

- 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
January 23, 2024
1:00 P.M.

- I. **Approval of November 14, 2023 SSPS Committee Summary** (1-2)
- II. **Approval of November 14, 2023 Special SSPS Committee Summary** (3)
- III. **Source of Income Discrimination** [Sevigny/Sevigny] (4-17)
- IV. **Assistance Programs Update** [Lynch/Lanter] (18-30)
- V. **Items Referred to Committee** (31)
 - a. **Annual Review of Committee Items** (32-36)

"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.

2024 Meeting Schedule

January 23	July 2
March 05	September 17
April 9	October 8
May 14	November 12



Social Services and Public Safety Committee

November 14, 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 October 10, 2023 Committee Summary

Motion by Ellinger to approve the October 10, 2023 Committee Summary. Seconded by Fogle. Motion passed without dissent.

II. Annual NAMI - Fayette Mental Health Court Update

Connie Milligan, Clinical Director for Fayette County Mental Health Court, stated the Fayette Mental Health Court program has been in operation for 14 years and she discussed some success stories. She spoke about the intersection of mental illness and substance abuse and said 90% of incoming participants struggle with co-occurring disorders. She spoke about the need for continuing care which is helped through PALS (Participation, Alliance, Legacy, and Service). She spoke about the alumni impact which shows lowered recidivism rates, 80% retention of participants, and support from peers and staff. She reviewed the monetary savings for Lexington from July 2021-June 2023 with 15 graduates. This saved the city 21,709 days of incarceration which amounted to cost savings of almost \$2.5 million. Judge Tackett spoke about the court process and mentioned the Supreme Court is taking initiative to help those with mental illness. He spoke about jail not being the best option for people suffering because no therapy is provided. Speaking about the importance of saving money and helping people, Milligan said there was a 51% increase in one year and funding would allow for more staff. When asked about stable housing and if there is a difference this year, Milligan said stable housing is a crisis. There is a need for different types of housing so people can get off the street. Milligan confirmed the success rate is holding and she said peer support and community partners are what makes this work. When asked how long the waiting list is, Milligan said there are about 7 or 8 on the list now so it could be about 8 weeks. Milligan spoke about community partners and extensive relationships with providers of substance abuse treatment. When asked where referrals come from, Tackett mentioned Melissa Moore Murphy and Lindsey Thurston who have the Juvenile Treatment Court and he said they handle juveniles. Speaking about opioid abatement, Gunning said they will be applying for an Opioid Abatement grant. We need funding for trauma because it is the basis for all the issues (mental health, substance use, etc...). No action was taken on this item.

III. Annual LFUCG Affordable Housing Fund, Initiatives and Projects Update

Rick McQuady, Affordable Housing Manager, spoke about the purpose of the Affordable Housing Fund and he highlighted the median income thresholds. He reviewed the housing costs per month and noted it is affordable when you only spend 30% of income on housing expenses. He pointed out the rent must be affordable for people to live there. He spoke about the evaluation criteria for this program, and he reviewed the annual compliance objectives. He explained the fund activity which includes an allocation of \$28,622,233 which allows for \$9,579 allocated to each of 2,988 units. He spoke about the total number of affordable housing units funded and the maximum allowable incomes. He spoke about the special

needs population accounting for 1,117 funded units. When asked about more permanent affordable housing, McQuady spoke about those who would be providing supportive services. Speaking about the special needs population, McQuady said the profile has not changed much since its inception. The need for accessible housing is critical. When asked about criteria and the location of proposed 35 units, McQuady said it is in the 9th district. Speaking about students not allowed to rent these, McQuady clarified that traditional college students would not be able to rent these units but single parents taking classes would. No action was taken on this item.

IV. Alcohol Sales on Sundays

Dave Sevigny, 10th District Council Member, provided a presentation on alcohol sales on Sundays. He spoke about the history of blue laws which came to America with the first colonists and restricted almost every activity on Sunday. He reviewed the law in Kentucky pertaining to the sale of alcohol on Sundays. He went over the timeline of this issue from 1982 when state law allowed for Sunday sales of distilled spirits and wine through 2017 when Council allowed for the expanded hours of retail package distilled spirits and wine sales when Christmas Eve and New Years Eve fall on Sunday. He explained the proposed change came about from Economic Development and he said this will increase business revenues. He spoke about the fairness this would provide to night shift employees. The solution is to treat all days and hours the same and allow sales to start at 6 am every day. When asked what this will change, Sevigny said the hours would change to 6 am every day, including hours for package liquor store sales. Committee members expressed support for this change, but there was some concern about the change in hours at package liquor stores.

Motion by Sevigny to approve the ordinance as presented today, amending the hours for the sale of alcohol on Sunday (as amended). Seconded by Gray. Motion passed 9-1 (Yes – J. Brown, Ellinger, Fogle, Baxter, Plomin, Monarrez, Gray, Sevigny, Reynolds; No – F. Brown).

A motion by Whitney Elliott Baxter to amend the ordinance to only allow this change for the sale of alcohol at restaurants, not package liquor stores. Seconded by Tayna Fogle. Motion passed 6 – 4 (Yes – J. Brown, Ellinger, Fogle, F. Brown, Baxter, Plomin; No – Monarrez, Gray, Sevigny, Reynolds).

A motion by Sevigny to report this out at work session today, November 14, 2023. Seconded by Gray. Motion passed 9 – 1 (Yes – J. Brown, Ellinger, Fogle, Baxter, Plomin, Monarrez, Gray, Sevigny, Reynolds; No – F. Brown).

V. Items Referred to Committee

No action was taken on this item.

The meeting was adjourned at 2:58 p.m.



Special Social Services and Public Safety Committee

November 14, 2023

Summary and Motions

Chair Reynolds called the meeting to order at 6:02 p.m. Vice Mayor Wu and Council Members J. Brown, Ellinger, Fogle, Lynch, LeGris, Monarrez, Sheehan, Gray, F. Brown, Baxter, Sevigny, and Plomin were in attendance and all Council Members were recognized as voting members.

I. Review of the Fairness Ordinance

David Barberie, Managing Attorney in the Law Department, provided a brief overview of the Fairness Ordinance. He spoke about changes made to this ordinance to reflect the ban on Source of Income Discrimination.

II. Public Comment on Source of Income Discrimination

Several members of the public, including landlords and tenants, were present to provide input regarding the proposed changes to the fairness ordinance. There were comments made in support of the ordinance such as this ban would help with the housing crisis. There were also comments in opposition to the ordinance including an increase in rents and difficulty navigating the Section 8 program.

III. Committee Chair Comments

Chair Reynolds concluded the meeting by stating the ordinance would be considered at the next Social Services and Public Safety Committee meeting (in January 2024).

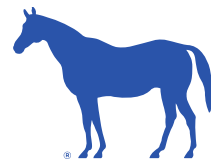
The meeting was adjourned at 9:05 p.m.

SOURCE OF INCOME DISCRIMINATION

Dave Sevigny, 10th District Council Member

Social Services & Public Safety Committee

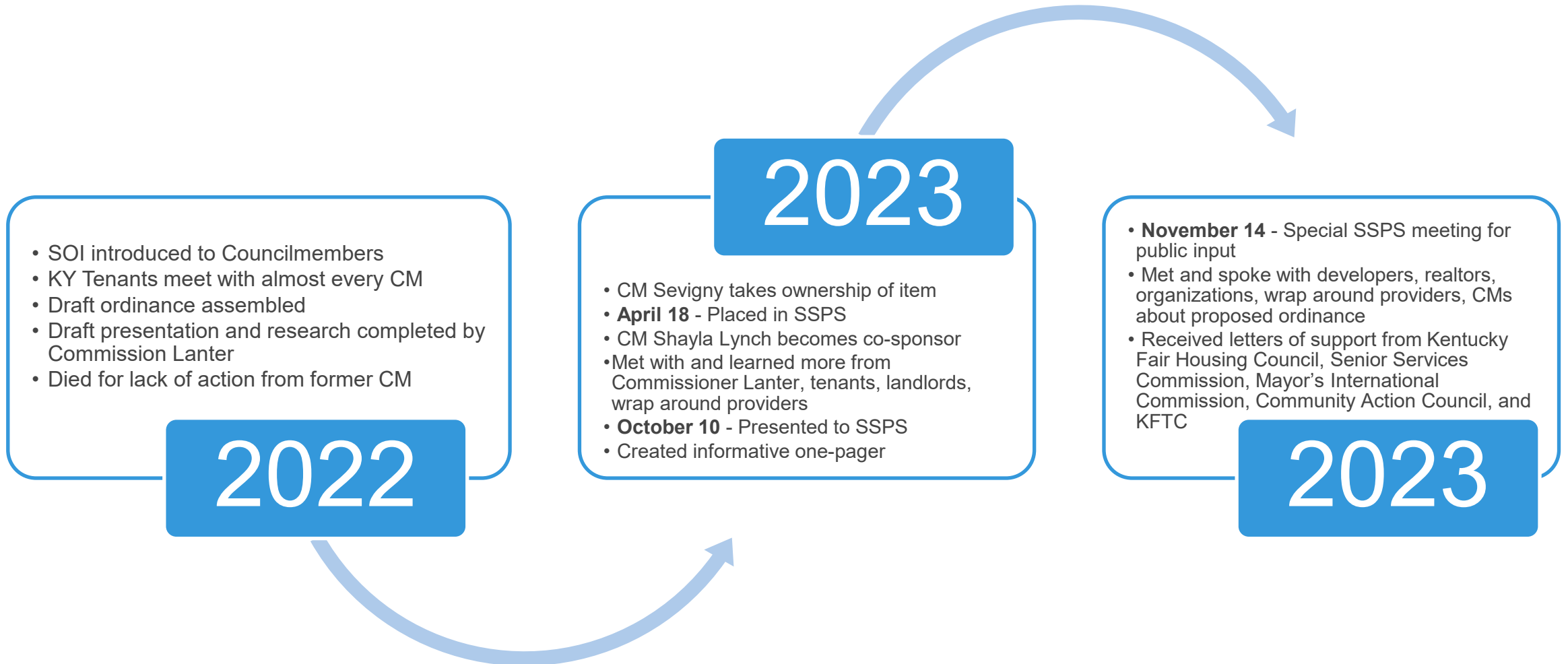
January 23, 2024



LEXINGTON



Timeline



Updates to draft ordinance

- Addition of whereas clauses stating Council's intentions
- Rewritten so that it is a new separate stand-alone section of the Fairness Ordinance (and not blended into the general discrimination section of the Fairness Ordinance)
- Addition of paragraph stating that it shall not be construed or interpreted to supersede any federal or state law or regulation

Questions?



LEXINGTON

DRAFT 01-10-24

ORDINANCE NO. _____-2024

AN ORDINANCE CREATING SECTION 2-31.2 OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CODE OF ORDINANCES, TO PROHIBIT DISCRIMINATION IN HOUSING ON THE BASIS OF LAWFUL SOURCE OF INCOME OR PAYMENT, ALL EFFECTIVE MARCH 1, 2024.

WHEREAS, the Lexington-Fayette Urban County Government Council seeks to enhance the health, safety, and general welfare of the public through adopting this ordinance; and

WHEREAS, the Urban County Government is a proponent of taking measures to reduce or eliminate discrimination in housing, and of promoting fair and equal housing opportunities to its residents; and

WHEREAS, the adoption of this ordinance should result in making additional housing opportunities available to the residents of Lexington-Fayette County; and

WHEREAS this ordinance does not intend, and shall not be construed, to: (a) require a housing provider to give a preference to anyone or to rent to an otherwise unqualified tenant, (b) limit a housing provider's ability to choose the most qualified and appropriate candidate; (c) or unreasonably delay the housing provider's ability to sell or rent property.

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

Section 1 – That Section 2-31.2 of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is created to read as follows:

Sec. 2-31.2. Discrimination in housing due to lawful source of income or payment.

- (1) It is the policy of the Lexington Fayette Urban County Government to safeguard all persons within Fayette County from discrimination in housing on the basis of lawful source of income or payment as evidenced by the refusal to consider any lawful source of income or payment in the same manner as ordinary wage income.
- (2) For purposes of this section, "lawful source of income or payment" shall mean:
 - (a) any form of lawful income or payment that can be verified, which a person can use to pay rental, mortgage, or other payments associated with the sale, rental, lease, or occupancy of any real estate used for residential purposes within Fayette County; and

- (b) may include lawful income paid to or on behalf of a renter or buyer including, but not limited to, income derived from wages, salaries, or other compensation for employment, court-ordered payments, income derived from social security, grants, pensions, or any form of federal, state, or local public assistance and/or housing assistance, including Housing Choice vouchers, and any other forms of lawful income. "Lawful source of income or payment" does not include income derived in an illegal manner.
- (3) The prohibitions in this section against discrimination based on lawful source of income or payment shall not be construed to prohibit a housing provider from determining the ability of a potential buyer or renter to pay a purchase price or pay rent by verifying in a commercially reasonable and nondiscriminatory manner the source and amount of income or creditworthiness of the potential buyer or renter. However, the use of a financial or income standard for the rental of housing that fails to account for any rental payments or portions of rental payments that will be made by other individuals, organizations, or governmental agencies on the same basis as rental payments to be made directly by the tenant or prospective tenant shall be a prohibited, unlawful practice.
- (4) This ordinance shall not be construed or interpreted to supersede any federal or state law or regulation that expressly conflicts with any provision of this ordinance, or that prohibits the application or enforcement of any part of this ordinance.
- (5) The Lexington-Fayette Urban County Human Rights Commission shall have jurisdiction to receive, investigate, conciliate, hold hearings, and issue orders relating to complaints filed alleging discrimination in housing specifically as it pertains lawful source of income or payment, and otherwise exercise the enforcement powers consistent with this Article of the Code of Ordinances.

Section 2 – That if any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unlawful by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 3 - That this Ordinance shall become effective on February 1, 2024.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

Published:

___-23:DJB:C:\Users\ldbarber\ND Office Echo\VAULT-WDCTNJ40___-24 - Ordinance - Discrimination based on Source of Income or Payment (12-20-23 draft markup) 4862-5937-4231 v.3.docx
4862-5937-4231, v. 4



January 3, 2024

Shayla Lynch
Councilmember, First District
200 E. Main Street
Lexington, KY 40507

RE: Source of Income Discrimination Ban

Dear Councilmember Lynch,

I am writing this letter on behalf of Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc. (the Council) to express our strong support for the City Council's efforts to ban source of income discrimination in rental housing.

Lexington, like so many other communities, faces significant challenges related to housing affordability and accessibility. Unfortunately, these issues have grown rapidly since the onset of the pandemic. The Council has seen a dramatic increase in the need for housing and homeless services over the last few years and has expanded our services to reach more people experiencing housing insecurity than ever before.

We believe that every individual and family, regardless of income, should have an equal opportunity to access safe and affordable housing. We stand with you on this issue because your stance speaks to our vision for our agency and the communities we serve: to ensure that all communities are equitable and thriving. We strive to ensure that Lexington is a community that is welcoming to everyone, regardless of what they look like or where they live. A place where everyone belongs. By eliminating source of income discrimination, Lexington can take a significant step in addressing the rising rates of homelessness and fostering a more inclusive and equitable community.

The Council is particularly interested in this issue as an organization born during the civil rights movement with the express mission of preventing, eliminating and reducing poverty. Our agency focuses on addressing the causes and conditions of poverty through early childhood education, crisis assistance, and housing and homelessness services, among many other initiatives.

Through the administration of Head Start, the Council provides high-quality early childhood education for children under five years old and services to pregnant women. Head Start is a vital program that allows families with low income to participate fully in the workforce or continue their education while their children receive critical early learning support.

Many factors affect how a child grows and develops, but one of the most important is having a safe and stable place to call home. A place where children can learn, play, and grow up feeling safe and secure.

We know from decades of research that children facing housing instability are more prone to a wide variety of physical, social, emotional, behavioral, and developmental issues, including problems bonding and interacting with parents, low educational achievement in later life, poorer health outcomes and an increased risk of chronic disease.

Housing discrimination based on source of income disproportionately impacts vulnerable populations—including low-wage workers, the disabled, the very young, and the elderly. The Council is keenly aware of the instability that a single bill can cause families. As the local Low-Income Home Energy Assistance Program provider, we assist thousands of families every year who fall behind on their utility bills and, in many instances, face eviction for their inability to pay. In the last year, the Council made more than \$1.4 million in payments on behalf of households with low income, signaling thousands of families in economic distress who could easily lose their housing. When that housing is lost, these same families seek assistance escaping homelessness, but source of income discrimination subverts their efforts to get back on their feet. The need to eliminate source of income discrimination is deeply felt in the community, and banning it will have positive ripple effects across the local economy and social safety nets.

This ban is not just about income and rent. It's about making sure our youngest neighbors have the best chance for success in their lives. It's about the future of our community. I urge you and your colleagues to approve the ban on source of income discrimination so that every child in Lexington can have a safe, stable place to call home.

Sincerely,



Sharon Price, MS, CCAP
Executive Director
Community Action Council
P.O. Box 11610
Lexington, KY 40576
Office: 859-244-2213
Sharon.Price@commaction.org



November 10, 2023

Lexington Fayette Urban County City Council
200 E. Main Street
Lexington, KY 40507

Dear Council Member,

The Kentucky Fair Housing Council is pleased to offer our support as the city of Lexington considers an ordinance to protect tenants and homebuyers from Source of Income discrimination. Our agency believes Source of Income protections are incredibly valuable to tenants in desperate need of affordable housing, and the message such an ordinance would send to the community is equally important. We also believe that financial restraints should not impede civil rights enforcement, and so we are willing to dedicate any resources you might need in implementing this ordinance to protect members of your community from discrimination.

The United States Department of Housing and Urban Development has already instructed our office to look at Source of Income cases as potential violations of Fair Housing law, as Source of Income discrimination often has a disparate impact based on other protected classes. “Because of correlations between certain sources of income and individuals with particular protected characteristics, a housing provider’s or lender’s decision not to rent or lend to HCV holders or people who receive disability-related income may disproportionately affect individuals because of their race, color, national origin, disability, or another characteristic protected by the Act. Such policies would violate the Act if further investigation revealed that the discriminatory effect of the policy is unjustified.” See [FHEO Memorandum on Testing that Qualifies as an Eligible Activity under the Private Enforcement Initiative of the Fair Housing Initiatives Program \(hud.gov\)](#)

The mission of the Kentucky Fair Housing is to eradicate housing discrimination throughout Kentucky. As we do in cases of discrimination against any of the other protected classes (race, color, national origin, gender, sexual orientation, gender identity, religion, disability, and familial status), we will provide free legal assistance to anyone who believes they might be the victim of housing discrimination.

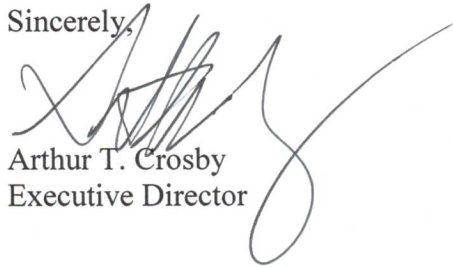
Moreover, if the proposed ordinance is passed, we are committing to spending the first year providing education and trainings to ensure that Lexington landlords fully understand their obligations under the new law. We will provide a hotline that those landlords can call for a better understanding of the law and how it would apply to their situation. Additionally, we will provide staff resources to any landlords who need assistance understanding the Section 8 process

or who need help completing Section 8 paperwork. Our hope is that through these types of programs, we will be able to resolve any potential issues and ensure families in our community have the maximum number of housing options available to them.

We also understand in the future there might unfortunately be situations where our attempts at resolution are not successful and there may be cases that need to proceed through some type of enforcement mechanism. In those cases we will agree to cover the costs of mediation between the parties.

I hope that this information will be useful to you as your community considers this important step. Please be sure to let me know if you have any questions or need any additional information. I am eager to work with you on this in the very near future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arthur T. Crosby', with a long, sweeping flourish extending to the right.

Arthur T. Crosby
Executive Director



January 9, 2024

Kentuckians For The Commonwealth (KFTC) is an independent grassroots organization with 13,235 members across the state, including 1,893 in Fayette County, working for a better quality of life for all Kentuckians. We are writing today in support of Councilmembers Shayla Lynch and Dave Sevigny's ordinance that would ban source of income discrimination in Lexington. Housing affordability and racial justice are core to the work that KFTC members in Lexington and across the state do, and this ordinance is an important step toward both.

Source of income discrimination is widespread in Lexington, particularly discrimination against Housing Choice Voucher holders. As Commissioner Charlie Lanter [reported](#) to the Social Services and Public Safety Committee, as of September 15, 2023, 96% of apartment listings in Lexington explicitly stated that they do not accept vouchers. This means that voucher holders' housing options are significantly restricted, and many are relegated to substandard, dangerous living conditions or are unable to use their voucher at all before it expires.

Lexington KFTC members know firsthand the difficulty of finding an adequate apartment that accepts vouchers. "Housing Choice renters like myself have very few options for housing despite housing being built in this city that will accommodate our families," said Davita Gatewood, who is also the Housing Chair of the Lexington-Fayette Branch of the NAACP. "I work like anyone else, I pay my rent on time like any other renter. The difference is how I pay my rent. Tenants should be judged for who they are, and given the same rights to stable affordable housing like any other tenant in our community."

Banning source of income discrimination is an imperative not only for housing affordability but also for racial justice. According to Lexington Housing Authority data, 76% of Housing Choice Voucher holders in Lexington are Black. This means that regardless of landlords' intent, source of income discrimination disproportionately impacts Black Lexingtonians.

Over the past year, Lexingtonians have been having important conversations about the pernicious legacy of redlining and housing segregation, sparked in part by Barbara Sutherland and Rona Roberts' [Segregated Lexington research project](#) and the Lexington Public Library's Undesign the Redline exhibit. At [a Blue Grass Community Foundation event](#) at the University of Kentucky on October 24, renowned housing policy expert Leah Rothstein lifted up passing a

source of income discrimination ban as one concrete action the Lexington-Fayette Urban County Council could take to address the issue of racial segregation.

Banning source of income discrimination would not only be an important symbolic gesture that Lexington is willing to take action to address housing segregation and racial justice, but it would also be an immediate, material improvement for the thousands of voucher holders living in Lexington. As KFTC member Kenneth Jenkins testified to the Social Services and Public Safety Committee at the November 14 public hearing: "I support the passing of the source of income discrimination ban because it means the difference between life and death for me. ... With the cost of utilities rising, rent rising, being on Section 8 as being a disabled person who can only legally work 20 hours, I'm stuck between a rock and a hard place. I have a decision to make when it comes to quality, safe housing. For me, it's important, like I tried to express. I can't take secondary housing with unsafe conditions and so forth. I just want to live like everybody else."

Kentuckians For The Commonwealth stands firmly in support of the proposed ban on source of income discrimination in Lexington. Thank you for considering our input.

Sincerely,
KFTC Central Ky Chapter Members
Quinn Mulholland, Organizer
Joan Brannon, KFTC Executive Director



Dear Mayor Linda Gorton and Members of the Lexington Fayette Urban County Council,

The Mayor's International Affairs Advisory Commission purpose seeks to represent the international community living in Lexington and was established for the purpose of providing information and advice to the Mayor and Urban County Council concerning issues affecting foreign born residents of Lexington-Fayette-Urban-County as well as international issues that affect the community at large. The Commission shall be an advisory group of community leaders who will encourage civic engagement, multicultural artistic expression, education, public safety, economic development, and access to services which are appropriate and necessary to protect and enhance the quality of life of Lexington's international citizens and residents and to advance overall advocacy, community services, amity, and knowledge related to today's global environment for the greater good.

Our mission is to support the Urban County Government and its residents, individually, and collectively, to thrive in today's global environment through the deliberate encouragement of civic engagement, mutual understanding, and international economic and artistic diversity.

On behalf of the full Mayor's International Affairs Advisory Commission that met on Friday, January 12, 2024 we are sending you this recommendation that was voted on and passed unanimously because we think it directly affects the international community.

The MIAAC supports a ban on source of income discrimination.

Thank you,

The Mayor's International Affairs Advisory Commission





LEXINGTON
Senior Services
Commission

HAZEL TEICHEN,
 CHAIR

Dear Lexington City Councilmembers,

We are writing on behalf of the LFUCG Senior Services Commission in support of a ban on source of income discrimination in Lexington.

Lack of affordable housing continues to be a challenge for older adults in Lexington and across Kentucky. In Kentucky, older adults make up 17% of those using federal rental assistance according to the Center on Budget and Policy Priorities. From HUD's most recent data, 1 in 5 people in the US experiencing homelessness are over the age of 55. This rapidly rising statistic is an indicator that older adults need the assistance of housing vouchers.

A Lexington-Fayette Office of Housing data scrub from September 15th, 2023, reported of 557 rental listings in Lexington-Fayette County, 534 said that no housing vouchers or Section 8 would be accepted, leaving only 23 that did. According to an article in the [Lexington Herald-Leader](#) on October 9, 2023, 18% of vouchers issued in Lexington expire before the tenant could find housing. Older adults and everyone eligible need to be able to access the resources available in a timely manner.

As members of the Senior Services Commission, we are asking you to pass a ban on source of income discrimination before the end of 2023. This anti-discrimination measure will be one step toward keeping families housed and communities together.

Thank you,

Members of the LFUCG Senior Services Commission

Susan Bachner
Alex Chadwell
Jessica Cobb, Ex Officio
Roger Daman, Ex Officio
Sarah Eldridge
Rev. Hank Ellington
Emily Elliott
James Gitzinger, Vice Chair
Dr. Ellen Hahn
Sally Hamilton, Ex Officio
Rosie Harless
Council Member Shayla Lynch
Tom Poskin
Martin Rivers
Council Member Liz Sheehan
Kristy Stambaugh, Ex Officio
Pat Tatum
Hazel Teichen, Chair
Kelly Weber

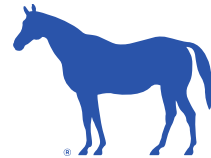


ASSISTANCE PROGRAMS UPDATE

Charlie Lanter, Commissioner, Housing Advocacy & Community Development

Social Services and Public Safety Committee

January 23, 2024



LEXINGTON

Rent/Utility Assistance – Past, Present & Future

- **PAST** – Where have we been, specifically prior to the pandemic.
- **PRESENT** – Where are we now? What remains as pandemic programming ends?
- **FUTURE** – What are the best options for addressing housing needs in Lexington?

PAST – Prior to 2020

- No program in Lexington provided significant rent and/or utility assistance. Most assisted in small amounts with \$45-\$800 and were frequently out of funding in the first week each month.
- Community Action Council's Low Income Home Energy Assistance Program (LIHEAP) provided annual subsidies for heating bills each fall and crisis cutoff assistance in winter.
- LFUCG Community & Resident Services offered a suite of programs including Emergency Financial Assistance to help with rent, mortgage, and/or utilities. However, local government intervention has historically been minimal.
- Finding help was a patchwork of calling nonprofits, churches, and government agencies, each of which only helps with a portion of the bill.



PAST – Prior to 2020

Fiscal Year	EFA Budget	EFA Expenses	Households Assisted
2018	\$200,000	\$198,398.50	322
2019	\$200,000	\$193,500.50	324
2020	\$200,000	\$199,083.78	364
2021*	\$200,000	\$75,696.06	112
2022*	\$200,000	\$148,642.52	293
2023	\$200,000	\$287,349.20	447
2024	\$600,000	\$228,008.09*	337

- Community & Resident Services EFA provides up to \$1,000 of assistance once ever three years. Increased to \$1,500 on 1/1/2024.
- EFA Budget & Expenses
 - Housing Stabilization Program and temporary RHISE program impacted demand in 2021 and 2022.
 - FY23 budget was \$200,000. Additional \$87,349.20 was additional ARPA funds and unspent funds in Code Enforcement transferred when the program ran out of money.
 - FY24 spend is through 12/31/23 with program still in progress through 6/30/24. Original budget was \$300,000 and Council added \$300,000 additional in Fund Balance.

PRESENT

- Community & Resident Services tracks calls monthly.

Month – 2023	Total Calls	Rent	Mortgage	Utilities	Did Not Qualify
July	1,502	429	12	260	338
August	1,237	386	2	110	122
September	1,359	555	9	200	206
October	1,543	487	20	362	196
November	1,161	354	16	150	187
December	1,458	649	21	202	218

PRESENT

- Housing Stabilization Program exhausted rent funds at the end of November 2023.

Calendar Year	2021	2022	2023	Total
HSP Spend on Rent/Utilities	\$16.4 million	\$24.5 million	\$13 million	\$54 million
Households Served	2,117	4,827	2,439	7,042
Eviction Filings	4,080	5,239	5,816	15,135
Judgement Orders	1,417	2,181	1,071 (through 6/30)	4,669 (through 6/30/23)

PRESENT

- Eviction filings before and during Housing Stabilization Program.
 - Eviction moratorium from September 2020 through August 2021.
 - Housing Stabilization Program payments began February 2021.

Calendar Year	Eviction Cases Filed
2018	6,257
2019	6,008
2020*	2,828
2021	4,080
2022	5,239
2023	5,816



PRESENT

- During HSP, evictions declined 35% in Lexington with an average investment of more than \$17 million annually.
- Evictions have increased and will likely reach pre-pandemic levels. Why?
 - LFUCG and community partners are unable to invest in rent assistance at high enough levels to meet community needs.
 - Not all evictions are for nonpayment.
 - Shortage of affordable units. Tenants are in units they can't afford.
 - Household income challenges (wages, inflation of other necessary expenses).
 - Inadequate number of federal housing vouchers available.
- The Lexington Housing Authority has 3,567 vouchers but there are 3,764 households on the waiting list for vouchers or public housing and thousands more are eligible but will likely never receive assistance.



PRESENT

- Invested in additional funds for Community & Resident Services
 - Additional \$300,000 from Fund Balance will allow them to serve an additional estimated 200-300 households.
 - EFA will spend \$600,000 in FY24 – triple the previous annual allocations of \$200,000.
 - CRS gets 100-200 calls for assistance at the beginning of each month.
- Community Action Council continues to operate federal LIHEAP and other privately funded utility assistance programs. LIHEAP has available just over \$2 million annually.
- Investments in development and preservation of affordable housing.
 - 800+ new units online this year.
 - Increasing annual allocation to 1% of prior year's revenue (approx. \$5 million annually)
 - One-time ARPA allocations of \$13.125 million

FUTURE

- How do we best address housing affordability for Lexington?
- Grow the number of affordable units through Affordable Housing Fund and leveraging other public and private dollars.
- Continue to support a basic safety net through programs like Emergency Financial Assistance in Community & Resident Services.
- Advocate for expansion of the federal Housing Choice Voucher program.
- Applied for federal PRO Housing grant to foster affordable infill and redevelopment using a land bank and land trust models. Expect to hear in January.

FUTURE

- Locally funded rent assistance programs are not adequate to meet local needs. WHY?
- Rising rents have many tenants owing more than \$2,000 on average but the largest program in Lexington can pay only \$1,500 once every three years.
- Many of those receiving assistance are in unsustainable situations such as rent > monthly income and rent assistance only temporarily helps.
- Local government and non-profit partners lack the resources needed to make a significant impact on evictions through rental assistance.
- Housing assistance/rent subsidy has always been a federal government responsibility as they have greater resources.



FUTURE

- What type of interventions would work?
- Continue investments in affordable housing and ALL forms of housing development.
- Current program operated by Legal Aid of the Bluegrass and Kentucky Equal Justice Center to provide access to counsel and mediation.
- Smaller, targeted programs that work closely with a vulnerable population (seniors, families with children, households fleeing DV).
- Household-level case management helping a tenant review their situation and move toward a more sustainable environment, such as a more affordable unit, while connecting them to education and work force development opportunities.

Questions?



LEXINGTON

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	November 14, 2024	January 23, 2024	1044-23
7 Comprehensive Review of Code Enforcement (looking at ordinances, data, complaints, enforcement, technology, etc.)	D. Gray	June 29, 2023			
8 Community Risk Assessment Standards (Fire Department)	J. Reynolds	August 22, 2023	October 10, 2023		1042-23
9 Examine prohibiting the sale of cats and dogs in pet stores	J. Reynolds	November 28, 2023		March 5, 2024	
Annual/Periodic Updates					
10 Substance Abuse Intervention Update	L. Sheehan	January 12, 2022	March 14, 2023		0302-23
11 Office of Homelessness Prevention and Intervention Annual Report	L. Sheehan	June 7, 2022	August 22, 2023		0901-22
12 Annual NAMI - Fayette Mental Health Court Update	D. Gray	February 20, 2018	November 14, 2023		0360-22
13 Annual LFUCG Affordable Housing Fund, Initiatives and Projects Update	D. Gray	August 10, 2021	November 14, 2023		1026-21
14 Annual Juvenile Treatment Court Update	D. Gray	July 9, 2020	October 10, 2023		1164-21
15 Annual Update on Recruitment, Retirement, and Retention for Department of Public Safety	D. Sevigny	September 22, 2020	June 13, 2023		0450-21
16 Annual Update on Community Paramedicine Program	J. Reynolds	July 6, 2021	March 14, 2023		0300-23
17 Annual Review of Code Enforcement	J. Reynolds	October 8, 2019	June 13, 2023		0814-22
18 ONE Lexington Programs Update	J. Reynolds	September 25, 2020	January 24, 2023		0080-23
19 Community and Resident Services: evaluation of assistance programs to simplify and condense funds and ensure consistent eligibility	S. Lynch	May 30, 2023			
20 Emergency Financial Assistance program: monitor funding to determine community needs as other funding sources diminish	S. Lynch	May 30, 2023		January 23, 2024	
Subcommittees					
21 Gun Violence Task Force	J. Reynolds	October 11, 2022			

Updated 11/14/2023, KJT



Social Services & Public Safety 2024 Annual Status Review of Committee Referrals

1. Expand the Adult Mental Health Court with an Aftercare Program

- Current Sponsor: T. Fogle
- Date Referred: July 9, 2020
- Last Presentation: August 11, 2020
- Item Details: The 2020 NAMI of Lexington presentation outlined a proposal to expand the Fayette Mental Health Court program that would allow them to double their caseload and implement an aftercare program.

2. Crime Reduction Technology

- Current Sponsor: W. Baxter
- Date Referred: September 21, 2021
- Last Presentation: May 2, 2023
- Item details: Council agreed to move forward with renewing the agreement with Flock and purchasing additional cameras in December 2022. The presentation on May 2, 2023 highlighted Fusus software which unifies public safety while allowing for voluntary community partnership integration.

3. Assessment and Enforcement of Noise Ordinance

- Current Sponsor: H. LeGris
- Date Referred: July 5, 2022
- Last Presentation: August 22, 2023
- Items Details: This item was placed into committee for a review of the Noise Ordinance and to assess potential enforcement measures. When this item was presented on August 22, 2023, a recommendation was made to create a working group or subcommittee to explore decibel readers and a penalty structure.

4. Review of Golf Cart Policies

- Current Sponsor: L. Sheehan
- Date Referred: October 11, 2022
- Last Presentation: N/A
- Item Details: This item will look at our policies for golf cart safety in Lexington to address neighborhood concerns. This review will look at the issue of individuals on golf carts on public streets, particularly around neighborhood parks during baseball season.

5. Eviction Diversion & Right to Counsel – Tenants’ Bill of Rights

- Current Sponsor: D. Wu
- Date Referred: January 24, 2023
- Last Presentation: N/A
- Item Details: Eviction Diversion & Right to Counsel is a concern that has been expressed by the Kentucky Tenants’ group and is included in the Tenants’ Bill of Rights. This committee will examine ways to address this.

6. Source of Income Discrimination – Tenants’ Bill of Rights

- Current Sponsor: D. Seigny
- Date Referred: April 18, 2023
- Last Presentation: November 14, 2023
- Item Details: The proposal brought before this committee was to add language to the fairness ordinance which would extend a ban on sources of income discrimination. A special meeting was held on November 14, 2023 to hear public comment on the issue.

7. Comprehensive Review of Code Enforcement

- Current Sponsor: D. Gray
- Date Referred: June 29, 2023
- Last Presentation: N/A
- Item Details: This committee will examine a variety of Code Enforcement related activities. The goal is to advocate for updated policies and updated code enforcement ordinances.

8. Community Risk Assessment Standards (Fire Department)

- Current Sponsor: J. Reynolds
- Date Referred: August 22, 2023
- Last Presentation: October 10, 2023
- Item Details: Jason Wells, Chief of the Lexington Fire Department presented the *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.

9. Examine prohibiting the sale of cats and dogs in pet stores

- Current Sponsor: J. Reynolds
- Date Referred: November 28, 2023
- Last Presentation: N/A
- Item Details: A presentation that will examine a ban on the sale of cats and dogs in retail pet stores is scheduled for March 5, 2024.

Annual/Periodic Updates:

10. Substance Abuse Intervention Update

- Current Sponsor: L. Sheehan
- Date Referred: January 12, 2022
- Last Presentation: March 14, 2023
- Item Details: Amy Baker with Department of Social Services, spoke about what it means to be in recovery; harm reduction strategies; and Narcan administration. This program has worked to provide naloxone to first responders who did not have a regular source of funding.

11. Office of Homelessness Prevention and Intervention Annual Report

- Current Sponsor: L. Sheehan
- Date Referred: June 7, 2022
- Last Presentation: August 22, 2023
- Item Details: The Office of Homelessness Prevention and Intervention (OHPI) is a coordination and planning office, but they do not provide direct services. OHPI was established in 2014 and was designated as a Continuum of Care lead in 2015. About one-third of the funding has gone towards managing homelessness.

12. Annual National Alliance on Mental Illness (NAMI) – Fayette Mental Health Court Update

- Current Sponsor: D. Gray
- Date Referred: February 20, 2018
- Last Presentation: November 14, 2023
- Item Details: This item is in committee to be heard annually for informational purposes. NAMI of Lexington provided a presentation about the Fayette Mental Health Court program, explaining the services they provide and the success they have in treating folks who suffer from both mental health issues and addiction.

13. Annual LFUCG Affordable Housing Fund, Initiatives and Projects Update

- Current Sponsor: D. Gray
- Date Referred: August 10, 2021
- Last Presentation: November 14, 2023
- Item Details: This update provides an overview of the Affordable Housing Fund. In LFUCG's Code of Ordinances, Article XLV Section 2-480 (8) – Affordable housing fund management directs an annual report to be submitted to the mayor, council, and community.

14. Annual Juvenile Treatment Court Update

- Current Sponsor: D. Gray
- Date Referred: July 9, 2020
- Last Presentation: October 10, 2023

- Item Details: This presentation updates the committee on the progress made to create a Juvenile Treatment Court (JTC). JTC accepts referrals from court designated workers, family court, and juvenile court.

15. Annual Update on Recruitment, Retirement, and Retention for Department of Public Safety

- Current Sponsor: D. Sevigny
- Date Referred: September 22, 2020
- Last Presentation: June 13, 2023
- Item Details: A presentation would include a review of Divisions within Public Safety to examine statistics pertaining to recruitment efforts, retirement/attrition rates, and employee retention.

16. Annual Update on Community Paramedicine Program

- Current Sponsor: J. Reynolds
- Date Referred: July 6, 2021
- Last Presentation: March 14, 2023
- Item Details: The presentation reviewed the community para-medicine program which includes work of fire, police, and social workers. The program works and the ability for Paramedicine to team up with law enforcement and social workers is helpful. There was a request that social worker positions be permanent. The item remains in this committee for future updates.

17. Annual Review of Code Enforcement

- Current Sponsor: J. Reynolds
- Date Referred: October 8, 2019
- Last Presentation: June 13, 2023
- Item Details: The review was placed in committee in October 2019 with the intent to look at processes, staffing, attrition rates, etc. This item remains in this committee for annual updates.

18. ONE Lexington Programs Update

- Current Sponsor: J. Reynolds
- Date Referred: September 25, 2020
- Last Presentation: January 24, 2023
- Item Details: *One Lexington* provides intervention programs targeted toward youth with a goal to eliminate gun and gang violence in Lexington. *One Lexington* also provides crisis response to homelessness, substance use, and mental health to prevent arrests and direct individuals to appropriate community-based services.

19. Community and Resident Services: simplify and condense funds and ensure consistent eligibility

- Current Sponsor: S. Lynch
- Date Referred: May 30, 2023
- Last Presentation: N/A
- Item Details: Council approved a package of changes to the programs to make them more consistent and those changes were implemented for FY24. Placed in committee for an annual update, possibly in the spring to help inform funding for budget purposes.

20. Emergency Financial Assistance program: monitor funding to determine community needs as other funding sources diminish

- Current Sponsor: S. Lynch
- Date Referred: May 30, 2023
- Last Presentation: N/A
- Item Details: Prior to 2020, no program in Lexington provided significant rent or utility assistance. Most assisted in small amounts with \$450-800 and were frequently out of funding in the first week of each month. This item will examine how we can best address housing affordability in Lexington. A presentation is scheduled for January 23, 2024.

Subcommittees:

21. Gun Violence Task Force

- Current Sponsor: J. Reynolds
- Date Referred: October 11, 2022
- Last Presentation: N/A
- Item Details: A special task force was formed to address gun violence in Lexington. CM Reynolds is the chair of the task force member which is divided into two groups for scheduling purposes. The purpose of this task force is to draft recommendations for Council and Administration.