license plate readers on crime, arrests and clearances
  - Guidance on more effective ways of deploying license plate readers
- Determine if this is an investment we want to continue

Flock Safety Pilot Program

LEXINGTON

Flock Safety - Policy

- Clearly outlines use of LPR system is for legitimate law enforcement and public safety purposes
- It is a violation of this policy to use the LPR system or associated data for any personal purpose.
- Officers are required to enter a reason for any search
- Audits of use of system will be conducted by Public Integrity Unit
- Because the LPR alert may relate to a vehicle and may not relate to the person operating the vehicle, officers are reminded that they need to have reasonable suspicion and/or probable cause to make a stop of any vehicle.
- Entries to any hot list are vetted by a supervisor/Intel Unit

Flock Safety Pilot Program

LEXINGTON

Flock Safety – Next Steps

- We have finalized our policy based on a review of other policies and best practices from International Association of Chiefs of Police
- NAACP, ACLU and Human Rights Commission reviewed policy and their input was incorporated in the final policy
- Policy is posted on our transparency page for public input
- Training was conducted in early March
- LPR installation will occur in April

Body Worn Cameras

LEXINGTON

Questions?

Lexington Police Department

Lexington, Kentucky

GENERAL ORDER

BY THE AUTHORITY OF THE CHIEF OF POLICE

G.O. 2022-01 **License Plate Readers**

Rescinds: NA

Effective Date: 03/20/22 Distribution All Department Employees

Originally Issued: 2022

I. PURPOSE

The purpose of this policy is to provide guidance for the capture, storage, and use of digital data obtained through the use of license plate reader (LPR) technology.

II. POLICY

It is the policy of the Lexington Police Department to utilize LPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

It is department policy that all installation and maintenance of LPR equipment, as well as LPR data retention and access, shall be managed as determined by the Chief of Police or designee. The Chief of Police will assign a supervisor to administer the day-to-day operation of the LPR equipment and data.

It is department policy to use LPR systems only for legitimate law enforcement and public safety purposes. The LPR administrator shall ensure that LPRs are not deployed or used to enforce the law in any discriminatory manner that is prohibited by the United States Constitution and laws, the Commonwealth of Kentucky Constitution and laws, or the Lexington City Charter and Code of Ordinances.

III. DEFINITIONS

Alert: A visual and/or auditory notice that is triggered when the LPR system receives a potential "hit" on a license plate.

Hit: Alert from the LPR system that a scanned license plate number may be in the National Crime Information Center (NCIC) or other law enforcement database for a specific reason including, but not limited to, being related to a stolen car, wanted person, missing person, domestic violation protective order or terrorist-related activity.

Hot List: A list containing vehicles of interest with an articulable criminal nexus or valid public safety concern, including but not limited to, vehicles which are reported as stolen, display stolen license plates, vehicles linked to missing and/or wanted people, and vehicles flagged by law enforcement agencies.

License Plate Reader (LPR): A device that uses cameras and computer technology to compare digital images to database lists of known information of interest.

LPR Data: Data captured by the LPR cameras of an image (such as a license plate and description of vehicle on which it was displayed) within public view that was read by the device, including GPS coordinates and date and time information of the LPR system at the time of the LPR's read.

Vehicles of Interest: Including, but not limited to vehicles which are reported as stolen; display stolen license plates or tags; vehicles linked to missing and/or wanted persons and vehicles flagged by law enforcement agencies.

IV. PROCEDURES

A. General

1. Use of an LPR is restricted to the purposes outlined in policy and training.

a. Information gathered or collected, and records retained by department LPR system cameras will not be accessed or used for any purpose other than legitimate law enforcement or public safety purposes.

b. Officers shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

2. The following uses of the LPR system are specifically prohibited:

a. Invasion of Privacy: Except when done pursuant to a court order such as a search warrant, it is a violation of this policy to utilize the LPR to record license plates except those of vehicles that are exposed to public view (e.g., vehicles on a public road or street, or that are on private property but whose license plate(s) are visible from a public road, street, or a place to which members of the public have access, such as the parking lot of a shop or other business establishment).

b. Harassment or Intimidation: It is a violation of this policy to use the LPR system to harass and/or intimidate any individual or group.

c. Personal Use: It is a violation of this policy to use the LPR system or associated scan files or hot lists for any personal purpose.

B. Administration

1. All installation and maintenance of LPR equipment, as well as LPR data retention and access, shall be managed by the LPR administrator.

a. All LPR equipment shall be considered department owned property.

2. The Special Investigations Section lieutenant is the designated LPR administrator, with administrative oversight for LPR system operations and is responsible for:

a. Establishing protocols for access, collection, storage, and retention of LPR data and associated media files.

b. Establishing protocols to preserve and document LPR reads and "alerts" or "hits" that are acted on in the field or associated with investigations or prosecutions.

c. Establishing protocols for LPR system monitoring to ensure the security and integrity of data captured, stored, and/or retained by the LPR system and compliance with applicable privacy laws.

d. Establishing the training requirements for officers to operate the LPR system, and coordinating with the Training Section as needed.

e. Maintaining records identifying approved LPR deployments and documenting their results, including appropriate documentation of significant incidents and arrests that are related to LPR usage.

f. Analyzing crime patterns and demographic information when an LPR is moved or when additional LPRs are added to the department's LPR system.

g. Authorizing any requests for LPR systems use or data access in consultation with the Chief and according to department policies and guidelines.

3. Officers will report any damage to department LPR equipment, via the chain of command, to the LPR administrator who will coordinate any necessary repairs.

4. The LPR administrator will ensure that designated, trained personnel check LPR equipment on a regular basis to ensure functionality and camera alignment.

5. Repairs or modifications to LPR systems hardware or software, shall only be made by authorized sources or employees as determined by the LPR administrator.

C. License Plate Reader System Usage

1. LPR operation, all data and images gathered by the LPR, and access to LPR collected data shall be for the official use of this department.

2. Only properly trained employees are allowed access to the LPR system, to operate LPR equipment, to access LPR data, or to collect LPR information.

3. To ensure proper operation and facilitate oversight of the LPR system, all trained users are required to have individual credentials for access and use of the LPR system and/or data, which has the ability to be fully audited.

4. Officers shall not use personal devices to take or upload images to the LPR system.

D. Operations

1. LPR Alerts/Hits:

a. E911 will monitor the LPR system for alerts and dispatch officers as appropriate.

b. If practicable, officers should confirm the license plate from the alert matches the license plate of the observed vehicle prior to initiating a stop.

c. Absent exigent circumstances, the officer shall verify the suspect and/or vehicle is still wanted if the alert was generated due to the inclusion of the suspect and/or vehicle on a state or national database.

d. The officer shall verify an LPR response through the appropriate database before taking enforcement action that is based solely on an LPR alert.

e. Because the LPR alert may relate to a vehicle and may not relate to the person operating the vehicle, officers are reminded that they need to have reasonable suspicion and/or probable cause to make a stop of any vehicle.

f. Any traffic stop resulting from an LPR alert will have "LPR alert" added to the call's narrative.

2. Hot Lists

a. Designation of hot lists to be utilized by the LPR system shall be made by the LPR administrator or designee.

1. Specific hot lists shall be approved and entered by the LPR administrator (or designee) within the LPR system.

2. All plates, vehicles, and suspect information entered into the LPR system will also contain the following information:

a. Entering user's name

b. Requesting officer's name

c. Related case number

d. Short synopsis describing the nature of the originating call

b. Internal requests to add information to the LPR system shall be done by using the currently approved department form. The requests will be processed by the LPR administrator (or designee) and added to the system as appropriate.

c. Exigent requests and requests from outside law enforcement agencies will be sent to the Duty Commander. If the Duty Commander determines the request is for legitimate law enforcement purposes, they will notify the on-call Intelligence Unit detective for entry into the LPR system.

d. The LPR administrator (or designee) shall audit local hot list entries weekly, by requesting justification from the requesting officer, case detective, or supervisor to keep

the entry on the hot list. If acceptable justification is not received within seven days of the request, the entry shall be removed.

3. Special Details

a. LPR use during nontraditional deployments (e.g., special operations or during a criminal investigation) must be approved by the BOI Assistant Chief.

E. LPR Data Detection Browsing Audits

1. Before an officer can access the LPR database to browse LPR detections, the inquiring officer must document a reason for the inquiry within the LPR system.

2. It is the responsibility of the LPR administrator or the Chief's designee to ensure that an audit is conducted of LPR detection browsing inquiries at least once each quarter. PIU will audit a sampling of the LPR system utilization from the prior period to verify proper use in accordance with the authorized uses.

3. The audit shall be documented in writing and forwarded to the Chief. The audit shall include any data errors found so that such errors can be corrected. After review by the Chief, the audit and any associated documentation shall be filed and retained by the LPR administrator.

F. Data Collection and Retention

1. All data will be closely safeguarded and protected by both procedural and technological means.

2. The LPR vendor will store and ensure proper maintenance and security of data.

3. The department will retain LPR data for a maximum of 30 days, unless a longer retention period is required by KRS or applicable records retention schedules.

a. If data has evidentiary value, it must be stored according to policy as soon as practicable.

G. Releasing LPR Data

1. LPR data may be released to other authorized and verified law enforcement officials and agencies for legitimate law enforcement purposes.

2. All non-law enforcement requests for access to stored LPR data shall be processed in accordance with applicable law.

3. Any employee who receives a written request for LPR data will accept the request in accordance with G.O. series 2018-03 Open Records and will immediately forward the request to the Open Records Unit.