J. Reynolds, Chair
W. Baxter, Vice-Chair
J. Brown
C. Ellinger
T. Fogle
B. Monarrez
D. Gray
F. Brown
D. Sevigny
K. Plomin

AGENDA
Social Services and Public Safety Committee
November 14, 2023
1:00 P.M.

I.	**Approval of October 10, 2023 Committee Summary**		**(1-3)**
II.	**NAMI - Fayette Mental Health Court**	[Gray/Milligan,Tackett]	**(4-20)**
III.	**Affordable Housing Fund Report**	[Gray/McQuady]	**(21-74)**
IV.	**Sunday Alcohol Sales**	[Sevigny/Sevigny]	**(75-86)**
V.	**Items Referred to Committee**		**(87)**

"Social Services and Public Safety Committee, to which shall be referred matters relating to the department of social services and its divisions, the department of public safety and its divisions, any related partner agencies, and matters relating to capital improvement projects."- Council Rules & Procedures, Section 2.102 (1) effective January 1, 2023. Adopted by Urban County Council September 22, 2022.

<u>2023 Meeting Schedule</u>

January 24	August 22
March 14	October 10
May 2	November 14
June 13	

Social Services and Public Safety Committee

October 10, 2023

Summary and Motions

Chair Reynolds called the meeting to order at 1:02 p.m. Committee Members Ellinger, J. Brown, Fogle, Monarrez, Gray, F. Brown, Baxter, Sevigny, and Plomin were in attendance. Council Members Lynch and Vice Mayor Wu were also present as non-voting members.

I. Approval of August 22, 2023 Committee Summary

Motion by Ellinger to Approve the August 22, 2023 Committee Summary. Seconded by Baxter. Motion passed without dissent.

II. Community Risk Assessment

Chief Jason Wells, with Lexington Fire Department, presented the *Community Risk Assessment Standards of Cover* (CRA-SOC) for consideration of accreditation status. As part of the accreditation process, the Division of Fire and Emergency Services had to create its first ever *Community Risk Assessment Standards of Cover*. He defined Community Risk Assessment as the identification of potential and likely risks within a particular community, and the process of prioritizing those risks. He reviewed 3 initiatives supported by CRA-SOC. He provided an overview of the contents included in the CRA-SOC which outlines community description, description of services provided, community risk assessment, and summary of department performance. CRA-SOC provides an in-depth examination of risks associated with Fayette County as well as by geographic planning zone. All incident response types were given a risk score of probability, community consequence, and divisional resource impact. Baseline response times are in the 90th percentile for all incidents which are grouped by population density and risk score. Division of Fire and Emergency Services has set a goal of reducing all response times by 90 seconds. Speaking about response times, Wells said the standard response time is 4 minutes and he noted that current response times are based on rural or urban areas. When asked if the CRA-SOC will help the community to address gaps, Wells explained part of this is peer-related and part is a strategic plan. He noted they need to identify areas where focus is needed. No action was taken on this item.

III. Annual Juvenile Treatment Court Update

Melissa Moore Murphy provided an overview of Juvenile Treatment Court (JTC), and she explained the mission statement which comes from state statute with a focus on mental health for children. Thurston spoke about mechanics of the JTC operation. She reviewed agreements in place with the Administrative Office of the Courts, Fayette County Public Schools, and LFUCG. She provided an overview of how the process works. JTC accepts referrals from court designated workers, family court, and juvenile court. JTC implements a 4 phased approach. Each of these phases monitors the individual participant plan (IPP), no new charges, random drug screening, mental health services, and family & educational supports. Figgs spoke about where we are now with the program since the first court date on March 11, 2022. She reviewed a list of mental health partners and other community partners. She spoke about *You Matter KY* members and funding needs.

Figgs explained a typical day for youth once they enter the program. She said there would be an Individual Participant Plan (IPP), random drug screenings, participation in mental health services, attending court dates, and following the rules. Speaking about the start of this program and funding, Murphy said they get funding through donations and funding from LFUCG and FCPS. She noted that there are other expenses they still need additional funding for. Figgs spoke about the selection of participants in the program. She said the board works with the court and has a screener to screen potential youth for entry into the program. When asked if JTC works with the Department of Social Services (DSS) and Division of Youth Services (DYS), Figgs said they work with all youth. There was some discussion about budgeting for ankle monitors. DYS has been unable to assist with costs associated with ankle monitors due to lack of funding. No action was taken on this item.

IV. Source of Income Discrimination

Charlie Lanter, Commissioner of Housing Advocacy and Community Development presented the Source of Income (SOI) Discrimination item. SOI Discrimination is the refusal to rent to someone based on their form of income and it has been an ongoing issue, particularly in the housing world. Sources of income include social security, section 8 housing vouchers, other program vouchers, child support, and alimony. He explained the data received from the Lexington Housing Authority (LHA) and he spoke about the impact from the voucher program. The most significant impact is on vulnerable populations, such as those exiting homelessness. Continuum of Care data shows the average length of time between program enrollment and housing move-in exceeds 100 days. There are very few listings in Lexington that accept vouchers. Based on a search conducted September 15: out of 557 rentals listings, 534 did not accept vouchers or “Section 8” and those are just ones that publish they don’t accept “Section 8”. Some of the solutions recommended include state and local governments to adopt legislation prohibiting housing discrimination based on SOI. He spoke about how SOI Discrimination impacts tenants and he said landlords are impacted for a variety of reasons as well. What this means is that landlords can't advertise "No Section 8” and the value of the voucher must be included in the calculation of household income for the purpose of eligibility. The proposal from the Law Department is to add language to the Fairness Ordinance which extends a ban on SOI. This does not prevent landlords from using credit history, eviction history, criminal history, or any other “commercially reasonable and nondiscriminatory” practice in making a rental decision. This ban does not require landlords to make repairs or alterations to units if their unit does not pass inspection for acceptance into the Section 8 or any assistance program. And this does not change or restrict any landlord rights to enforce compliance with a written lease agreement once executed. Accepting vouchers does not force landlords to hold units vacant for unreasonable amounts of time. He reviewed the more restrictive ordinance Louisville passed In November 2020 and noted there was no measurable impact on rents in Louisville. He spoke about the enforcement and education pieces of this legislation. Lanter clarified that property owners would only need an initial inspection for what the voucher requires, and this is done through the application process. Not every landlord needs an inspection, only when they are accepting vouchers. Speaking about enforcement, Lanter said the idea is to open the housing market to those with vouchers and the Human Rights Commission (HRC) would respond to any complaints. Speaking about using vouchers, Austin Simms with LHA said they are provided a timeframe by which to use the voucher and once that timeframe lapses, the voucher is given to someone else to use. When asked about the 215 vouchers that were issued with 18% returned unused, Simms said that information is correct. He said it could be that the renter can't find exactly what they are looking for. When asked about voucher holders being too selective with housing, Simms explained that sometimes the unit and location they are looking for is sometimes not available, so they are unable to use the voucher. When asked if vouchers keep up with rent increases, Simms said the Department of Housing and Urban Development (HUD) makes that determination and they publish fair market rents. Speaking about landlords who are not accepting vouchers, Lanter said the bigger complexes are probably 90% of those who do not accept and there is no remedy for this. No one is being forced to take a voucher, but you cannot SAY you don't accept them. Speaking about the formula, Lanter said the family pays about 30% of their income and HUD pays the other portion. Landlords can set rent at any amount; it just must be reasonable. What they find is that most can't rent using a voucher because the landlord's rent is outside the percentage of income. Addressing whether vouchers would interfere with lease renewals, Lanter said LHA must approve rents. Addressing what it would take for a recipient to get kicked out of the voucher program, Simms said when a voucher has been provided and the tenant violates the terms of lease, they can be evicted. After 2 years have passed, they can be reconsidered. Speaking about the date selected (9/15) for the search conducted and if there were other limitations, Lanter confirmed he didn't find any landlords that state they DO accept vouchers. Chair Reynolds spoke about a Special Committee meeting on this topic to be held on November 14, 2023 at 6pm for the purpose of hearing public comment. No action was taken on this item.

V. Items Referred to Committee

No action was taken on this item.

The meeting was adjourned at 3:05 p.m.

INVESTING IN WHAT WORKS!

2023
FAYETTE MENTAL HEALTH DIVERSION COURT

Outcomes that the community has come to know and expect:

Reviewing Our Participants’ Continued Success AFTER THE PROGRAM…

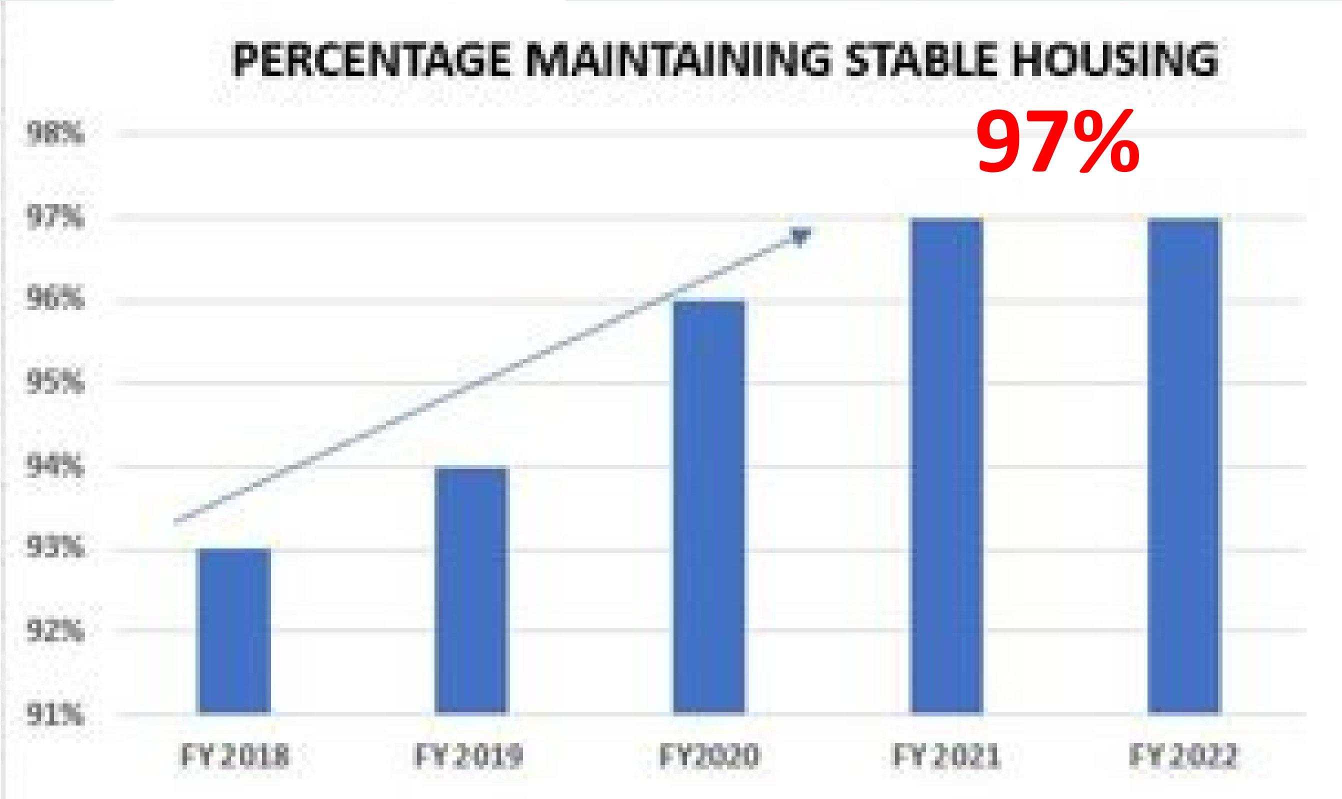
LET’S TALK ABOUT BEATING THE ODDS…

Success after a year in the program
Despite Some Very Tough Odds!

STABLE HOUSING

31%

ENTERING PROGRAM UNHOUSED



The Rate of Poverty on entry is more than **6 TIMES greater** than that of Fayette County residents as a whole

Intersection of Mental Illness and Substance Abuse

90% *of incoming participants:*

Severe Mental Illness

and

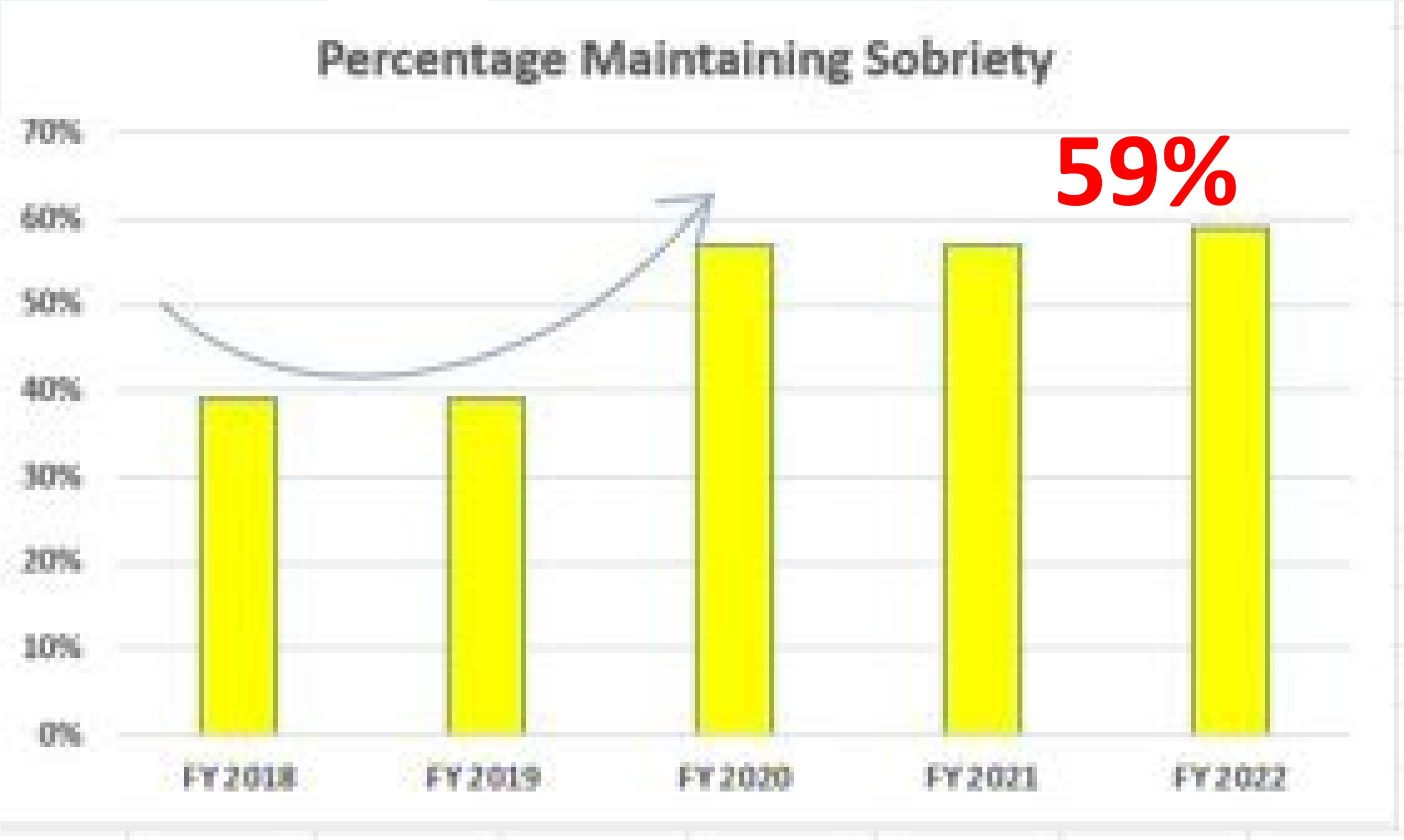
Substance Use Disorder

32% of Those with SUDs:

MORE THAN ONE SUBSTANCE

Success after a year in the program

MAINTAINING SOBRIETY



National Average 20%

(National Institute on Drug Abuse, 2023)

Based on regular drug screens

RECIDIVISM REDUCTION

KENTUCKY Recidivism Rate **46.6%**

FMHC Recidivism Rate **17.7%**

ALUMNI PROGRAM Recidivism Rate **7%**

Kentucky Recidivism Rate
Recidivism Rates by State 2022 (worldpopulationreview.com)

FMHC'S ALUMNI PROGRAM

- … a lifeline for maintaining progress made…

Need for CONTINUING CARE?

- Need for support in early recovery
- Need for connection
- Need for relapse prevention
- Need for discussing daily life struggles with others
- Need for fun sober activities, especially those that are free of charge

Alumni Solution: PALS Participation, Alliance, Legacy, Service

- Connection to community navigation after graduation
- Continuation of engagement with peers, socialization, & meetings
- Incentivized engagement
- Touchstone for community navigation support as needed

"I graduated… my recovery did not."
-FMHC Participant

Alumni Group Impact

- Recidivism rates lowered
- Over 80% retention of participants
- Support from peers and staff
- Validation of struggles and challenges of recovery journey through no- pressure mentoring opportunities

MONETARY SAVINGS FOR LEXINGTON

July 1, 2021– June 30, 2023

15 Graduates

FCDC Savings

21,709 days of incarceration diverted

X $72 /day

$1,563,049

Incarcerated individuals with SMI require an average of 60% more resources than other individuals

21,709 days of incarceration diverted

X $115 /day

$2,496,535

Law Enforcement Savings

72 post-graduate quarters X $5,716 /quarter

National Average

$703,068

FCDC plus Law Enforcement

= $3,199,603

July 1, 2021 – June 30, 2023

$340,000
Investment

941% ROI

$3,199,603
Return on Investment

EXTRA FUNDING

COMMUNITY DEVELOPMENT BLOCK GRANT

JULY 2021 THROUGH JANUARY 2023

$180,000

THANK YOU,
WE USED IT WELL!

FMHC Caseload

October 2022: **16** participants

October 2023: **25** participants

Exponential Growth Anticipated

ALUMNI PROGRAM

PARTICIPANTS SERVED:
22

AVERAGING **4 - 9** PARTICIPANTS AT TWICE-WEEKLY GROUPS

THANK YOU FOR YOUR TIME AND YOUR SUPPORT

AFFORDABLE HOUSING FUND REPORT

Rick McQuady
Social Services & Public Safety Committee
November 2023

Office of Affordable Housing

LEXINGTON

Purpose of Fund

- Leverage public and private investment to preserve and produce safe, quality affordable housing for Fayette County residents whose incomes are at or below 80% of area median income.
- Housing is considered affordable when housing costs are no more than 30% of gross household income.
- Quality is important as affordable housing results from reduced debt service.

Area Median Income---2023

Household Size	80% of AMI	60% of AMI	50% of AMI	30% of AMI
1	$50,050	$37,560	$31,300	$18,800
2	$57,200	$42,900	$35,750	$21,450
3	$64,350	$48,240	$40,200	$24,860
4	$71,450	$53,580	$44,650	$30,000

Affordable Housing Costs Per Month

Household Size	80% of AMI	60% of AMI	50% of AMI	30% of AMI
1	$1,251	$939	$783	$470
2	$1,430	$1,073	$894	$536
3	$1,609	$1,206	$1,005	$622
4	$1,786	$1,340	$1,116	$750

Affordable Housing Board

- Jeff Fugate, Chair
- Paul Thornsberry, Vice Chair
- Laura Boison
- Janet Beard
- Vacant
- Jordan Parker
- Dan WU
- Hannah Legris
- Andrew Walker
- Barry Holmes
- Charlie Lanter
- Kyle Wicker
- John Atchison

Advisory Committee

- Lexington Fair Housing Commission
- Lexington Housing Authority
- Urban League
- AU Associates
- Central KY Homeless and Housing Initiative
- Hope Center
- Habitat For Humanity
- Home Builders Association
- Community Ventures
- REACH
- Community Action Council
- Winterwood Property Management and Development

Application Process

1. Initial contact and review of program guidelines
2. Application submission and review
3. Technical submission
4. Board of Directors review
5. Pre-Construction conference and closing
6. Construction and placed in service/Inspections
7. Compliance monitoring
8. Loan Servicing/Asset Management

Evaluation Criteria

- Need/Market
- Design of Development
- Financial Feasibility
- Capacity of Development Team
- Readiness to Proceed

Annual Compliance Objectives

- **Review of financial condition and performance**
  - Overall review of financial condition of property
  - Review of vacancy rate
  - Rents being charged
  - Compare actual to pro forma projections
  - Review of reserve for replacement account
  - Adherence to project requirements as outlined in legal agreements

- **Property Inspection**
  - Overall condition of property
  - REAC score if applicable
  - Condition of pledged amenities
  - Proof of LFUCG as loss payee on Insurance Policy

- **Tenant Eligibility**
  - Tenant Selection Plan
  - Review new tenant files to ensure income eligibility

- **Adherence to requirements of affordable housing program**
  - Outlined in legal agreements
  - Outlined in program guidelines

Funding History ($43.5 Million Total)

▪ Fiscal Year 2015	$3 Million
▪ Fiscal Years 2016-2021	$12 Million
▪ Fiscal Year 2022	$3.5 Million
▪ Fiscal Year 2023	$4.875 Million
▪ Fiscal Year 2024	$ 7 Million
▪ ARPA Funds (SLFRF)	$13.125 Million

Financial Report and Projections September 2014-June 30, 2024—General Fund Allocation

Revenue	
Total Allocations (Includes recent addition of $5,000,000 from Fund Balance)	$30,375,000
Fee Income Earned	$239,438
Loan Receipts	$5,726,882
Total	**$36,341,320**

Expenses	
Administrative Expenses	$1,216,372
Funding Commitments	$28,622,233
Funds Available	**$6,502,715**

Financial Report and Projections SLFRF (ARPA) Allocation

Revenue

Total Allocations	$13,125,000
Total	**$13,125,000**

Expenses

Funding Commitments	$11,678,802
Funds Available	**$1,446,198**

Fund Activity—General Fund

Allocations	
Amortizing loans	$12,563,041
Forgivable loans and grants	$16,059,192
Total Allocations	$28,622,233
Affordable Housing Fund Allocation Per Unit (2,988 Units)	$9,579

Fund Activity—SLFRF

Allocations	
Amortizing loans	$5,324,000
Forgivable loans and grants	$6,354,802
Total Allocations	$11,678,802
SLFRF Allocation Per Unit (409 Units)	$28,555

217 of the funded units also received General Fund dollars.

Leverage---General Fund and SLFRF	
Outside Funding in Developments	$390,130,970

Affordable Housing Units-General and SLFRF

Units	
Affordable units preserved	966
Existing units preserved for affordable housing	627
New affordable housing units constructed	1,587
Total units funded	**3,180**

Number of affordable housing units and maximum allowable incomes

Housing Units	Maximum Allowable Incomes
161	30%
318	50%
2,232	60%
469	80%

85.3% of the units funded are for households whose incomes are at or below 60% of area median income.

Averages: Rents and Annual Income Based on Units Placed In Service—2022

Unit Type	Average Rent Paid by Tenants
Studio	$439
1 Bedroom	$407
2 Bedroom	$588
3 Bedroom	$626

Average Annual Household Income: $15,946.00

Updating numbers for 2023 and will send to Committee

Special Needs Populations Housed

Elderly and/or disabled	774
Homeless	107
Veterans	50
Substance addiction	48
Youth (ages 18-24)	6
Mentally and physically disabled	54
Medically vulnerable	26
Severe mental illness	28
Survivors of domestic violence	24
Total special needs units funded (34.9%)	**1,117**

Development Challenges

- Rising Interest Rates
- Operating Expense Increases
- Escalating Construction Costs
- Acquiring Viable and Affordable Land

QUESTIONS?

THE FOLLOWING SLIDES ARE FOR INFORMATION ONLY

Projects

- St. James Place Apartments
  - 169 Deweese Street
  - Preservation of 96 units
  - Homeless
  - $769,500 grant (Three separate allocations)
  - Rehab work ongoing—7 units and elevator improvements remain to be completed

Affordable Housing Fund Report LEXINGTON

Projects

- Wilson Street Apartments
  - 329 Wilson Street
  - Rehab of 4 units
  - 3 units for 80% of area median income and below; 1 unit for 50% and below
  - $41,044 deferred loan
  - Rehab work completed in 2016

Projects

- Parkway Manor Apartments
  - 431 Rogers Road
  - Rehabilitation of 180 units
  - Households at or below 60% of area median income
  - $159,374 pre-development loan
  - Rehab work completed in 2016

Affordable Housing Fund Report LEXINGTON

Projects

- Stonebridge Apartments
  - 1261 Village Drive
  - Rehabilitation of 47 units
  - Households at or below 80% of area median income (referrals from homeless providers)
  - $411,749 Deferred Loan
  - Rehab work completed in 2018

Projects

- Kentucky Council Against Domestic Violence
  - Briar Hill Road, Mackenzie Lane, Cambridge Drive
  - New construction of 12 units, rehabilitation of 12 units
  - Survivors of domestic violence (referrals from Greenhouse 17); at or below 60% of area median income
  - $415,686 loan; $165,000 grant
  - Development completed in 2017

Affordable Housing Fund Report
LEXINGTON

Projects

- Community Ventures
  - Various East Lexington locations
  - Acquisition, new construction and rehabilitation of 11 units
  - Households at or below 80% of area median income
  - $285,134 loan, $66,385 grant
  - Development completed in 2018

Projects

- Habitat for Humanity
  - 301 Ash Street
  - Acquisition of site to build home
  - Households at or below 50% of area median income
  - $5,290 grant
  - Development completed in 2016

Projects

- North Limestone Community Development Corporation
  - York Street
  - Acquisition and construction of 6 homeownership units
  - Households at or below 80% of area median income
  - Loan for $159,103; grant for $163,096
  - Development completed in 2017

Projects

- Lexington Housing Authority
  - 325 Wilgus Avenue
  - Acquisition and rehabilitation of single family home
  - Homeless family
  - $35,000 loan; $47,350 grant
  - Development completed in 2016

Affordable Housing Fund Report LEXINGTON

Projects

- 7 Upper Apartments
  - 7th and Upper Streets
  - Acquisition and rehabilitation of 7 units
  - Households at or below 80% of area median income (taking referrals from various nonprofit agencies)
  - $252,000 loan
  - Development completed in 2016

Affordable Housing Fund Report

LEXINGTON

Projects

- Parkside III
    - 1048 Cross Keys Drive
    - New construction of 36 units
    - Households at or below 60% of area median income
    - $1,165,656 loan
    - Development completed in 2018

Affordable Housing Fund Report

LEXINGTON

Projects

- Ferrill Square Apartments
    - 471 Price Road
    - Renovation of 59 units
    - Elderly and disabled; 60% of area median income
    - $447,768 loan; $458,000 grant
    - Development completed in 2017

Projects

- 5th Street Apartments
  - 5th and Smith Streets
  - Acquisition and rehabilitation of 4 units
  - Households at or below 80% of area median income
  - $212,000 loan, $54,000 grant
  - Development completed in 2016

Affordable Housing Fund Report LEXINGTON

Projects

- Independence Homes (Bob Brown House)
  - 507 Rogers Road
  - Rehabilitation of 14 units
  - Mentally and physically disabled
  - $227,000 grant
  - Rehab work completed in 2017

Projects

- Lexington Urban League
  - Chestnut Street and Eastern Avenue
  - Acquisition and rehabilitation of 2 duplexes
  - Households at or below 80% of area median income
  - $356,525 Loan
  - Development completed in 2017

Projects

- New Beginnings, Bluegrass Inc.
  - Rehabilitation of existing building to create 4 units
  - Households with severe mental illness
  - $88,018 Grant
  - Development completed in 2017

Affordable Housing Fund Report

LEXINGTON

Projects

- Arlington Lofts
  - 1001 and 1021 North Limestone Street
  - New construction of 81 units
  - Households at or below 60% of area median income
  - $700,000 Loan and $500,000 grant
  - Development completed in 2021

Affordable Housing Fund Report

LEXINGTON

Projects

- North Limestone Community Development Corp
  - York Street
  - New Construction of 5 units for homeownership
  - Households at or below 80% of area median income
  - $250,000 loan and $140,260 grant
  - Development completed in 2017

Projects

- Two Way Prayer, LLC/Now owned by Grand Properties, LLC
  - Charles Avenue and Whitney Avenue
  - Acquisition/Rehabilitation of 2 units
  - Families at or below 80% of area median income
  - $60,000 grant
  - Development completed in 2017

Projects

- Community Initiatives LLC
  - Anderson Street, Greenwood Avenue, Corral Street, Carlisle Avenue
  - Acquisition/Rehabilitation of 4 units
  - Households who were formerly homeless
  - $102,000 loan and $10,600 grant
  - Development completed in 2017
  - Anderson Street, Greenwood Avenue and Corral Street currently owned by Community Action Council
  - Carlisle Avenue home now owned by Grand Properties, LLC

Projects

- Saddle Run Apartments (formerly Downing Place)
  - Spangler Avenue
  - Acquisition/Rehabilitation of 155 Units
  - Households at or below 60% of area median income
  - $300,000 loan and $300,000 grant
  - Development completed in 2018

Affordable Housing Fund Report
LEXINGTON

Projects

- Victory Point
  - Opportunity Way and Leestown Road
  - New Construction/Rehabilitation 50 Units
  - Veterans and their families (60% and below area median income)
  - $330,000 pre-development loan; $100,000 deferred loan
  - Development completed in 2020

Affordable Housing Fund report

LEXINGTON

Projects

- Ash Street Development
  - 458 Ash Street
  - New construction of duplex for households at or below 80% of area median income
  - $157,045 loan
  - Development completed in 2018

Affordable Housing Fund Report

LEXINGTON

Projects

- Hope Center Permanent Housing
  - Loudon Avenue
  - New Construction of 48 units for those recovering from addiction
  - $400,000 Deferred Loan
  - Development completed in 2019

Projects

- Derby Pointe Apartments
  - 1218 Winburn Drive
  - Rehabilitation of 73 units
  - Households at or below 80% of area median income
  - $175,000 interest only loan (loan was repaid at sale)
  - $275,000 Deferred/Forgivable Loan to new owners
  - Rehab work completed in 2021

Affordable Housing Fund Report LEXINGTON

Projects

- Whitney Woods Apartments
  - 700 Whitney Woods Place
  - Rehabilitation of 40 units
  - Households at or below 60% of area median income
  - $400,000 deferred loan and $54,710 pre-development loan
  - Rehab work completed in 2019

Projects

- Emerson Center Apartments
  - Garden Springs Drive
  - Elevator modernization
  - Low income elderly; 178 units
  - $250,000 amortizing loan
  - Rehab work completed in 2018

Projects

- Meadowthorpe Landing
  - Antique Way
  - New Construction of 71 units
  - Elderly at 60% and below area median income
  - $1,212,671 amortizing loan (all has been repaid)
  - Development completed in 2019

Projects

- Fayette County Local Development Corporation
  - 466-468 Ash Street
  - New construction of 4 units for families at or below 80% of area median income
  - $83,248 deferred loan
  - Development completed in 2019

Affordable Housing Fund Report LEXINGTON

Projects

- Independence Homes (Bob Brown House)
  - 507 Rogers Road
  - New construction of 24 units for physically and mentally handicapped
  - Households at or below 60% of area median income (most at 30% and below)
  - $425,000 deferred loan
  - Development completed in 2021

Projects

- Ballard Apartments—Lexington Housing Authority
  - 650 Tower Plaza
  - Rehabilitation of 134 units for low-income elderly at or below 60% of area median income
  - $300,000 interest only loan
  - Development completed in 2021

Affordable Housing Fund Report LEXINGTON

Projects

- Arbor Youth Services
  - 1807 Dalton Court
  - Rehabilitation of home to house 6 youth (ages 18-24) at or below 50% of area median income
  - $250,000 grant
  - Rehab work completed in 2019

LEXINGTON

Projects

- Cambridge Apartments
  - 1980,1988,1992, 2000, 2008 and 2016 Cambridge Drive
  - Rehabilitation of 70 units for households at or below 80% of area median income
  - $200,000 forgivable loan and $200,000 amortizing loan
  - Rehab work completed in 2020

Affordable Housing Fund Report

LEXINGTON

Projects

- Westminster Apartments
  - 1510 Versailles Road
  - Rehabilitation of 132 units for households at or below 60% of area median income
  - $200,000 deferred loan and $200,000 amortizing loan
  - Rehab work completed in 2020

Projects

- Lexington Habitat for Humanity
  - Rehab of 748 Florida and 764 Maple; new construction at 612 Breckinridge, 131 Betty Hope Lane and 697 Georgetown Street
  - Households at or below 50% of area median income
  - $96,200 grant
  - Single family homes and Maple Street property completed in 2020. Florida Street house completed in 2022.

Projects

- Grand Properties, LLC
  - 405 Lenny Drive
  - Rehabilitation of 4 units
  - 2 units for households at or below 80% of area median income and 2 units for households at or below 50% of area median income
  - $51,306 forgivable loan
  - Rehab work completed in 2019

Projects

- Chimera Properties
  - 2925 and 2949 Winter Garden and 2833 and 2844 Snow Road
  - Rehabilitation of 20 units for households at or below 80% of area median income
  - $84,700 amortizing loan and $21,175 deferred loan
  - Rehab work completed in 2021

Projects

- Oasis at Kearney Creek
  - Meadowsweet Lane
  - New construction of 96 units for elderly households whose income is at or below 60% of area median income
  - $394,295 deferred loan
  - Development completed in 2021

Projects

- Lexington Opportunity Partners
  - Various East End addresses
  - Reconstruction of 6 units for households at or below 80% of area median income and 5 units for households at or below 60% of area median income
  - $163,668 deferred loan and $163,668 amortizing loan
  - Development completed in 2022

Projects

- Fayette County Local Development Corporation
  - 756 Florence Avenue
  - New Construction of two duplexes (4 units) for households at or below 80% of area median income
  - $100,000 amortizing loan and $100,000 deferred/forgivable loan
  - Development ongoing

Projects

- AU Associates
  - Polo Club Senior Apartments
  - 6411 Polo Club Lane
  - New construction of 24 units for seniors at or below 60% of area median income
  - $676,591 deferred loan
  - Development completed in 2023

Affordable Housing Fund Report LEXINGTON

Projects

- AVOL and Winterwood
  - Stonewall Terrace
  - 1812 Versailles Road
  - New construction of 24 units of permanent supportive housing for households with medical vulnerabilities and income at or below 60% of area median income
  - $500,000 deferred loan
  - Development completed in 2022

LEXINGTON

Projects

- LDG Development
  - Alcove at Russell
  - 1975 Russell Cave Road
  - New construction of 202 units for households at or below 60% of area median income
  - $625,000 amortizing loan and $625,000 deferred loan
  - Development completed in 2023

Affordable Housing Fund Report

LEXINGTON

Projects

- Rahsaan Berry
  - Single family home at 745 Chiles Avenue
  - Rehabilitation of single family home for household at or below 80% of area median income
  - $25,000 deferred/forgivable loan
  - Development ongoing

Projects

- Bluegrass Living Properties, LLC/Now owned by DMS Holdings, LLC
  - 734 North Broadway
  - Rehab of 5 units for households at or below 80% of area median income
  - $50,000 deferred/forgivable loan
  - Completed in 2022

Affordable Housing Fund Report

LEXINGTON

Projects

- Chimera Properties
  - 2916, 2920, 2924 and 2928 Winter Garden
  - Acquisition and rehab of 16 units for households at or below 80% of area median income
  - $75,000 amortizing loan and $75,000 deferred/forgivable loan
  - Rehab completed in 2022

Affordable Housing Fund Report

LEXINGTON

Projects

- KBJ Construction Management
  - 458 Price Road
  - Rehab of single family home for households at or below 80% of area median income
  - $20,000 deferred/forgivable loan
  - Development completed in 2021

Affordable Housing Fund Report

LEXINGTON

Projects

- Lexington Housing for the Handicapped
  - 3057 North Cleveland Road
  - Acquisition and rehab of 16 units for households with mental/physical disabilities
  - $106,250 deferred/forgivable loan
  - Development ongoing

Projects

- Winterwood Development
  - 330 Newtown Pike
  - New construction of 208 units for households at or below 60% of area median income
  - $250,000 amortizing loan and $250,000 deferred loan
  - Under construction

Projects

- Christian Towers
  - Mansemar Development (Georgia)
  - 1511 Versailles Road
  - Rehab of 92 units and new construction of 40 units for elderly and 18+ mobility impaired at 60% or below area median income
  - $250,000 amortizing loan and $250,000 deferred loan
  - Under construction

Projects

- AU Associates
  - Kearney Ridge Apartments
  - 2559 Kearney Ridge Blvd.
  - New construction of 252 units for households at or below 60% of area median income
  - $800,000 amortizing loan and $800,000 deferred loan
  - Under construction

Affordable Housing Fund Report LEXINGTON

Projects

- Fair Oaks Apartments
  - 1285 Centre Parkway
  - Rehab of 40 units for households at or below 80% of area median income
  - $700,000 deferred/forgivable loan
  - Rehab work completed in 2023

Projects

- Joshua Holdings
  - Rehab of single family home at 558 Elm Tree Lane into a duplex for households at or below 80% of area median income
  - $50,000 deferred forgivable loan
  - Rehab work ongoing

Projects

- The Baxter Apartments
  - Martha Court
  - Rehab of stairwells and walkways for 73 units serving households at or below 80% of area median income
  - $400,000 amortizing loan and $50,000 forgivable loan
  - Rehab work completed in 2022

Projects

- Nest A-Lexington
  - Rehab of former hotel at 917 Georgetown Road
  - 29 units for households at or below 80% of area median income
  - $75,000 forgivable loan and $75,000 amortizing loan
  - Construction completed in 2022

Affordable Housing Fund Report LEXINGTON

Projects

- AU Associates
  - Richwood Bend Apartments
  - 100 Codell Drive
  - Construction of 84 multifamily units for households at or below 60% of area median income
  - $840,000 deferred loan and $420,000 amortizing loan
  - Under construction

Affordable Housing Fund Report

LEXINGTON

Projects

- KBJ Management (Keith Jones)
  - Construction of duplex at 775 North Upper Street for households at or below 80% of area median income
  - $40,000 deferred forgivable loan
  - Under Construction

Affordable Housing Fund Report

LEXINGTON

Projects

- Lexington Habitat for Humanity
  - Construction of five single family homes on Perry Street for households at or below 50% of area median income
  - $100,000 grant
  - Completed in 2023

LEXINGTON

Projects

- Main Street Baptist Manor Apartments
  - 428 Darby Creek Road
  - Rehabilitation of 63 multifamily units for elderly whose incomes are at or below 50% of area median income
  - $1,413,350 grant and $344,000 repayable loan
  - State and Local Fiscal Recovery Funds
  - Rehab work completed in 2023

Affordable Housing Fund Report

LEXINGTON

Projects

- Fayette County Local Development Corporation
  - Elm Tree Lane Apartments
  - 302 Gunn Street
  - Rehabilitation of 17 multifamily units for elderly at or below 60% of area median income
  - $1,600,000 forgivable loan
  - State and Local Fiscal Recovery Funds
  - Rehab work ongoing

Projects

- Lexington Housing Authority
  - 572 Pemberton Street
  - New Construction of 5 townhomes for households referred by Continuum of Care
  - $516,452 Forgivable Loan
  - State and Local Fiscal Recovery Funds
  - Under Construction

Affordable Housing Fund Report
LEXINGTON

Projects

- 1665 Maywick View LLC
  - 1657 and 1665 Maywick View Lane
  - Rehabilitation of 16 units for households at or below 80% of area median income
  - $745,000 forgivable loan
  - Completed in 2023

Projects

- Ashland Terrace
  - 475 S. Ashland Avenue
  - Rehabilitation of 3 units
  - $165,000 grant
  - Construction ongoing

Affordable Housing Fund Report
LEXINGTON

Projects

- Beargrass Development
  - Oakdale Apartments
  - Construction of 144 multifamily units at 1201 Greendale Road for households at or below 60% of area median income
  - $600,000 deferred loan and $1,100,000 amortizing loan
  - $800,000 deferred loan from State and Local Fiscal Recovery Funds
  - Under construction

Projects

- AU Associates
  - Davis Park Station
  - Construction of 73 multifamily units on DeRoode Street. Development includes Workforce Training components.
  - Households at or below 60% of area median income, with 5 of the units reserved for households at or below 30%
  - $2,900,000 deferred loan and $1,300,000 amortizing loan
  - Under construction

Affordable Housing Fund Report LEXINGTON

Projects

- New Beginnings, Bluegrass, Inc.
  - Acquisition and Rehabilitation of 24 units at 1662, 1666,and 1670 Alexandria Drive
  - Households with Severe Mental Illness, are homeless or at risk of homelessness whose incomes are at or below 50% of area median income
  - Permanent Supportive Housing
  - $700,000 forgivable loan and $180,000 amortizing loan
  - Property has been acquired and rehab work is ongoing

SUNDAY ALCOHOL SALES

Councilmember Dave Sevigny

Social Services & Public Safety Committee

November 14, 2023

LEXINGTON

LEXINGTON

History

Blue Laws

- Came to America with the first colonists and restricted almost every activity on Sunday, the Sabbath. They outlawed everything from hunting on Sunday to selling any type of goods, to displays of affection.

- Some colonies prohibited dancing and even laughing too loud. They also made attending church mandatory.

- They are slowly disappearing.

Kentucky Law

Can I sell alcoholic beverages on Sunday?

- Local governments have the authority to permit Sunday alcohol sales by ordinance.
- Sunday sales are permitted for those business types, and at the times, permitted by any local ordinance.
- KRS 244.290(4); KRS 244.480(4).

Timeline

1982

State Law allows Sunday sales of distilled spirits & wine

Voters reject local ballot referendum

1986

Voters pass Sunday hours for by the drink sales of distilled liquor and wine from 1 p.m. to 11 p.m.

1987

Council allows Sunday hours for sale of beer

1995

Council allows restaurants to sell beer and malt beverages until 1 a.m. when NYE falls on a Sunday

2006

Council considers extending restaurant sales to 2 a.m. as NYE falls on Sunday; no action taken

2007

Council allows selling, giving away, delivering on Sundays

- 11 a.m. - Distilled spirits & wine by the drink, malt beverages
- 1 p.m. - Retail packaged distilled spirits & wine

2014

Council repeals ordinance banning alcohol sales on Election Day

2017

Council allows expanded hours of retail package distilled spirits & wine sales when Christmas Eve and NYE fall on Sunday

The Issue for Lexington

Economic Development

- Lexington is an international tourist destination with a signature industry that includes Bourbon. Weekends are the biggest draw. Saturdays and Sundays are prime days for capturing tourist dollars.

  - *By increasing hours on Sundays, I could improve my top line by about half a million dollars a year –* Restaurant owner
  - *As the destination marketing organization for Lexington, VisitLEX supports changing local ordinances to make alcohol sales on Sunday consistent with the rest of the week. This small step will assist in the post-pandemic economic recovery of our industry and benefit our guests and locals alike.* - VisitLEX
  - *Sundays tend to be the busiest day of the week for restaurants serving breakfast and lunch. Guests, especially those from out of town, and often surprised that they can't order an alcoholic beverage before 11 a.m.* - Kentucky Restaurant Association

LEXINGTON

The Issue for Lexington

Fairness

- Workers and consumers should have same access to legal beverages each day of the week.
  - *After a long shift on Saturday night, we still look forward to some socializing with our friends before we head off to bed to work Sunday night while the rest of the city sleeps.*
  - *As a UK employee and on behalf of my other late-night employees, we miss Winchell's having early Sunday alcohol sales. It has always been a tradition to go there after a hard night's work and have breakfast with a drink of choice.*

A Solution for Lexington

Treat all days and hours the same

- Allow sales to start at 6:00 a.m. each day of the week.
  - The selling, giving away, or delivering of distilled spirits or wine by the drink; malt beverages; and retail package distilled spirits and wine shall not be permitted during the hours of 2:30 a.m. and 6:00 a.m. on any day from Monday through Sunday.
    - *Amend sections 3-21(a)(1), 3-21(b)(1), 3-21(c)(1)*
    - *Delete sections 3-21(a)(2) & (3), 3-21(b)(2) & (3), 3-21(c)(2) & (3)*

Questions?

ORDINANCE NO. _______- 2023

AN ORDINANCE AMENDING SECTION 3-21(A)(1) OF THE CODE OF ORDINANCES RELATED TO ALCOHOLIC BEVERAGES TO AMEND BUSINESS HOURS PROHIBITION TO BETWEEN THE HOURS OF 2:30 A.M. AND 6:00 A.M. ON ANY DAY FROM MONDAY THROUGH SUNDAY; DELETING SECTIONS 3-21(A)(2) AND (3) OF THE CODE OF ORDINANCES RELATED TO ALCOHOLIC BEVERAGES; AMENDING SECTION 3-21(B)(1) OF THE CODE OF ORDINANCES RELATED TO ALCOHOLIC BEVERAGES TO AMEND BUSINESS HOURS PROHIBTION TO BETWEEN THE HOURS OF 2:30 A.M. AND 6:00 A.M. ON ANY DAY FROM MONDAY THROUGH SUNDAY; DELETING SECTIONS 3-21(B)(2) AND (3) OF THE CODE OF ORDINANCES RELATED TO ALCOHOLIC BEVERAGES; AMENDING SECTION 3-21(C)(1) OF THE CODE OF ORDINANCES RELATED TO ALCOHOLIC BEVERAGES TO AMEND BUSINESS HOURS PROHIBTION TO BETWEEN THE HOURS OF 2:30 A.M. AND 6:00 A.M. ON ANY DAY FROM MONDAY THROUGH SUNDAY; DELETING SECTIONS 3-21(C)(2) AND (3) OF THE CODE OF ORDINANCES RELATED TO ALCOHOLIC BEVERAGES.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 — That Section 3-21(a) of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

(a) *Distilled spirits and wine by the drink.* Unless otherwise provided herein, the selling, giving away, or delivering of distilled spirits or wine by the drink shall not be permitted during the following hours:

(1) Between the hours of 2:30 a.m. and 6:00 a.m. on any day from Monday through Sunday.

Section 2 — That Section 3-21(b) of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

(b) *Malt beverages.* Unless otherwise provided herein, the selling, giving away, or delivering of malt beverages shall not be permitted during the following hours:

(1) Between the hours of 2:30 a.m. and 6:00 a.m. on any day from Monday through Sunday

Section 3 — That Section 3-21(c) of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

(c) *Retail package distilled spirits and wine.* The selling, giving away, or delivering of packaged distilled spirits or wine shall not be permitted during the following hours:

(1) Between the hours of 2:30 a.m. and 6:00 a.m. on any day from Monday through Sunday.

Section 4 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

____
MAYOR

ATTEST:

____
CLERK OF URBAN COUNTY COUNCIL
PUBLISHED:
MRS:X:\Cases\CO\08-CC0785\LEG\00169877.8.1

ORDINANCE ___________- 2023

AN ORDINANCE AMENDING SECTION 3-21(A)(1) OF THE CODE OF ORDINANCES RELATED TO ALCOHOLIC BEVERAGES TO AMEND BUSINESS HOURS PROHIBTION TO BETWEEN THE HOURS OF 2:30 A.M. AND 6:00 A.M. ON ANY DAY FROM MONDAY THROUGH SUNDAY; DELETING SECTIONS 3-21(A)(2) AND (3) OF THE CODE OF ORDINANCES RELATED TO ALCOHOLIC BEVERAGES; AMENDING SECTION 3-21(B)(1) OF THE CODE OF ORDINANCES RELATED TO ALCOHOLIC BEVERAGES TO AMEND BUSINESS HOURS PROHIBTION TO BETWEEN THE HOURS OF 2:30 A.M. AND 6:00 A.M. ON ANY DAY FROM MONDAY THROUGH SUNDAY; DELETING SECTIONS 3-21(B)(2) AND (3) OF THE CODE OF ORDINANCES RELATED TO ALCOHOLIC BEVERAGES; AMENDING SECTION 3-21(C)(1) OF THE CODE OF ORDINANCES RELATED TO ALCOHOLIC BEVERAGES TO AMEND BUSINESS HOURS PROHIBTION TO BETWEEN THE HOURS OF 2:30 A.M. AND 6:00 A.M. ON ANY DAY FROM MONDAY THROUGH SUNDAY; DELETING SECTIONS 3-21(C)(2) AND (3) OF THE CODE OF ORDINANCES RELATED TO ALCOHOLIC BEVERAGES.

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(1) Between the hours of 2:30 a.m. and 6:00 a.m. on any day from Monday through Sunday. ~~and 11:00 a.m. on a Sunday.~~

(2) ~~Between the hours of 2:30 a.m. and 6:00 a.m. on a Monday; and~~

(3) ~~Between the hours of 2:30 a.m. and 6:00 a.m. on any day from Tuesday through Saturday.~~

Section 2 — That Section 3-21(b) of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

(b) *Malt beverages.* Unless otherwise provided herein, the selling, giving away, or delivering of malt beverages shall not be permitted during the following hours:

(1) Between the hours of 2:30 a.m. and 6:00 a.m. on any day from Monday through Sunday. ~~and 11:00 a.m. on a Sunday.~~

(2) ~~Between the hours of 2:30 a.m. and 6:00 a.m. on a Monday; and~~

(3) ~~Between the hours of 2:30 a.m. and 6:00 a.m. on any day from Tuesday through Saturday.~~

Section 3 — That Section 3-21(c) of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

(c) *Retail package distilled spirits and wine.* The selling, giving away, or delivering of packaged distilled spirits or wine shall not be permitted during the following hours:

(1) Between the hours of 2:30 a.m. and 6:00 a.m. on any day from Monday through Sunday. ~~and 1:00 p.m. on a Sunday.~~

(2) ~~Between the hours of 9:00 p.m. on a Sunday and 6:00 a.m. on a Monday, except when Christmas Eve and New Year's Eve fall on a Sunday, then between the hours of 2:30 a.m. and 6:00 a.m. on that Sunday, and~~

(3) ~~Between the hours of 2:30 a.m. and 6:00 a.m. on any day from Tuesday through Saturday.~~

Section 4 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

____
MAYOR

ATTEST:

____
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

MRS:X:\Cases\CO\08-CC0785\LEG\00169877.8.1

ITEMS REFERRED TO COMMITTEE

Social Services and Public Safety

	Referral Item	Current Sponsor	Date Referred	Last Presentation	Status	Legistar File ID
1	Expand the Adult Mental Health Court with an Aftercare Program	T. Fogle	July 9, 2020	August 11, 2020		0763-20
2	Crime Reduction Technology	W. Baxter	September 21, 2021	May 2, 2023		1065-22
3	Assessment and Enforcement of Noise Ordinance	H. LeGris	July 5, 2022	August 22, 2023		0840-23
4	Review of Golf Cart Policies	L. Sheehan	October 11, 2022			
5	Eviction Diversion & Right to Counsel - Tenants' Bill of Rights	D. Wu	January 24, 2023			
6	Source of Income Discrimination - Tenants' Bill of Rights	D. Sevigny	April 18, 2023	October 10, 2023		1044-23
7	An evaluation of Community and Resident Services assistance programs to simplify and condense funds and ensure consistent eligibility	S. Lynch	May 30, 2023		January, 2024	
8	Monitor the Emergency Financial Assistance program funding to determine the actual community needs as other funding sources diminish	S. Lynch	May 30, 2023		January, 2024	
9	Comprehensive Review of Code Enforcement (looking at ordinances, data, complaints, enforcement, technology, etc.)	D. Gray	June 29, 2023			
10	Community Risk Assessment Standards (Fire Department)	J. Reynolds	August 22, 2023	October 10, 2023		1042-23
11	Alcohol Sales on Sundays	D. Sevigny	September 12, 2023		November 14, 2023	1161-23
	Annual/Periodic Updates					
12	Substance Abuse Intervention	L. Sheehan	January 12, 2022	March 14, 2023		0302-23
13	Office of Homelessness Prevention and Intervention Annual Report	L. Sheehan	June 7, 2022	August 22, 2023		0901-22
14	Annual NAMI - Fayette Mental Health Court Update	D. Gray	February 20, 2018	April 12, 2022	November 14, 2023	0360-22
15	Annual LFUCG Affordable Housing Fund, Initiatives and Projects Update	D. Gray	August 10, 2021	October 12, 2021	November 14, 2023	1026-21
16	Annual Juvenile Treatment Court Update	D. Gray	July 9, 2020	October 10, 2023		1164-21
17	Annual Update on Recruitment, Retirement, and Retention for Department of Public Safety	D. Sevigny	September 22, 2020	June 13, 2023		0450-21
18	Annual Community Paramedicine Program Update	J. Reynolds	July 6, 2021	March 14, 2023		0300-23
19	Annual Review of Code Enforcement	J. Reynolds	October 8, 2019	June 13, 2023		0814-22
20	ONE Lexington Programs Update: Safety Net, Hospital Based Violence Intervention, and New Vista	J. Reynolds	September 25, 2020	January 24, 2023		0080-23
	Subcommittees					
21	Gun Violence Task Force	J. Reynolds	October 11, 2022			

Updated 09/12/2023, KJT