



**CITY COMMISSION MEETING
AGENDA FOR MAY 26, 2020
5:30 PM
VIDEO TELECONFERENCE MEETING**

Any member of the public who wishes to make comments to the Board of Commissioners is asked to fill out a Public Comment Sheet and return to the City Clerk's Office no later than 3:30 p.m. on the day of the Commission Meeting. The Mayor will call on you to speak during the Public Comments section of the Agenda.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

ADDITIONS/DELETIONS

Items on the Consent Agenda are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Agenda and considered separately. The City Clerk will read the items recommended for approval.

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| | I. | <u>CONSENT AGENDA</u> |
| | A. | Approve Minutes for May 12, 2020 (Regular Meeting), May 18, 2020 and May 20, 2020 (Joint Meetings) |
| | B. | Receive & File Documents |
| | C. | Appointment of J. P. Kelly and Kala Shihady to the Industrial Development Authority (IDA) |
| | D. | Personnel Actions |
| | E. | Acceptance of the Coronavirus Emergency Supplemental Funding Grant Program through the Department of Justice in the amount of \$36,344.00 - B LAIRD |
| | F. | Application for a Staffing for Adequate Fire and Emergency Response (SAFER) Grant - S KYLE |
| | II. | <u>ORDINANCE(S) - EMERGENCY</u> |
| | A. | Approving the Termination of the Construction Contract Entered Between the City of Paducah and Huffman Construction, LLC Dated May 3, 2018 Regarding the Flood Pump Station #2 Rehabilitation Project and Declaring an Emergency to Exist - R MURPHY |

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| | III. | <u>ORDINANCE(S) - INTRODUCTION</u> |
| | A. | Closure of a Portion of an Alley Between 1420 Martin Luther King Jr Drive & 1415 Harrison Street and the Dedication of a New Alley Between 1400 Martin Luther King Jr Drive & 1401 Harrison Street - R MURPHY |
| | B. | Intent to Annex 1815 Olivet Church Road, 6215 Blandville Road and 5269 Hinkleville Road - T TRACY |
| | IV. | <u>COMMENTS</u> |
| | A. | Comments from the City Manager |
| | B. | Comments from the Board of Commissioners |
| | C. | Comments from the Audience |
| | V. | <u>EXECUTIVE SESSION</u> |

May 12, 2020

At a Regular Meeting of the Board of Commissioners, held on Tuesday, May 12, 2020, at 5:30 p.m., Mayor Pro Tem Abraham presided, and upon call of the roll by the City Clerk, the following answered to their names: Commissioners McElroy, Watkins, Wilson and Mayor Pro Tem Abraham (4) Mayor Harless was unable to attend this meeting.

In order to keep the Commission and public safe in the midst of the COVID-19 outbreak and in accordance with Kentucky Executive Order 2020-243, all members of the Board of Commissioners participated using video teleconferencing. Further, this meeting was not open to the public. The public was invited to view the meeting on YouTube at <https://www.youtube.com/user/paducahkygov> or on the government access channel Government 11 (Comcast channel 11).

INVOCATION

Commissioner McElroy led the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Abraham led the pledge.

CONSENT AGENDA

Mayor Pro Tem Abraham asked if the Board wanted any items on the Consent Agenda removed for separate consideration. There were no items removed. Due to technical difficulties, the City Clerk was unable to read the Consent Agenda items, so Mayor Pro Tem Abraham read the items on the Consent Agenda.

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| I(A) | Approve Minutes for the April 28, 2020 Called Meeting of the Board of Commissioners of the City of Paducah |
| I(B) | Receive and File Documents: <u>Minute File:</u> <ol style="list-style-type: none">1. Notice of Cancellation of Board of Commissioners meeting on April 28, 20202. Notice of Called Board of Commissioners meeting on April 28, 20203. Huffman Construction – Davis-Bacon Quarterly Compliance Certificate – Pump Station #2 Rehabilitation – 4/3/20204. Designation of Applicant’s Agent – FEMA – Melanie Townsend – March 24, 2020 <u>Contract File:</u> <ol style="list-style-type: none">1. Contract with Healthworks Medical to replace EduMedics (signed by ACM, Michelle Smolen)2. Kresge Project – Roof Repair Agreement between Atlas Roofing Contractors and 314 Condominium Associates, Campbell Downtown Properties and John Campbell (Signed by CM, James Arndt) ORD 2020-04-8629 (Emergency)3. Kresge Project – Construction Agreement – Dowell Masonry - 314 Condominium Associates, Campbell Downtown Properties and John Campbell (Signed by CM, James Arndt) ORD 2020-04-8629 (Emergency)4. 2020-2021 Kentucky Pride Fund Household Hazardous Waste Management Grant Application (MO #2332)5. 2020 Kentucky Department For Libraries and Archives – Paducah Police Department Grant Application (MO #2330) <u>Bid Files:</u> |

May 12, 2020

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|------|---|
| | <ol style="list-style-type: none">1. 24th Street Bridge Rehab Project<ol style="list-style-type: none">a. Jim Smith Contracting, LLCb. Harold Coffee Constructionc. Adams Contracting |
| I(C) | Reappointment of Martin Bendick to the Civil Service Commission. This term shall expire May 13, 2023. |
| I(D) | Personnel Actions |
| I(E) | A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE ALL GRANT APPLICATION DOCUMENTS TO APPLY FOR A GRANT THROUGH THE FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION TO REQUEST \$17,818.95 FOR THE FIRE DEPARTMENT TO PURCHASE A FIRE TRAINING SYSTEM AND EQUIPMENT (MO 2341; BK 11) |

Mayor Pro Tem Abraham offered motion, seconded by Commissioner McElroy, that the consent agenda be adopted as presented.

Adopted on call of the roll, yeas, Commissioners McElroy, Watkins, Wilson and Mayor Pro Tem Abraham. (4)

MUNICIPAL ORDER

Mayor Pro Tem Abraham offered motion, seconded by Commissioner McElroy that the Board of Commissioners adopt a Municipal Order entitled, "A MUNICIPAL ORDER OF THE CITY OF PADUCAH, KENTUCKY, AUTHORIZING THE CITY MANAGER TO ENACT CERTAIN TEMPORARY STREET CLOSURES AND PARKING SPACE VACATIONS IN THE DOWNTOWN AREA FOR THE PURPOSES OF ASSISTING LOCAL BUSINESSES TO EXPAND THEIR OUTSIDE DINING AREA FOOTPRINT TO MEET HEALTHY AT WORK REQUIREMENTS."

Adopted on call of the roll, yeas, Commissioners McElroy, Watkins, Wilson and Mayor Pro Tem Abraham. (4) **(MO #2342; BK 11)**

ORDINANCE(S) – ADOPTIONS

APPROVAL OF CONTRACT WITH JIM SMITH CONTRACTING LLC - 24th STREET BRIDGE PROJECT

Mayor Pro Tem Abraham offered Motion, seconded by Commissioner Wilson, that the Board of Commissioners adopt an Ordinance entitled, "AN ORDINANCE ACCEPTING THE BID OF JIM SMITH CONTRACTING, LLC, IN THE AMOUNT OF \$299,726.50 FOR THE 24th STREET BRIDGE REHAB PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME, AND AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$90,000 FROM THE MAP FUND FUND BALANCE INTO THE 24TH STREET BRIDGE PROJECT ACCOUNT (PF0077)." This ordinance is summarized as follows: This ordinance authorizes the Mayor to execute a contract with Jim Smith Contracting, LLC, in the amount of \$299,726.50, for the 24th Street Bridge Rehab Project. Further, the Finance Director authorized and instructed to transfer \$90,000 from the MAP Fund Fund Balance into the 24th Street Bridge Project Account (PF0077).

May 12, 2020

Adopted on call of the roll, yeas, Commissioners McElroy, Watkins, Wilson and Mayor Pro Tem Abraham. (4) (ORD 2020-05-8636; BK 36)

COMMENTS FROM CITY MANAGER

- Opening of City facilities is still a few weeks out while alternations are being made to protect the public and employees
- Alternate plans for an Independence Day celebration are being discussed.
- He's working with Lindsay Parish to get our Boards and Commissions back in action

COMMENTS FROM COMMISSION AND MAYOR PRO TEM

- Encouraged City Workers and Commission to take care of one another
- Be Kind

EXECUTIVE SESSION

Mayor Pro Tem Abraham offered motion, seconded by Commissioner McElroy, that the Board of Commissioners go into closed session for discussion of matters pertaining to the following topics:

- Proposed or pending litigation, as permitted by KRS 61.810(1)(c); and
- A specific proposal by a business entity where public discussion of the subject matter would jeopardize the location, retention, expansion or upgrading of a business entity, as permitted by KRS 61.810(1)(g)

Adopted on call of the roll yeas, Commissioners McElroy, Watkins, Wilson and Mayor Pro Tem Abraham (4).

RECONVENE IN OPEN SESSION

Mayor Pro Tem Abraham offered motion, seconded by Commissioner Wilson, that the Paducah Board of Commissioners reconvene in open session.

Adopted on call of the roll yeas, Commissioners McElroy, Watkins, Wilson and Mayor Pro Tem Abraham (4).

ADJOURN

Commissioner Wilson offered motion, seconded by Commissioner McElroy, to adjourn the meeting. All in favor.

Meeting ended at approximately 7:01 p.m.

ADOPTED: May 26, 2020

May 12, 2020

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

May 18, 2020

At a Joint Called Meeting of the Paducah Board of Commissioners and McCracken County Fiscal Court, held on Monday May 18, 2020, at 5:00 p.m., Judge Clymer and Mayor Harless presided. Upon call of the roll by the City Clerk, the following answered to their names: Commissioners Abraham, McElroy, Watkins, Wilson and Mayor Harless (5). Upon call of the roll, by the County Clerk, the following McCracken County Fiscal Court members answered to their names: Commissioners Bartleman, Jones, Parker and Judge Executive Clymer (4).

In order to keep the Commission and public safe in the midst of the COVID-19 outbreak and in accordance with Kentucky Executive Order 2020-243, all members of the Board of Commissioners participated using video teleconferencing. Further, this meeting was not open to the public. The public was invited to view the meeting on YouTube at <https://www.youtube.com/user/paducahkygov> or on the government access channel Government 11 (Comcast channel 11).

PLEDGE OF ALLEGIANCE

Judge Clymer led the pledge.

EXECUTIVE SESSION

Commissioner Abraham offered motion, seconded by Commissioner Wilson, that the Board of Commissioners go into closed session for discussion of matters pertaining to the following topics:

- Future sale or acquisition of a specific parcel(s) of real estate, as permitted by KRS 61.810 (1)(b)

Adopted on call of the roll yeas, Commissioners McElroy, Watkins, Wilson and Mayor Pro Tem Abraham (4).

The McCracken Fiscal Court also voted to go into closed session. All in favor.

RECONVENE IN OPEN SESSION

Mayor Harless offered motion, seconded by Commissioner McElroy, that the Paducah Board of Commissioners reconvene in open session.

Adopted on call of the roll yeas, Commissioners Abraham, McElroy, Watkins, Wilson and Mayor Harless (5).

The McCracken County Fiscal Court voted to reconvene in open session. All in favor.

ADJOURN

Mayor Harless offered motion, seconded by Commissioner Abraham, to adjourn the meeting of the Paducah Board of Commissioners. All in favor.

The McCracken County Fiscal Court voted to adjourn the meeting. All in favor.

May 18, 2020

Meeting ended at approximately 6:12 p.m.

ADOPTED: May 26, 2020

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

May 20, 2020

At a Joint Called Meeting of the Paducah Board of Commissioners and McCracken County Fiscal Court, held on Monday May 20, 2020, at 5:00 p.m., Judge Clymer and Mayor Harless presided. Upon call of the roll by the City Clerk, the following answered to their names: Commissioners Abraham, McElroy, Watkins, Wilson and Mayor Harless (5). Upon call of the roll, by the County Clerk, the following McCracken County Fiscal Court members answered to their names: Commissioners Bartleman, Jones, Parker and Judge Executive Clymer (4).

In order to keep the Commission and public safe in the midst of the COVID-19 outbreak and in accordance with Kentucky Executive Order 2020-243, all members of the Board of Commissioners participated using video teleconferencing. Further, this meeting was not open to the public. The public was invited to view the meeting on YouTube at <https://www.youtube.com/user/paducahkygov> or on the government access channel Government 11 (Comcast channel 11).

PLEDGE OF ALLEGIANCE

Judge Clymer led the pledge.

EXECUTIVE SESSION

Commissioner Abraham offered motion, seconded by Commissioner Wilson, that the Board of Commissioners go into closed session for discussion of matters pertaining to the following topics:

- Future sale or acquisition of a specific parcel(s) of real estate, as permitted by KRS 61.810 (1)(b)

Adopted on call of the roll yeas, Commissioners Abraham, McElroy, Watkins, Wilson and Mayor Harless (5).

The McCracken Fiscal Court also voted to go into closed session. All in favor.

RECONVENE IN OPEN SESSION

Mayor Harless offered motion, seconded by Commissioner Wilson, that the Paducah Board of Commissioners reconvene in open session.

Adopted on call of the roll yeas, Commissioners Abraham, McElroy, Watkins, Wilson and Mayor Harless (5).

The McCracken County Fiscal Court voted to reconvene in open session. All in favor.

ORDINANCE – ADOPTION (EMERGENCY)

Mayor Harless offered motion, seconded by Commissioner Wilson, that the Board of Commissioners adopt an Emergency Ordinance entitled, “AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY, AUTHORIZING AND APPROVING AN AMENDMENT TO AND ASSUMPTION OF LEASE AGREEMENT; MEMORANDUM OF LEASE AND MEMORANDUM OF ASSIGNMENT AND ASSUMPTION; ASSIGNMENT AND LOAN ASSUMPTION AGREEMENT; SECURITY AGREEMENT, RECORDING OF RELATED FINANCING STATEMENTS RELATED TO KSR LEGACY INVESTMENT, CORP., AND RECORDING OF RELATED TERMINATION

May 20, 2020

STATEMENTS RELATED TO GENOVA PRODUCTS, INC., IN CONJUNCTION WITH McCracken County, Kentucky, with respect to a public project; and authorizing the execution of legal documents related thereto.” This ordinance is summarized as follows: This ordinance authorizes the Mayor to execute certain documents associated with a sale of the assets of Genova, Inc. by a court-appointed Receiver pursuant to the order of the Circuit Court for Genesee County (Michigan) Case No. 20-113858 CB whereby the Receiver has transferred Genova's rights and obligations under a June 23, 2014, lease and under a March 21, 2016, loan agreement to KSR Legacy Investment, Corp. One item associated with this transfer is a document entitled “Amendment to and Assumption of Lease Agreement” which is between the City of Paducah, Kentucky, McCracken County, Kentucky, and KSR Legacy Investment, Corp., for the purpose of assigning the existing lease and also adding sections related to a purchase option and the location of a sign in which KSR Legacy Investment, Corp. is assuming all obligations of Genova, Inc. under the existing Lease dated June 30, 2014, provided that the option to purchase price is to be determined and negotiated at a market value as supported by the property appraisal. This ordinance also authorizes the execution of a related document entitled “Memorandum Of Lease and Memorandum of Assignment and Assumption” to record in the County real estate records, which would give record notice of the lease transaction. Further, this ordinance authorizes the execution of a document entitled “Assignment and Loan Assumption Agreement” together with a “Security Agreement” by and between the City of Paducah, McCracken County, Kentucky, Gene R. Kohut (the court-appointed Receiver), and KSR Legacy Investment, Corp., for the purpose of assigning Genova’s obligations under the existing Loan Agreement and related documents to KSR Legacy Investment Corp. as well as the drafting and recording of related financing statements and termination statements on standard Uniform Commercial Code forms all related to the transfer by the court-appointed Receiver.

Adopted on call of the roll yeas, Commissioners Abraham, McElroy, Wilson and Mayor Harless (4). Commissioner Watkins was unable to vote due to technical difficulties.

The McCracken County Fiscal Court also conducted business to adopt the above referenced action. All in favor.

ADJOURN

The McCracken County Fiscal Court voted to adjourn the meeting. All in favor.

Mayor Harless offered motion, seconded by Commissioner Abraham, to adjourn the meeting of the Paducah Board of Commissioners. All in favor.

Meeting ended at approximately 6:58 p.m.

ADOPTED: May 26, 2020

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

May 26, 2020

Minute File:

1. Notice of Cancellation of Regular Meeting of the Board of Commissioners of the City of Paducah – April 28, 2020 at 5:30 p.m.
2. Notice of Called Meeting of the Board of Commissioners of the City of Paducah – April 28, 2020 at 5:30 p.m. (virtual meeting)
3. Notice of Called Joint Meeting – Board of Commissioners of City of Paducah and McCracken County Fiscal Court – May 18, 2020 5:00 p.m. (virtual meeting)

Contract File:

4. Purchase of Service Agreement – Jackson Purchase 2-Way Radio – Paducah 911 - \$28,080 (CM Signed)
5. Contract For Services – Kroll CyberDetect ER EndPoint Services in the amount of \$45,000 – **ORD 2020-04-8635**
6. Contract For Services – CBIZ Benefits & Insurance Services, Inc. – **ORD 2020-0-8627**

CITY OF PADUCAH
May 26, 2020

Upon the recommendation of the City Manager, the Board of Commissioners of the City of Paducah order that the personnel changes on the attached list be approved.

Michelle Smolen

City Manager's Office

5/26/2020

Date

CITY OF PADUCAH
PERSONNEL ACTIONS
May 26, 2020

TERMINATIONS - FULL-TIME (F/T)

PUBLIC WORKS

Broady, Stu

POSITION

Laborer

REASON

Deceased

NCS/CS

FLSA

EFFECTIVE DATE

NCS

Non-EX

May 6, 2020

POLICE

Wentworth, Matthew

POSITION

Patrolman

REASON

Retirement

NCS/CS

FLSA

EFFECTIVE DATE

NCS

Non-EX

April 30, 2020

Agenda Action Form Paducah City Commission

Meeting Date: May 26, 2020

Short Title: Acceptance of the Coronavirus Emergency Supplemental Funding Grant Program through the Department of Justice in the amount of \$36,344.00 - **B LAIRD**

Category: Municipal Order

Staff Work By: Ty Wilson

Presentation By: Brian Laird

Background Information: The Coronavirus Emergency Supplemental Funding (CESF) Program will provide funding to assist eligible states, local units of government, and tribes in preventing, preparing for, and responding to the coronavirus.

Funds awarded under the CESF Program must be utilized to prevent, prepare for, and respond to the coronavirus. Allowable projects and purchases include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers.

The Paducah Police Department applied for this grant under MO #2339 and was awarded \$36,344. These funds will be used to purchase an unmanned aerial system (UAS) upon acceptance of the award and acceptance of a waiver by the Department of Justice. This drone will be used to enhance surveillance and response capabilities of the department. This will be helpful in our current situation in this pandemic, as it will allow the department to predict potential dangers as well as to more effectively implement social distancing efforts. There is no match for this grant.

Does this Agenda Action Item align with a Strategic Plan Action Step? No

If yes, please list the Action Step Item Codes(s):

Funds Available: Account Name:
 Account Number:

Staff Recommendation: Authorize and direct the Mayor to execute all required documents to accept the award offer.

Attachments:

1. AWARD_REPORT
2. Municipal Order - Award – coronavirus emergency supplemental funding – PD May 2020



Department of Justice (DOJ)

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

May 5, 2020

Mayor Brandi Harless
City of Paducah
300 S 5th St.
Paducah, KY 42001-1527

Dear Mayor Harless:

On behalf of Attorney General William P. Barr, it is my pleasure to inform you that the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), has approved the application by City of Paducah for an award under the OJP funding opportunity entitled "BJA FY 20 Coronavirus Emergency Supplemental Funding Program." The approved award amount is \$36,344. These funds are for the project entitled Paducah Police Department UAS.

The award document, including award conditions, is enclosed. The entire document is to be reviewed carefully before any decision to accept the award. Also, the webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm) is to be consulted prior to an acceptance. Through that "Legal Notices" webpage, OJP sets out -- by funding opportunity -- certain special circumstances that may or will affect the applicability of one or more award requirements. Any such legal notice pertaining to award requirements that is posted through that webpage is incorporated by reference into the award.

Please note that award requirements include not only award conditions, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. Because these requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds), it is vital that all key staff know the award requirements, and receive the award conditions and the assurances and certifications, as well as the application as approved by OJP. (Information on all pertinent award requirements also must be provided to any subrecipient of the award.)

Should City of Paducah accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Please direct questions regarding this award as follows:

- For program questions, contact Kandia M. Conaway, Program Manager at (202) 514-9205; and
- For financial questions, contact the Customer Service Center of OJP's Office of the Chief Financial Officer at (800) 458-0786, or at ask.ocfo@usdoj.gov.

We look forward to working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Katharine T. Sullivan".

Katharine T. Sullivan
Principal Deputy Assistant Attorney General

Encl.



Department of Justice (DOJ)
Office of Justice Programs
Office of Civil Rights

Washington, DC 20531

May 5, 2020

Mayor Brandi Harless
City of Paducah
300 S 5th St.
Paducah, KY 42001-1527

Dear Mayor Harless:

Congratulations on your recent award. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, require recipients of federal financial assistance to give assurances that they will comply with those laws. In addition to those civil rights laws, many grant program statutes contain nondiscrimination provisions that require compliance with them as a condition of receiving federal financial assistance. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with OJP and other DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a non-discriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5). Please submit information about any adverse finding to the OCR at the above address.

We at the OCR are available to help you and your organization meet the civil rights requirements that are associated with OJP and other DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to let us know.

Sincerely,

A handwritten signature in black ink that reads "Michael L. Alston".

Michael L. Alston
Director

cc: Grant Manager
Financial Analyst



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

Grant

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|--|--|--|----------------------|
| 1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City of Paducah 300 S 5th St. Paducah, KY 42001-1527 | | 4. AWARD NUMBER: 2020-VD-BX-0358 | |
| 2a. GRANTEE IRS/VENDOR NO. 616001891 | | 5. PROJECT PERIOD: FROM 01/20/2020 TO 01/31/2022 BUDGET PERIOD: FROM 01/20/2020 TO 01/31/2022 | |
| 2b. GRANTEE DUNS NO. 082397217 | | 6. AWARD DATE 05/05/2020 | 7. ACTION Initial |
| 3. PROJECT TITLE Paducah Police Department UAS | | 8. SUPPLEMENT NUMBER 00 | |
| 12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S). | | 9. PREVIOUS AWARD AMOUNT \$ 0 | |
| 13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C | | 10. AMOUNT OF THIS AWARD \$ 36,344 | |
| 14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.034 - Coronavirus Emergency Supplemental Funding Program | | 11. TOTAL AWARD \$ 36,344 | |
| 15. METHOD OF PAYMENT GPRS | | | |
| 16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Katharine T. Sullivan Principal Deputy Assistant Attorney General | | 18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Brandi Harless Mayor | |
| 17. SIGNATURE OF APPROVING OFFICIAL  | | 19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL | 19A. DATE |
| AGENCY USE ONLY | | | |
| 20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR X FUND CODE B BUD. ACT. VD DIV. OFC. 80 DIV. REG. 00 SUB. 00 POMS AMOUNT 36344 | | 21. VVDUGT0363 | |



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

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PROJECT NUMBER 2020-VD-BX-0358

AWARD DATE 05/05/2020

SPECIAL CONDITIONS

1. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

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PROJECT NUMBER 2020-VD-BX-0358

AWARD DATE 05/05/2020

SPECIAL CONDITIONS

2. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2019 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2019 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2019 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.



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5. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

7. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.



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8. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).



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9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or



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any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

11. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.



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13. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.



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14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.



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19. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

20. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.



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24. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient and any subrecipients ("subgrantees") must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 1425 New York Avenue, N.W. Suite 7100, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Fraud Detection Office (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.



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27. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.



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28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

29. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

31. Signing Authority

This award must be signed by an authorized official of the applicant State, local, or tribal government, on behalf of that applicant State, unit of local government, or Tribe, unless the applicant designates an organizational unit to apply on its behalf. For example, if designated by a unit of local government, a Police Department or Sheriff's Office (or similar agency) may apply on behalf of the applicant jurisdiction, as long as the department, office, or agency is listed as the organizational unit on the SF-424. In that case, the head of the designated organizational unit (such as a Police Chief or Sheriff) may sign the award. Documentation of the designation by the appropriate governing body must be retained by the grant recipient.

32. The "Emergency Appropriations for Coronavirus Health Response and Agency Operations" law (Public Law 116-136) includes definitions, reporting requirements, and certain other provisions that apply (whether in whole or in part) to this award. In addition, consistent with the CESF Program's purposes, which involve preparing for, preventing, and responding to the coronavirus national emergency, OJP will provide notice of any additional CESF program-specific grants administrative requirements on an award page, accessible at <https://www.ojp.gov/funding/explore/CESF-program-specific-condition>, that is incorporated by reference here.



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PROJECT NUMBER 2020-VD-BX-0358

AWARD DATE 05/05/2020

SPECIAL CONDITIONS

33. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

34. FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

35. Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

36. Use of program income

Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

37. Justice Information Sharing

Recipients are encouraged to comply any information-sharing projects funded under this award with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) is encouraged to conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information.

38. Avoidance of duplication of networks

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 15 OF 16

PROJECT NUMBER 2020-VD-BX-0358

AWARD DATE 05/05/2020

SPECIAL CONDITIONS

39. Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA. The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are: a. New construction; b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places; c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories. The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/ or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bj.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations. Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

40. Establishment of interest-bearing account

If award funds are being drawn down in advance, the recipient (or a subrecipient, with respect to a subaward) is required to establish an interest-bearing account dedicated specifically to this award. Recipients (and subrecipients) must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2 C.F.R. 200.305(b)(8)). The award funds, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Coronavirus Emergency Supplemental Funding (CESF) program. The recipient also agrees to obligate the award funds in the account (including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

41. Expenditures requiring prior approval

No funds under this award may be expended on individual items costing \$500,000 or more, or to purchase Unmanned Aerial Systems (UAS), Unmanned Aircraft (UA), and/or Unmanned Aerial Vehicles (UAV) without prior written approval from BJA. Prior approval must be obtained post-award, through the submission and approval of a Grant Adjustment Notice (GAN) through OJP's Grant Management System (GMS).



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 16 OF 16

PROJECT NUMBER 2020-VD-BX-0358

AWARD DATE 05/05/2020

SPECIAL CONDITIONS

42. Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after January 20, 2020

The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (January 20, 2020), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum-- (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via a Grant Adjustment Notice). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Nothing in this condition shall be understood to authorize the recipient (or any subrecipient at any tier) to use award funds to "supplant" State or local funds.

43. Use of funds for DNA testing; upload of DNA profiles

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS.

44. Body armor - compliance with NIJ standards and other requirements

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (<https://nij.gov/topics/technology/body-armor/Pages/compliant-ballistic-armor.aspx>). In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information can be found here: <https://nij.gov/topics/technology/body-armor/pages/safety-initiative.aspx>.



Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Categorical Exclusion for City of Paducah

The Coronavirus Emergency Supplemental Funding (CESF) Program allows eligible states, local units of government, and tribes to support a broad range of activities including preventing, preparing for, and responding to the coronavirus.

All recipients of CESF funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a sub-grantee or third party.

BJA's expectation is that none of the following activities will be conducted whether under this federal award or a related third party action:

- (1) New construction
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species
- (3) A renovation that will change the basic prior use of a facility or significantly change its size
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment
- (5) Implementation of a program involving the use of chemicals (including the identification, seizure, or closure of clandestine methamphetamine laboratories) other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

If, however, award funds are proposed to be used for any of the enumerated projects or activities above, grant recipients must contact their grant manager, and receive written approval prior to commencing that project or activity.

Questions about this determination may be directed to your grant manager or Orbin Terry, Environmental Coordinator for BJA.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY

Grant

PROJECT NUMBER

2020-VD-BX-0358

PAGE 1 OF 1

This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C

1. STAFF CONTACT (Name & telephone number)

Kandia M. Conaway
(202) 514-9205

2. PROJECT DIRECTOR (Name, address & telephone number)

Ty Wilson
Grants Administrator
300 So. 5th Street
P.O. Box 2267
Paducah, KY 42002-2267
(270) 444-8509 ext.2063

3a. TITLE OF THE PROGRAM

BJA FY 20 Coronavirus Emergency Supplemental Funding Program

3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)

4. TITLE OF PROJECT

Paducah Police Department UAS

5. NAME & ADDRESS OF GRANTEE

City of Paducah
300 S 5th St.
Paducah, KY 42001-1527

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 01/20/2020 TO: 01/31/2022

8. BUDGET PERIOD

FROM: 01/20/2020 TO: 01/31/2022

9. AMOUNT OF AWARD

\$ 36,344

10. DATE OF AWARD

05/05/2020

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

The Coronavirus Emergency Supplemental Funding (CESF) Program allows States, U.S. Territories, the District of Columbia, units of local government, and federally recognized tribal governments to support a broad range of activities to prevent, prepare for, and respond to the coronavirus. Funded projects or initiatives may include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers.

NCA/NCF

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACCEPT A CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING GRANT AWARD THROUGH THE U.S. DEPARTMENT OF JUSTICE IN THE AMOUNT OF \$36,344, TO BE USED BY THE PADUCAH POLICE DEPARTMENT TO PURCHASE AN UNMANNED AERIAL SYSTEM

WHEREAS, The Paducah Police Department applied for the Coronavirus Emergency Supplemental Funding grant by Municipal Order No. 2339 for the purchase an unmanned aerial system (UAS); and

WHEREAS, the U.S. Department of Justice is ready to award this grant in an amount of \$36,344.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute any and all documents necessary to accept a Coronavirus Emergency Supplemental Funding Grant Award through the U.S. Department of Justice in the amount of \$36,344, to be used for the purchase of an unmanned aerial system (UAS) for the Paducah Police Department. No local cash match or in-kind contributions are required.

SECTION 2. This order shall be in full force and effect from and after the date of its adoption.

Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, May 26, 2020

Recorded by Lindsay Parish, City Clerk, May 26, 2020

\\mo\grants\ Award – coronavirus emergency supplemental funding – PD May 2020

Agenda Action Form

Paducah City Commission

Meeting Date: May 26, 2020

Short Title: Application for a Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the amount of \$767,836.17- **S KYLE**

Category: Municipal Order

Staff Work By: Ty Wilson
Presentation By: Steve Kyle

Background Information: The FY 2019 Staffing for Adequate Fire and Emergency Response (SAFER) grant program is one of three grant programs that comprise FEMA's focus on enhancing the safety of the public and firefighters with respect to fire and fire-related hazards. The SAFER program provides funding directly to fire departments and volunteer firefighter interest organizations to assist in increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments.

The Paducah Fire Department desires to apply for this grant and to use the funding to hire 3 new firefighters in the amount of \$767,836.17. With enhanced staffing levels, we should experience a reduction in response times and an increase in the number of trained personnel assembled at the incident scene. The grant covers the salary of firefighters for a 36 month period. COLA increases are not covered by the grant. That amount will be budgeted for by the Fire Department. The amount to be made up by the Fire Department in years 2 and 3 will be approximately \$15,522.83 total. The COVID-19 pandemic has led FEMA to waive the usual requirement of a cost share match. No match will be required for this match.

Does this Agenda Action Item align with a Strategic Plan Action Step? No

If yes, please list the Action Step Item Codes(s):

Funds Available: Account Name:
Account Number:

Staff Recommendation: Authorize and direct the Mayor to execute all required grant application documents.

Attachments:

1. Municipal Order

MUNICIPAL ORDER _____

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AN FY2019 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT FUNDED THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) IN THE AMOUNT OF \$767,836.17 FOR THE HIRING OF THREE FIREFIGHTERS

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1: The Mayor is hereby authorized to execute all documents necessary to apply for an FY2019 Staffing For Adequate Fire and Emergency Response (SAFER) Grant funded through the Federal Emergency Management Agency (FEMA) in the amount of \$767,836.17 for the hiring of three firefighters. The grant will provide for the cost of employment for a 36-month period. COLA increases are not covered by the grant. That amount will be budgeted for by the Fire Department. The amount to be made up by the Fire Department in years 2 and 3 will be approximately \$15,522.83 total. The COVID-19 pandemic has led FEMA to waive the usual requirement of a cost share match. No local or in-kind match is required.

SECTION 2: This Order will be in full force and effect from and after the date of its adoption.

BRANDI HARLESS, MAYOR

ATTEST:

LINDSAY PARISH, CITY CLERK

Adopted by the Board of Commissioners, May 26, 2020
Recorded by Lindsay Parish, City Clerk, May 26, 2020
\mo\grants\ APP - SAFER Grant – Fire 2020

Agenda Action Form

Paducah City Commission

Meeting Date: May 26, 2020

Short Title: Approving the Termination of the Construction Contract Entered Between the City of Paducah and Huffman Construction, LLC Dated May 3, 2018 Regarding the Flood Pump Station #2 Rehabilitation Project and Declaring an Emergency to Exist - **R MURPHY**

Category: Ordinance

Staff Work By: Melanie Townsend

Presentation By: Rick Murphy

Background Information: The Pump Station #2 Rehabilitation project is a component part of the larger Floodwall Rehabilitation project currently in progress with the USACE. The Floodwall Rehabilitation project includes rehabilitation of all flood stations, flap gates, seal closures, gate wells, t-walls, toe drains, i-wall investigation, and a new Pump Station #14. Rehabilitation of Pump Station #2 was taken on by the City of Paducah as part of the City's 35% "in-kind" match required as part of the larger project.

The Pump Station #2 Rehabilitation project has received a \$1,000,000.00 Community Development Block Grant (CDBG), a \$400,000 grant from the Delta Regional Authority (DRA) and a Kentucky Infrastructure Authority Clean Water Revolving Fund (CWSRF) loan in an amount not to exceed \$5,100,000.00

On May 3, 2018 the City entered into a construction contract with Huffman Construction, LLC in the amount of \$4,947,000.00 for the rehabilitation of Flood Pump Station #2 as approved by Ordinance 2018-04-8523. Due to default and material breach of contract, the City has notified Huffman Construction, LLC of the City's intent to terminate the Agreement.

It is imperative that the City retain a replacement contractor under terms agreeable between the City and Huffman Construction, LLC's surety, Western Surety Company. At present, the pump facility is at 50% capacity and the lead time for ordering replacement pumps is 36-40 weeks in advance. The work necessary to complete the project will need to be performed in the July-August, 2021 time frame due to impact of the Ohio River stages.

Does this Agenda Action Item align with a Strategic Plan Action Step? No

If yes, please list the Action Step Item Codes(s):

Funds Available: Account Name:
Account Number:

Staff Recommendation: Approve the Termination of the Construction Contract between the City of Paducah and Huffman Construction, LLC dated May 3, 2018 regarding the Flood Pump Station #2 Rehabilitation Project and Declaring an Emergency to Exist.

Attachments:

1. Ordinance

ORDINANCE 2020-_____

AN ORDINANCE APPROVING THE TERMINATION OF THE CONSTRUCTION CONTRACT ENTERED BETWEEN THE CITY OF PADUCAH AND HUFFMAN CONSTRUCTION, LLC DATED MAY 3, 2018 REGARDING THE FLOOD PUMP STATION # 2 REHABILITATION PROJECT AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, the City entered into an Agreement with Huffman Construction, LLC dated May 3, 2018 relating to the Flood Pump Station # 2 Rehabilitation Project; and

WHEREAS, the City has notified Huffman Construction, LLC of the City's intent to terminate the aforesaid Agreement due to Huffman Construction LLC's default and material breach of the aforesaid Agreement; and

WHEREAS, Huffman Construction, LLC has been notified that the effective date of the termination shall be the date such termination is approved by the City Commission.

NOW THEREFORE, BE IT ORDAINED BY BOARD OF COMMISSIONERS OF THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. Termination of Contract. The City hereby authorizes and approves the termination of the aforesaid Agreement entered between the City and Huffman Construction, LLC dated May 3, 2018 due to the default and material breach of contract by Huffman Construction, LLC. The effective date of the termination shall be the date this ordinance is approved by the City Commission.

SECTION 2. Emergency Declared. Pursuant to KRS 83A.060, the City Commission suspends the requirement of a second reading of this ordinance. As grounds therefore, the City Commission does hereby declare an emergency to exist with respect to the Project. It is imperative that the City retain a replacement contractor under terms agreeable between the City and Huffman Construction LLC's surety, Western Surety Company. At present, the pump facility is at 50% of full capacity and the lead time for ordering replacement pumps is 36-40 weeks in advance. The work necessary to complete the project will need to be performed in the July-August, 2021 time frame due to the impact of the Ohio River stages. Any delay in retaining a replacement contractor could impact this time frame so that the project would not be able to be completed until the July-August 2022 time frame if such replacement contractor is not retained forthwith.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon its adoption by affirmative vote of 2/3 or more of the legislative body.

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

Introduced & Adopted by the Board of Commissioners May 26, 2020

Recorded by Lindsay Parish, Paducah City Clerk, May 26, 2020

Published by The Paducah Sun, May ____, 2020

ORD\Emergency – Termination of Agreement between City and Huffman Construction, LLC regarding Flood Pump Station # 2 Rehabilitation Project

Prepared by David Kelly. Keuler, Kelly, Hutchins , Blankenship & Sigler LLP

Agenda Action Form

Paducah City Commission

Meeting Date: May 26, 2020

Short Title: Closure of a Portion of an Alley Between 1420 Martin Luther King Jr Drive & 1415 Harrison Street and the Dedication of a New Alley Between 1400 Martin Luther King Jr Drive & 1401 Harrison Street - **R MURPHY**

Category: Ordinance

Staff Work By: Tammara Tracy, Josh Sommer, Melanie Townsend
Presentation By: Rick Murphy

Background Information: The Midtown Alliance of Neighbors has been working toward achieving Community Housing Development Organizations (CHDO) status with the Kentucky Housing Corp (KHC) by demonstrating that as a nonprofit, community-based service organization they have significant capacity to develop affordable housing for the community it serves. One of the last steps is to complete a new construction project.

To facilitate this new construction project, an 8-lot subdivision has been prepared for the property located at 1400 Martin Luther King Jr Dr and 501 North 14th Street for the construction of new homes. Three homes are scheduled for construction in 2020.

On April 28, 2020, the Paducah Board of Commissioners passed Municipal Order 2338 authorizing the transfer of real property located at 1400 Martin Luther King Jr Dr and 501 North 14th Street to Midtown Alliance of Neighbors for the construction of single-family homes.

A plat of the new subdivision, Remington Subdivision, was prepared by Dummer Surveying & Engineering Services, Inc. and submitted. As part of the subdivision process, the closure of a portion of an alley and the dedication of a new public alley was necessary.

On May 4, 2020, the Paducah Planning Commission passed a resolution proposing the closing of a portion of an alley between 1420 Martin Luther King Jr Dr and 1415 Harrison Street and the dedication of a new alley between 1400 Martin Luther King Jr Dr and 1401 Harrison Street. As indicated on the Remington Subdivision plat, the City will quitclaim a strip of land identified as Lot 11A to the adjacent property owner, Frederick E Jones, consisting of 2,193 sq ft. The City will quitclaim a strip of land identified as Lot 10A to the adjacent property owner, Andrew Suggs, consisting of 1,554 sq. ft.

Does this Agenda Action Item align with a Strategic Plan Action Step? Yes

If yes, please list the Action Step Item Codes(s): N-2: Encourage, incentivize and/or support more housing options throughout the City.

Funds Available: Account Name:
Account Number:

Staff Recommendation: Authorize the closing of a portion of an alley between 1420 Martin Luther King Jr Dr and 1415 Harrison Street and authorizing the dedication of a public alley between 1400 Martin Luther King Jr & 1401 Harrison Street and authorizing the Mayor to execute the plat and all associated documents.

Attachments:

1. PC Resolution_Remington Sub alley
2. Remington Subdivision Plat
3. Ordinance

A RESOLUTION CONSTITUTING THE FINAL REPORT OF THE PADUCAH PLANNING COMMISSION ON THE PROPOSED CLOSING OF A PORTION OF AN ALLEY BETWEEN 1420 MARTIN LUTHER KING JR. DRIVE & 1415 HARRISON STREET AND THE DEDICATION OF A NEW ALLEY BETWEEN 1400 MARTIN LUTHER KING JR. DRIVE & 1401 HARRISON STREET.

WHEREAS, a public hearing was previously held on April 20, 2020 by the Paducah Planning Commission after advertisement pursuant to law, and

WHEREAS, this Commission has duly considered said proposal and has heard and considered the objections and suggestions of all interested parties who appeared at said hearing, and

WHEREAS, the Petitioner wishes to establish a new subdivision, known as Remington Subdivision, and

WHEREAS, this Commission adopted a proposal to close a portion of an alley between 1420 Martin Luther King Jr. Drive & 1415 Harrison Street and the dedication of a new alley between 1400 Martin Luther King Jr. Drive & 1401 Harrison Street at the regularly scheduled meeting on May 4, 2020.

NOW THEREFORE, BE IT RESOLVED BY THE PADUCAH PLANNING COMMISSION:

SECTION 1. That this Commission recommend to the Mayor and Board of Commissioners of the City of Paducah to close a portion of an alley between 1420 Martin Luther King Jr. Drive & 1415 Harrison Street and the dedication of a new alley between 1400 Martin Luther King Jr. Drive & 1401 Harrison Street as follows:

**LEGAL DESCRIPTION
ALLEY CLOSURE**

A certain Alley Right of Way containing 819 Square Feet as surveyed by Ricky A. Tosh, PLS 2900 of the firm of Dummer Surveying & Engineering Services, Inc. of Paducah, Kentucky on March 30, 2020, located between Martin Luther King Jr. Drive and Harrison Street and between North 14th Street and Harahan Street in Block "E" of Harahan Subdivision recorded in Plat Section "A", Page 94 in the City of Paducah, McCracken County, Kentucky and being more particularly described as follows:

Bearings described herein are based on Grid North from GPS static observation made on January 9, 2020. The horizontal control is based Kentucky State Plane Coordinates System South Zone (NAD 83) (2011) (NAVD 88) (GEOID 18).

All rebars and caps (found or set) are 1/2" diameter by 18" long rebar with a plastic cap stamped "R. TOSH KYPLS 2900".

Commencing at a rebar and cap (set) in the south right of way of Martin Luther King Jr. Drive, 33.00 feet south of the street centerline, said centerline point be located 239.00 feet west of the centerline intersection of Martin Luther King Jr. Drive and North 14th Street, thence from the commencing point South 25 Degrees 39 Minutes 21 Seconds East for a distance of 164.03 feet with the east line of a 13.60 foot wide alley to a rebar and cap (set) at the Point of Beginning and the northwest corner of the herein described alley right of way:

Thence North 65 Degrees 01 Minutes 58 Seconds East for a distance of 52.59 feet with the south line of the Fredrick Jones property described in Deed Book 1243, Page 613 and a common line to the City of Paducah property described in Deed Book 1231, Page 5 to a rebar and cap (found);

Thence South 24 Degrees 58 Minutes 02 Seconds East for a distance of 15.60 feet with another common line to the City of Paducah property to a rebar and cap (set);

Thence South 65 Degrees 01 Minutes 58 Seconds West for a distance of 52.40 feet with the north line of the Andrew Suggs property described in Deed Book 1121, Page 682 to a rebar and cap (set);

RECEIVED

MAY 06 2020

ENGINEERING
DEPARTMENT

TP
9:45a

LEGAL DESCRIPTION
23 foot Alley Dedication

A certain tract of land containing 7,910 Square Feet as surveyed by Ricky A. Tosh, PLS 2900 of the firm of Dummer Surveying & Engineering Services, Inc. of Paducah, Kentucky on March 30, 2020, fronting on Martin Luther King Jr. Drive and Harrison Street and between North 14th Street and Harahan Street in Block "E" of Harahan Subdivision recorded in Plat Section "A", Page 94 in the City of Paducah, McCracken County, Kentucky and being more particularly described as follows:

Bearings described herein are based on Grid North from GPS static observation made on January 9, 2020. The horizontal control is based Kentucky State Plane Coordinates System South Zone (NAD 83) (2011) (NAVD 88) (GEOID 18).

All rebars and caps (set) are 1/2" diameter by 18" long rebar with a plastic cap stamped "R. TOSH KYPLS 2900".

Beginning at a Mag Nail and washer stamped "PLS 2900" (set) 33.00 feet south of the centerline of Martin Luther King Jr. Drive, said centerline point being located 151.54 feet west of the centerline intersection of Martin Luther King Jr. Drive and North 14th Street;

Thence from the point of beginning South 24 Degrees 59 Minutes 10 Seconds East for a distance of 343.93 feet severing the lands of the City of Paducah property described in Deed Book 1231, Page 5 to a rebar and cap (set) 33.00 feet north of the centerline of Harrison Street, said centerline point being located 151.57 feet west of the centerline intersection of Harrison Street and North 14th Street;

Thence South 65 Degrees 08 Minutes 03 Seconds West for a distance of 23.00 feet along the north right of way of Harrison Street to a rebar and cap (set);

Thence North 24 Degrees 59 Minutes 10 Seconds West for a distance of 343.85 feet severing the lands of the City of Paducah property described in Deed Book 1231, Page 5 to a rebar and cap (set) in the south right of way of Martin Luther King Jr. Drive;

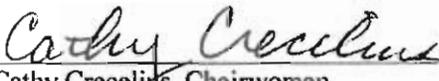
Thence North 64 Degrees 56 Minutes 01 Seconds East for a distance of 23.00 feet along the south right of way of Martin Luther King Jr. Drive to the point of beginning and being a part of the property described in Deed Book 1231, Page 5.

Together with and subject to covenants, easements, right of ways and restrictions of record and in existence.

SECTION 2. That this Resolution shall be treated as, and is, the final report of the Paducah Planning Commission respecting the matters appearing herein.

SECTION 3. That if any section, paragraph or provision of this Resolution shall be found to be inoperative, ineffective or invalid for any cause, the deficiency or invalidity of such section, paragraph or provision shall not affect any other section, paragraph or provision hereof, it being the purpose and intent of this Resolution to make each and every section, paragraph and provision hereof separable from all other sections, paragraphs and provisions.

SECTION 4. Any agreements between the parties that are affected by the closure or dedication of this Right-of-Way shall be forwarded to the City Commission with this Resolution.


Cathy Crecelius, Chairwoman

Adopted by the Paducah Planning Commission on May 4, 2020

RECEIVED

MAY 07 2020

ENGINEERING
DEPARTMENT

TP
9-152A

FINAL PLAT OF REMINGTON SUBDIVISION

CERTIFICATE OF OWNERSHIP AND DEDICATION:

I (WE), DO HEREBY CERTIFY THAT I AM (WE ARE) THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE WILL AND CONSENT. ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PUBLIC UTILITY EASEMENTS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

OWNER _____ DATE _____ OWNER _____ DATE _____

OWNER _____ DATE _____ OWNER _____ DATE _____

CERTIFICATION OF ACKNOWLEDGMENT STATE OF KENTUCKY, COUNTY OF McCRACKEN:

I, _____, A NOTARY PUBLIC IN THE STATE & COUNTY AFORESAID DO, HEREBY CERTIFY THAT THE FOREGOING PLAT OF SURVEY WAS THIS DAY PRESENTED TO ME BY _____, KNOWN TO ME, TOGETHER WITH THE CERTIFICATE OF OWNERSHIP AND DEDICATION SHOWN HEREON, WHICH WAS, EXECUTED IN MY PRESENCE AND ACKNOWLEDGED TO BE THEIR FREE ACT AND DEED.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 20____.

MY COMMISSION EXPIRES ON THE _____ DAY OF _____, 20____.

NOTARY PUBLIC _____

CERTIFICATION OF ACKNOWLEDGMENT STATE OF KENTUCKY, COUNTY OF McCRACKEN:

I, _____, A NOTARY PUBLIC IN THE STATE & COUNTY AFORESAID DO, HEREBY CERTIFY THAT THE FOREGOING PLAT OF SURVEY WAS THIS DAY PRESENTED TO ME BY _____, KNOWN TO ME, TOGETHER WITH THE CERTIFICATE OF OWNERSHIP AND DEDICATION SHOWN HEREON, WHICH WAS, EXECUTED IN MY PRESENCE AND ACKNOWLEDGED TO BE THEIR FREE ACT AND DEED.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 20____.

MY COMMISSION EXPIRES ON THE _____ DAY OF _____, 20____.

NOTARY PUBLIC _____

CERTIFICATION OF ACKNOWLEDGMENT STATE OF KENTUCKY, COUNTY OF McCRACKEN:

I, _____, A NOTARY PUBLIC IN THE STATE & COUNTY AFORESAID DO, HEREBY CERTIFY THAT THE FOREGOING PLAT OF SURVEY WAS THIS DAY PRESENTED TO ME BY _____, KNOWN TO ME, TOGETHER WITH THE CERTIFICATE OF OWNERSHIP AND DEDICATION SHOWN HEREON, WHICH WAS, EXECUTED IN MY PRESENCE AND ACKNOWLEDGED TO BE THEIR FREE ACT AND DEED.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 20____.

MY COMMISSION EXPIRES ON THE _____ DAY OF _____, 20____.

NOTARY PUBLIC _____

CERTIFICATE OF APPROVAL:

UNDER THE AUTHORITY PROVIDED BY CHAPTER 100, KENTUCKY REVISED STATUTES, ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PADUCAH, THIS PLAT HAS BEEN GIVEN APPROVAL AND ACCEPTED AS FOLLOWS:

APPROVED BY PADUCAH, PLANNING AND ZONING COMMISSION MEETING HELD ON THE _____ DAY OF _____, 20____.

CHAIRMAN OF THE PLANNING AND ZONING COMMISSION _____

MAYOR'S CERTIFICATE OF CITY APPROVAL:

I HEREBY CERTIFY THAT THE PROPOSED DEDICATION OF THE RIGHT-OF-WAYS AND PUBLIC UTILITY EASEMENTS AS SHOWN HEREON HAS BEEN FOUND TO BE BENEFICIAL TO THE PUBLIC INTEREST AND IS SUITABLE FOR IMMEDIATE OR FUTURE ACCEPTANCE BY THE CITY OF PADUCAH, KENTUCKY.

BY ORDINANCE No. _____ AT MEETING DATE _____

DATE _____

MAYOR, CITY OF PADUCAH _____

CERTIFICATE OF ACCURACY:

I DO HEREBY CERTIFY TO CITY OF PADUCAH THAT THE SURVEY SHOWN AND DESCRIBED HEREON WAS PERFORMED UNDER MY SUPERVISION BY THE METHOD OF RANDOM TRAVERSE WITH SIDE SHOTS. THE UNADJUSTED PRECISION OF RATIO OF THE TRAVERSE WAS 1:217,742. THE BEARINGS AND DISTANCES SHOWN HEREON HAVE BEEN ADJUSTED. THIS SURVEY IS AN URBAN CLASS SURVEY AND MEETS THE ACCURACY, PRECISION AND SPECIFICATIONS OF THIS CLASS PER THE STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS IN KENTUCKY (201 KAR 18.150). THIS SURVEY MEETS THE REQUIREMENTS OF THE CITY OF PADUCAH PLANNING AND ZONING COMMISSION, AND ALL MONUMENTS HAVE BEEN FOUND OR SET AS SHOWN HEREON.

RICKY A. TOSH _____ PLS No. 2900 _____ DATE _____

THE PROPERTY IS SUBJECT TO ALL RIGHT-OF-WAYS, EASEMENTS, COVENANTS, AND RESTRICTION OF RECORD AND IN EXISTENCE.

THIS DRAWING IS NOT VALID UNLESS ORIGINAL SIGNATURE AND SEAL ARE ATTACHED. ANY REPRODUCTION OR VARIANCE TO THIS SURVEY BY ELECTRONIC OR ANY OTHER MEANS ARE NOT TO BE CONSIDERED ISSUED BY THE LICENSED LAND SURVEYOR.

CERTIFICATE OF RECORDING: "STATE OF KENTUCKY, COUNTY OF McCRACKEN"

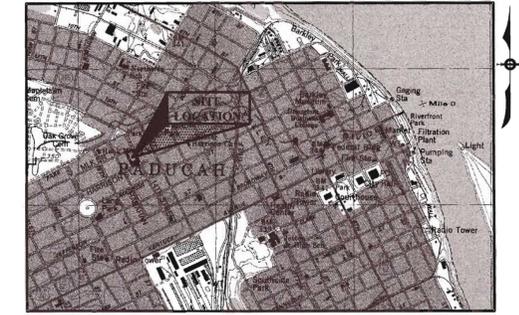
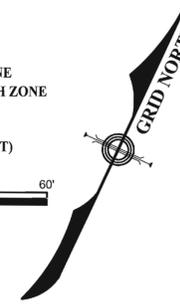
I, JULIE GRIGGS, CLERK FOR THE COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT THIS PLAT WAS THIS DAY LOGGED IN MY OFFICE FOR RECORD AND THAT I HAVE RECORDED SAME WITH THIS AND THE FOREGOING CERTIFICATE OF MY OFFICE.

GIVEN UNDER MY HAND AND SEAL THIS THE _____ DAY OF _____, 20____.

BY _____ D.C.

RECORDED IN PLAT SECTION _____, PAGE _____.

KENTUCKY STATE PLANE
COORDINATE SYSTEM-SOUTH ZONE
(NAD83) (2011)
(NAVD 88) (GEOID 18)
(SURVEY UNITS-U.S. FEET)



VICINITY MAP
SCALE: 1" = 2,000'

LEGEND

- ⊗ EXISTING 1/2"Ø x 18" LONG REBAR WITH PLASTIC CAP STAMPED "R.TOSH KYPLS 2900" (FOUND) (UNLESS NOTED OTHERWISE)
- 1/2"Ø x 18" LONG REBAR WITH PLASTIC CAP STAMPED "R.TOSH KYPLS 2900" (SET) (UNLESS NOTED OTHERWISE)
- ⊙ 1-1/2" LONG MAG NAIL WITH METAL WASHER STAMPED "PLS 2900" (SET)
- 529 STREET ADDRESS
- PROPERTY LINE
- ROAD CENTERLINE
- ADJOINING PROPERTY LINE
- EASEMENT AS NOTED
- LOT LINE ABOLISHED BY THIS PLAT
- ▨ ALLEY CLOSURE

FLOOD INFORMATION:
THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE "X" AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP No. 21145C0153F, DATED NOVEMBER 2, 2011.
ZONE "X" AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OF WITH DRAINAGE AREAS OF LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

TITLE OPINION:
THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A TITLE OPINION. A DILIGENT EFFORT WAS MADE AT THE TIME OF THIS SURVEY TO OBTAIN AND SHOW RIGHT-OF-WAYS, EASEMENTS, COVENANTS, AND RESTRICTIONS PERTAINING TO THIS PROPERTY. HOWEVER THIS SURVEY IS SUBJECT TO THE FINDINGS THAT WOULD BE REVEALED IN AN ACCURATE TITLE OPINION.

STREET RIGHT OF WAYS:
THE STREET RIGHT OF WAYS SHOWN HEREON WERE OBTAINED FROM THE CITY ENGINEER'S PLAT BOOK AND THE SUBDIVISION PLAT RECORDED IN PLAT SECTION "A", PAGE 94.

INTENT:
THE INTENT OF THIS PLAT OF SUBDIVISION IS TO ABOLISH LOT LINES AS SHOWN, CLOSE A 15.00' ALLEY RIGHT OF WAY, DEDICATE A 23' WIDE ALLEY RIGHT-OF-WAY AND ESTABLISH LOTS 1 THROUGH 8, CONSOLIDATED LOT 10 AND CONSOLIDATED LOT 11.

BOUNDARY SURVEY:
THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18.150.

CLIENT: CITY OF PADUCAH, KY
PLANNING DEPT.
P.O. BOX 2287
PADUCAH, KY 42002-2287

OWNERS: CITY OF PADUCAH, KY
1415 HARRISON ST
PADUCAH, KY 42001
DEED BOOK 1231, PAGE 5

ANDREW SUGGS
1415 HARRISON ST
PADUCAH, KY 42001
DEED BOOK 1121, PG. 682

FREDRICK JONES
1205 TENNESSEE ST
PADUCAH, KY 42003
DEED BOOK 1243, PG. 613

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| REV. No. | DATE | TYPE | BY | APPROVED/DATE |
|----------|------|------|----|---------------|
| | | | | |
| | | | | |

| | | |
|----------------------|-----------------------------|---------------------------------|
| DRAWN BY: T. MEADOWS | FIELD SURVEY: 1/9/20 | SCALE: 1" = 30' |
| DATE: 3/19/20 | DATE: 3/30/20 | |
| REVIEWED BY: R. TOSH | FIELD BOOK No.: 194, PAGE 1 | COORD FILE: 2019178 |
| DATE: 4/29/20 | | |
| APPROVED BY: _____ | REF. JOB No.: 2012112 | SCREEN FILE: 2019178 Final Plat |
| DATE: _____ | | |

DUMMER SURVEYING & ENGINEERING SERVICES, INC.

434 South 6th Street
Paducah, Kentucky 42003

KY: 270-444-0220
IL: 618-524-4209

FAX 270-444-9493
www.dsandc.com

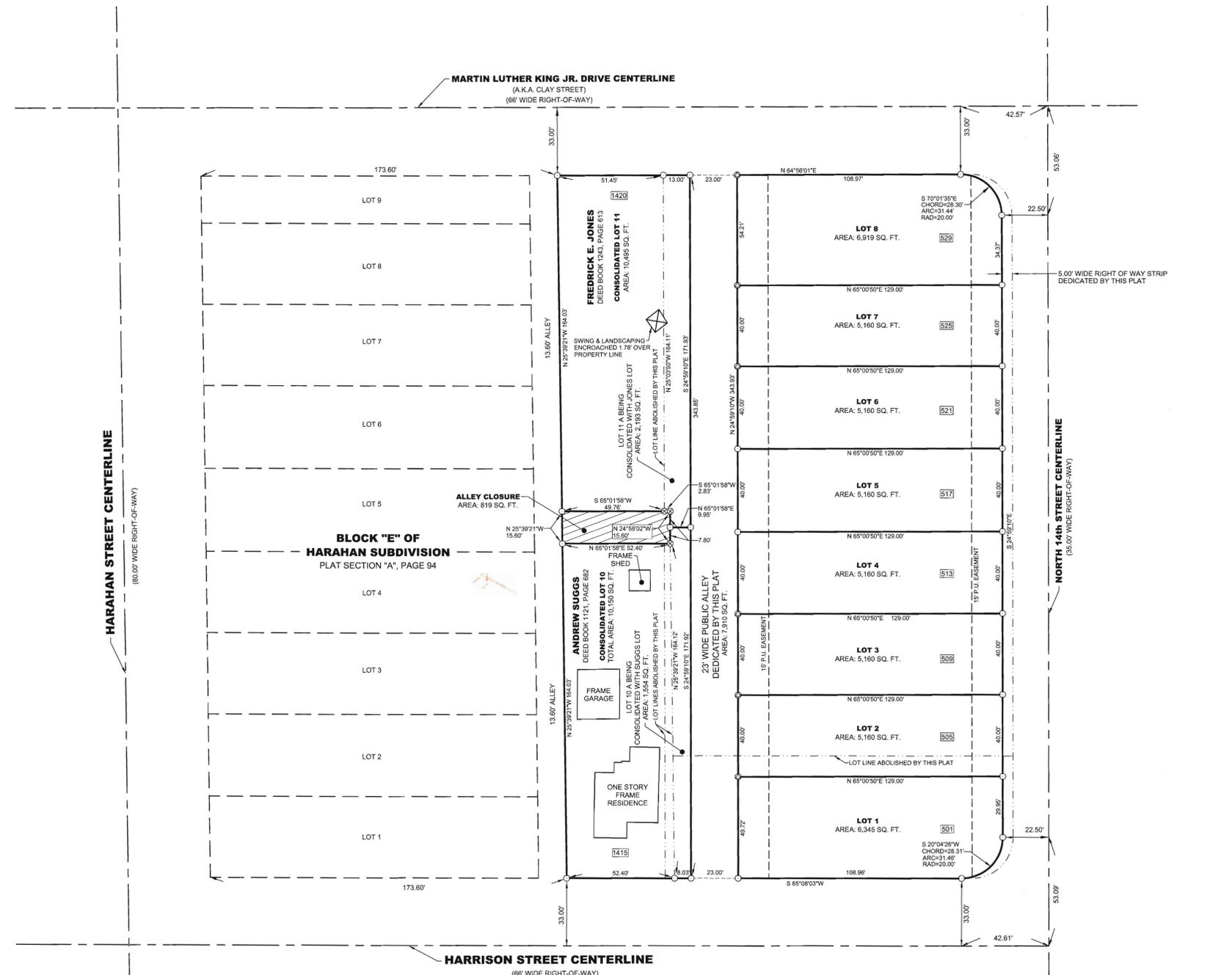
FINAL PLAT OF REMINGTON SUBDIVISION

WEST SIDE OF NORTH 14th STREET, SOUTH OF MARTIN LUTHER KING JR. DRIVE
PADUCAH, McCRACKEN COUNTY, KY

ENGINEER'S SEAL SURVEYOR'S SEAL

SHEET No. **1**

DS&E JOB No. **2019178**



ORDINANCE NO. 2020-_____-_____

AN ORDINANCE PROVIDING FOR THE CLOSING OF A PORTION OF AN ALLEY BETWEEN 1420 MARTIN LUTHER KING JR. DRIVE & 1415 HARRISON STREET AND THE DEDICATION OF A NEW ALLEY BETWEEN 1400 MARTIN LUTHER KING JR. DRIVE & 1401 HARRISON STREET AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATING TO SAME

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah does hereby authorize the closing of a portion of an alley between 1420 Martin Luther King Jr. Drive & 1415 Harrison Street and the dedication of a new alley between 1400 Martin Luther King Jr. Drive & 1401 Harrison Street as follows:

**LEGAL DESCRIPTION
ALLEY CLOSURE**

A certain Alley Right of Way containing 819 Square Feet as surveyed by Ricky A. Tosh, PLS 2900 of the firm of Dummer Surveying & Engineering Services, Inc. of Paducah, Kentucky on March 30, 2020, located between Martin Luther King Jr. Drive and Harrison Street and between North 14th Street and Harahan Street in Block "E" of Harahan Subdivision recorded in Plat Section "A", Page 94 in the City of Paducah, McCracken County, Kentucky and being more particularly described as follows:

Bearings described herein are based on Grid North from GPS static observation made on January 9, 2020. The horizontal control is based Kentucky State Plane Coordinates System South Zone (NAD 83) (2011) (NAVD 88) (GEOID 18).

All rebars and caps (found or set) are 1/2" diameter by 18" long rebar with a plastic cap stamped "R. TOSH KYPLS 2900" .

Commencing at a rebar and cap (set) in the south right of way of Martin Luther King Jr. Drive, 33.00 feet south of the street centerline, said centerline point be located 239.00 feet west of the centerline intersection of Martin Luther King Jr. Drive and North 14th Street, thence from the commencing point South 25 Degrees 39 Minutes 21 Seconds East for a distance of 164.03 feet with the east line of a 13.60 foot wide alley to a rebar and cap (set) at the Point of Beginning and the northwest corner of the herein described alley right of way:

Thence North 65 Degrees 01 Minutes 58 Seconds East for a distance of 52.59 feet with the south line of the Fredrick Jones property described in Deed Book 1243, Page 613 and a common line to the City of Paducah property described in Deed Book 1231, Page 5 to a rebar and cap (found);

Thence South 24 Degrees 58 Minutes 02 Seconds East for a distance of 15.60 feet with another common line to the City of Paducah property to a rebar and cap (set);

Thence South 65 Degrees 01 Minutes 58 Seconds West for a distance of 52.40 feet with the north line of the Andrew Suggs property described in Deed Book 1121, Page 682 to a rebar and cap (set);

Thence North 25 Degrees 39 Minutes 21 Seconds West for a distance of 15.60 feet with the east line of a 13.60 foot wide alley to the True Point of Beginning.

Together with and subject to covenants, easements, right of ways and restrictions of record and in existence.

LEGAL DESCRIPTION
23 foot Alley Dedication

A certain tract of land containing 7,910 Square Feet as surveyed by Ricky A. Tosh, PLS 2900 of the firm of Dummer Surveying & Engineering Services, Inc. of Paducah, Kentucky on March 30, 2020, fronting on Martin Luther King Jr. Drive and Harrison Street and between North 14th Street and Harahan Street in Block "E" of Harahan Subdivision recorded in Plat Section "A", Page 94 in the City of Paducah, McCracken County, Kentucky and being more particularly described as follows:

Bearings described herein are based on Grid North from GPS static observation made on January 9, 2020. The horizontal control is based Kentucky State Plane Coordinates System South Zone (NAD 83) (2011) (NAVD 88) (GEOID 18).

All rebars and caps (set) are 1/2" diameter by 18" long rebar with a plastic cap stamped "R. TOSH KYPLS 2900".

Beginning at a Mag Nail and washer stamped "PLS 2900" (set) 33.00 feet south of the centerline of Martin Luther King Jr. Drive, said centerline point being located 151.54 feet west of the centerline intersection of Martin Luther King Jr. Drive and North 14th Street;

Thence from the point of beginning South 24 Degrees 59 Minutes 10 Seconds East for a distance of 343.93 feet severing the lands of the City of Paducah property described in Deed Book 1231, Page 5 to a rebar and cap (set) 33.00 feet north of the centerline of Harrison Street, said centerline point being located 151.57 feet west of the centerline intersection of Harrison Street and North 14th Street;

Thence South 65 Degrees 08 Minutes 03 Seconds West for a distance of 23.00 feet along the north right of way of Harrison Street to a rebar and cap (set);

Thence North 24 Degrees 59 Minutes 10 Seconds West for a distance of 343.85 feet severing the lands of the City of Paducah property described in Deed Book 1231, Page 5 to a rebar and cap (set) in the south right of way of Martin Luther King Jr. Drive;

Thence North 64 Degrees 56 Minutes 01 Seconds East for a distance of 23.00 feet along the south right of way of Martin Luther King Jr. Drive to the point of beginning and being a part of the property described in Deed Book 1231, Page 5.

Together with and subject to covenants, easements, right of ways and restrictions of record and in existence.

SECTION 2. In support of its decision to close the aforesaid public way, the Board of Commissioners hereby makes the following findings of fact:

a. Frederick E Jones and Andrew Suggs own the properties abutting the public way which the Board of Commissioners has authorized to be closed as is evidenced by the consent for street and/or alley closing which is attached hereto and made part hereof (Exhibit A).

b. On the 4th day of May, 2020, the Paducah Planning Commission of the City of Paducah adopted a resolution recommending to the Mayor and Board of Commissioners of the City of Paducah closure of and new dedication of the aforesaid public ways.

c. Written notice of the proposed closing and new dedication was given to all property owners in or abutting the public way or the portion thereof being closed as is evidenced by the consent for street and/or alley closing which is attached hereto and made a part hereof.

d. All property owners in or abutting the public way or the portion thereof being closed have given their written notarized consent to the closing as is evidenced by the application for street and/or alley closing which is attached hereto and made a part hereof.

SECTION 3. All requirements of KRS 82.405(1) and (2) having been met, the Board of Commissioners of the City of Paducah hereby concludes that the aforesaid public way, as described above, should be closed in accordance with the provisions of KRS 82.405.

SECTION 4. The Mayor is hereby authorized, empowered, and directed to execute a quitclaim deed from the City of Paducah to each of the property owners in or abutting the public way to be closed with each to acquire title to that portion of the public way contiguous to the property now owned by said property owners up to center line of the said public way. Provided, however, that the City shall reserve such easements upon the above described real property as it deems necessary. Said deed shall provide the reservation by the City of Paducah any easements affecting the herein described real property as described in Section 1 above.

SECTION 5. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, May 26, 2020

Adopted by the Board of Commissioners, _____

Recorded by Lindsay Parish, City Clerk, _____

Published by The Paducah Sun, _____

\ord\eng\st close\alley close and dedication – MLK Dr. & Harrison St.

CERTIFICATION

I, Lindsay Parish, hereby certify that I am the duly qualified and acting Clerk of the City of Paducah, Kentucky, and that the foregoing is a full, true and correct copy of Ordinance No. 2020-_____ adopted by the Board of Commissioners of the City of Paducah at a meeting held on _____.

City Clerk

Exhibit A

City of Paducah, Kentucky
Public Right-of-Way Closure Consent

Agenda Action Form Paducah City Commission

Meeting Date: May 26, 2020

Short Title: Intent to Annex 1815 Olivet Church Road, 6215 Blandville Road and 5269 Hinkleville Road - **T TRACY**

Category: Ordinance

Staff Work By:

Presentation By: Tammara Tracy

Background Information: The property owners of 1815 Olivet Church Road and 6215 Blandville Road have requested annexation into the City of Paducah. In order to facilitate orderly growth in the regional trade center, the City is pursuing annexation of 5269 Hinkleville Road. The total area proposed to be annexed is 8.6 acres. A single-family home is located at 1815 Olivet Church Road; a single-family home with a dog grooming business is located at 6215 Blandville Road and an abandoned single-family home is located at 5269 Hinkleville Road. A final annexation ordinance will follow after approval of the Intent to Annex Ordinance.

Does this Agenda Action Item align with a Strategic Plan Action Step? No

If yes, please list the Action Step Item Codes(s):

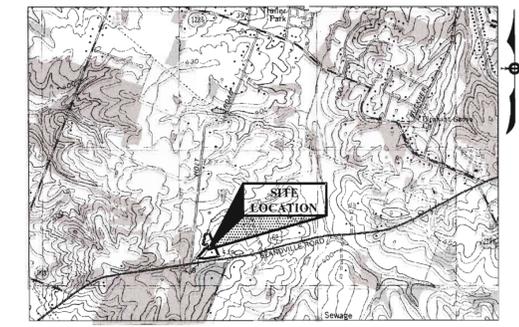
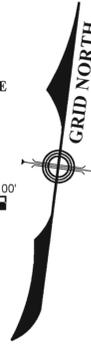
Funds Available: Account Name:
Account Number:

Staff Recommendation: Staff recommends approval of the Intent to Annex Ordinance

Attachments:

1. Image_20200320_0002
2. Image_20200320_0003
3. Image_20200320_0004
4. Oliphant request for annexation
5. Bremer request for annexation
6. Ordinance

KENTUCKY STATE PLANE
 COORDINATE SYSTEM-SOUTH ZONE
 (NAD83) (2011)
 (NAVD 88) (GEOID 18)
 (SURVEY UNITS-U.S. FEET)



VICINITY MAP
 SCALE: 1" = 2,000'

LEGEND

- ANNEXATION LINE
- - - ROAD CENTERLINE
- - - ADJOINING PROPERTY LINE
- ▨ CITY / COUNTY LIMITS

- NOTES:**
1. THE ANNEXATION BOUNDARY OF TRACT "A" SHOWN HEREON FORMS A GEOMETRICALLY CLOSED FIGURE.
 2. ANNEXATION TRACT "A" ADJOINS THE EXISTING CITY LIMITS OF PADUCAH, KENTUCKY ALONG THE SOUTH AND EAST BOUNDARIES OF THE TRACT.
 3. THIS ANNEXATION PLAT IS BASED ON PLAT OF THE EXISTING CITY LIMITS RECORDED IN PLAT SECTION "L", PAGE 195; THE NEAL & SHARON OLIPHANT DEED RECORDED IN DEED BOOK 860, PAGE 38; AND THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET DEED RECORDED IN DEED BOOK 709, PAGE 631; AND THE FOLLOWING RECORDED PLATS: PLAT SECTION "M", PAGE 236, PLAT SECTION "L", PAGE 1313.
 4. THIS SURVEY WAS PERFORMED BY REAL TIME KINEMATICS SURVEY METHODS USING SPECTRA PRECISION SP80 GPS RECEIVERS, WITH A SITE CALIBRATION SCALE FACTOR OF 1.000040575 BASED ON STATIC SITE CONTROL ESTABLISHED BY USE OF SPECTRA PRECISION SP80 RECEIVERS.

SURVEYOR'S CERTIFICATE:
 I DO HEREBY CERTIFY TO THE CITY OF PADUCAH AND NEAL & SHARON OLIPHANT THAT THIS ANNEXATION PLAT, PREPARED BY THE UNDERSIGNED, WAS DONE IN ACCORDANCE WITH THE MOST RECENT REQUIREMENTS AS DEFINED BY 21 KAR 18-150 IN THE STATE OF KENTUCKY.

Ricky A. Toshi 2/19/20
 RICKY A. TOSHI P.E. No. 8900 DATE

THIS PROPERTY IS SUBJECT TO ALL RIGHT-OF-WAYS, EASEMENTS, COVENANTS, AND RESTRICTIONS OF RECORD AND IN EXISTENCE. THIS DRAWING IS NOT VALID UNLESS ORIGINAL SIGNATURE AND SEAL ARE ATTACHED. ANY REPRODUCTION OR VARIANCE TO THIS SURVEY BY ELECTRONIC OR ANY OTHER MEANS ARE NOT TO BE CONSIDERED ISSUED BY THE LICENSED SURVEYOR.

ANNEXATION PLAT:
 THIS PLAT REPRESENTS AN ANNEXATION PLAT TO COMPLY WITH KRS 81A.470 AND DOES NOT REPRESENT A BOUNDARY SURVEY AS DEFINED BY 201 KRS 18.150. THIS PLAT IS NOT INTENDED FOR LAND TITLE TRANSFER.

CLIENT: CITY OF PADUCAH
 P.O. BOX 2267
 PADUCAH, KY 42002-2267

OWNER: NEAL & SHARON OLIPHANT
 6215 BLANDVILLE ROAD
 PADUCAH, KY 42001

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| REV. No. | DATE | TYPE | BY | APPROVED DATE |
|----------|---------|------------|----------|---------------|
| 1 | 2/19/20 | EDIT NOTES | R. TOSHI | |

| | | |
|-----------------------|------------------------------|---------------------------------|
| DRAWN BY: T. MEADOWS | FIELD SURVEY DATE: 1/13/20 | SCALE: 1" = 50' |
| REVIEWED BY: R. TOSHI | FIELD BOOK No.: 190, PAGE 20 | COORD FILE: 2020004 |
| APPROVED BY: DATE | REF. JOB No.: | SCREEN FILE: 2020004 ANNEXATION |

DUMMER SURVEYING & ENGINEERING SERVICES, INC.
 434 South 6th Street Paducah, Kentucky 42003 KY. 270-444-0220 IL. 618-524-4209 FAX 270-444-9493 www.dsandee.com

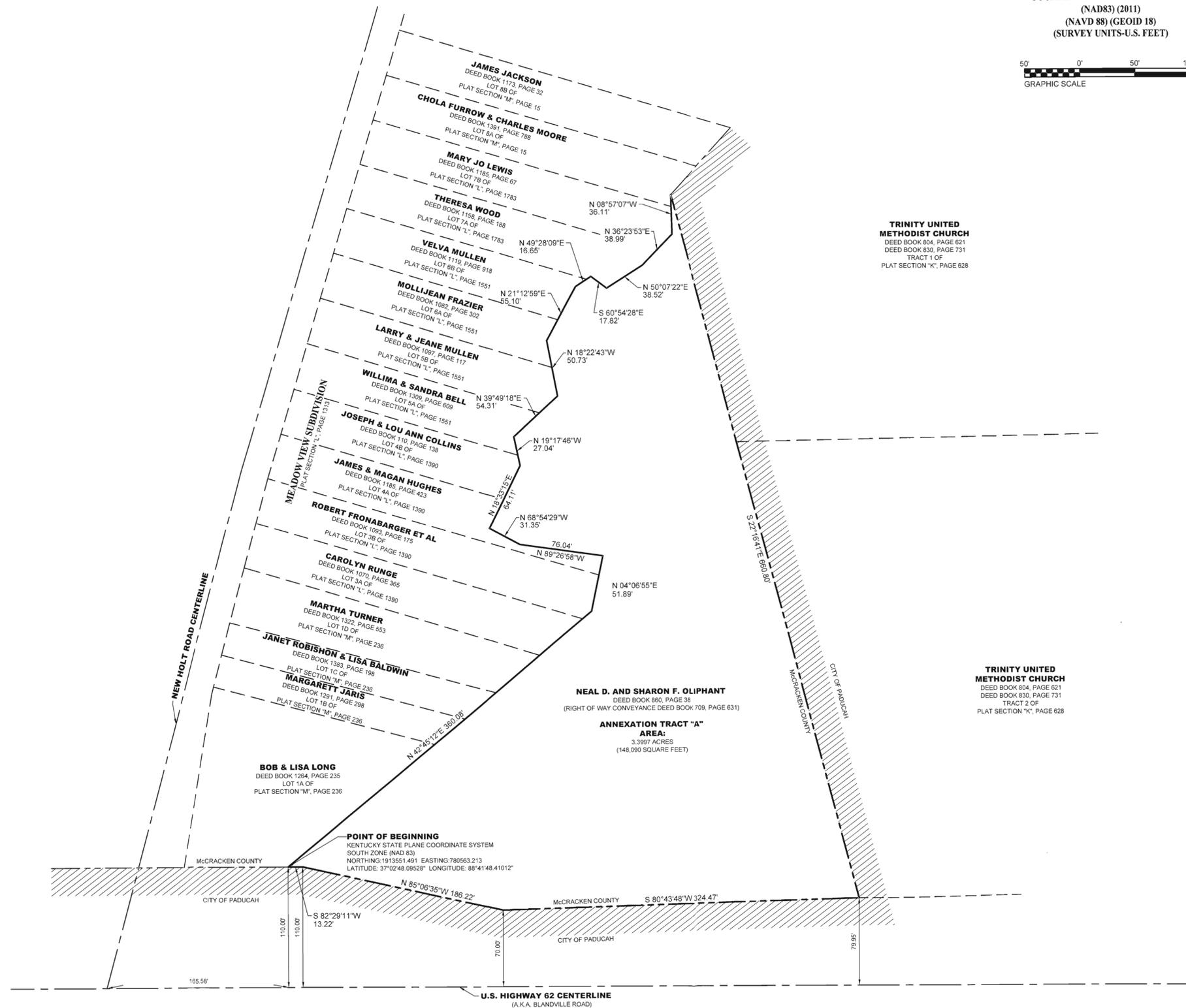
**ANNEXATION PLAT OF THE
 NEAL AND SHARON OLIPHANT PROPERTY**

6215 BLANDVILLE ROAD
 McCracken County, Kentucky

RECEIVED FEB 18 2020 Planning Department

STATE OF KENTUCKY LICENSED PROFESSIONAL LAND SURVEYOR

SHEET No. **1**
 DS&E JOB No. **2020004**



CERTIFICATE OF RECORDING:
"STATE OF KENTUCKY, COUNTY OF McCracken"

I, JULIE GRIGGS, CLERK FOR THE COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT THIS PLAT WAS THIS DAY LODGED IN MY OFFICE FOR RECORD AND THAT I HAVE RECORDED SAME WITH THIS AND THE FOREGOING CERTIFICATE OF MY OFFICE.

GIVEN UNDER MY HAND AND SEAL THIS THE ____ DAY OF _____, 20__

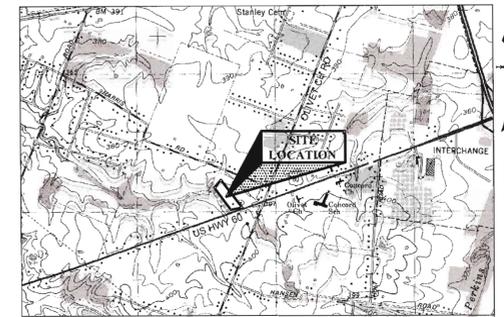
____ BY _____ D.C.

RECORDED IN PLAT SECTION _____, PAGE _____.

SITE DATUM CALCULATED FACTORS:
 ELLIPSOID FACTOR (EF) = 0.999983941190
 COMBINED FACTOR (CF) = 0.999941850495 (CONVERSION FROM GROUND TO GRID)
 PROJECT DATUM FACTOR (PDF) = 1.000058152886 (CONVERSION FROM GRID TO GROUND)

ANX 2020-025

KENTUCKY STATE PLANE
COORDINATE SYSTEM-SOUTH ZONE
(NAD83) (2011)
(NAVD 88) (GEOID 18)
(SURVEY UNITS-U.S. FEET)



LEGEND

- ANNEXATION LINE
- CITY / COUNTY LIMITS
- ADJOINING PROPERTY LINE

- NOTES:**
1. THE ANNEXATION BOUNDARY OF TRACT "A" SHOWN HEREON FORMS A GEOMETRICALLY CLOSED FIGURE.
 2. ANNEXATION TRACT "A" ADJOINS THE EXISTING CITY LIMITS OF PADUCAH, KENTUCKY ALONG THE SOUTH AND WEST BOUNDARIES OF THE TRACT.
 3. THIS ANNEXATION PLAT IS BASED ON PLAT OF THE EXISTING CITY LIMITS RECORDED IN PLAT SECTION "M", PAGE 1362; THE ALBERTA KING DEED RECORDED IN DEED BOOK 663, PAGE 790; AND THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET DEED RECORDED IN DEED BOOK 890, PAGE 28.
 4. THIS SURVEY WAS PERFORMED BY REAL TIME KINEMATICS SURVEY METHODS USING SPECTRA PRECISION SP80 GPS RECEIVERS, WITH A SITE CALIBRATION SCALE FACTOR OF 1.0000055604 BASED ON STATIC SITE CONTROL ESTABLISHED BY USE OF SPECTRA PRECISION SP80 RECEIVERS.

SURVEYOR'S CERTIFICATE:
I DO HEREBY CERTIFY TO THE CITY OF PADUCAH AND ALBERTA KING THAT THIS ANNEXATION PLAT, PREPARED BY THE UNDERSIGNED, WAS DONE IN ACCORDANCE WITH THE MOST RECENT REQUIREMENTS AS DEFINED BY 21 KAR 18.150 IN THE STATE OF KENTUCKY.

Ricky K. Tosh 2/16/2020
RICKY K. TOSH P.L.S. No. 2900 DATE

THIS PROPERTY IS SUBJECT TO ALL RIGHT-OF-WAYS, EASEMENTS, COVENANTS, AND RESTRICTIONS OF RECORD AND IN EXISTENCE. THIS DRAWING IS NOT VALID UNLESS ORIGINAL SIGNATURE AND SEAL ARE ATTACHED. ANY REPRODUCTION OR VARIANCE TO THIS SURVEY BY ELECTRONIC OR ANY OTHER MEANS ARE NOT TO BE CONSIDERED ISSUED BY THE LICENSED SURVEYOR.

ANNEXATION PLAT:
THIS PLAT REPRESENTS AN ANNEXATION PLAT TO COMPLY WITH KRS 81A.470 AND DOES NOT REPRESENT A BOUNDARY SURVEY AS DEFINED BY 201 KRS 18.150. THIS PLAT IS NOT INTENDED FOR LAND TITLE TRANSFER.

CLIENT: CITY OF PADUCAH
P.O. BOX 2287
PADUCAH, KY 42002-2287

OWNER: ALBERTA KING
c/o JOHN KING
171 CHEROKEE PARK
LEXINGTON, KY 40503

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| REV. No. | DATE | TYPE | BY | APPROVED/DATE |
|----------|------|------|----|---------------|
| | | | | |

| | | |
|-----------------------|------------------------------|----------------------------------|
| DRAWN BY : T. MEADOWS | FIELD SURVEY DATE : 2/4/20 | SCALE : 1" = 60' |
| REVIEWED BY : R. TOSH | FIELD BOOK No. : 195, PAGE 3 | COORD FILE : 2020005 |
| APPROVED BY : _____ | REF. JOB No. : | SCREEN FILE : 2020005 ANNEXATION |

DUMMER SURVEYING & ENGINEERING SERVICES, INC.
434 South 6th Street Paducah, Kentucky 42003
KY. 270-444-0220 IL. 618-524-4209 FAX 270-444-9453 www.dsande.com

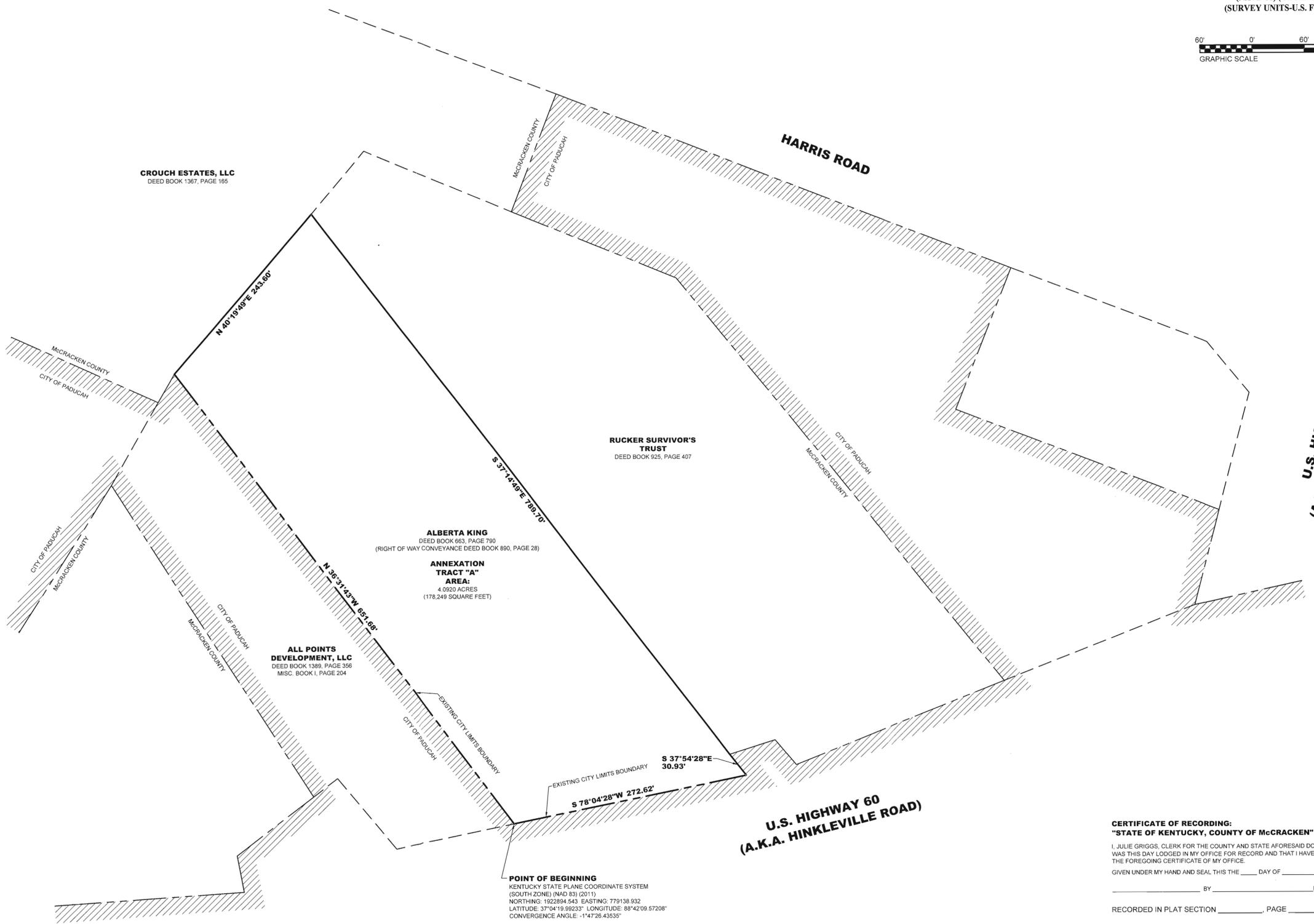
ANNEXATION PLAT OF THE ALBERTA KING PROPERTY
5269 HINKLEVILLE ROAD
McCRACKEN COUNTY, KENTUCKY



SHEET No. **1**
DS&E JOB No. **2020005**

CERTIFICATE OF RECORDING:
"STATE OF KENTUCKY, COUNTY OF McCRACKEN"
I, JULIE GRIGGS, CLERK FOR THE COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT THIS PLAT WAS THIS DAY LODGED IN MY OFFICE FOR RECORD AND THAT I HAVE RECORDED SAME WITH THIS AND THE FOREGOING CERTIFICATE OF MY OFFICE.
GIVEN UNDER MY HAND AND SEAL THIS THE ____ DAY OF _____, 20__.
____ BY _____ D.C.
RECORDED IN PLAT SECTION _____, PAGE _____.

SITE DATUM CALCULATED FACTORS:
ELLIPSOID FACTOR (EF) = 0.999985806881
COMBINED FACTOR (CF) = 0.999941569561 (CONVERSION FROM GROUND TO GRID)
PROJECT DATUM FACTOR (PDF) = 1.000058433853 (CONVERSION FROM GRID TO GROUND)



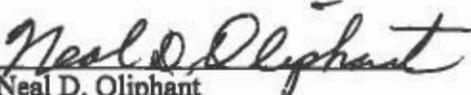
POINT OF BEGINNING
KENTUCKY STATE PLANE COORDINATE SYSTEM
(SOUTH ZONE) (NAD 83) (2011)
NORTHING: 1922894.543 EASTING: 779138.932
LATITUDE: 37° 04' 19.39233" LONGITUDE: 89° 42' 09.57208"
CONVERGENCE ANGLE: -1° 47' 26.43535"

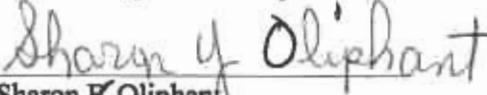
City of Paducah Mayor and Commission
City Hall
300 South 5th Street
Paducah, Ky. 42002

9.14.19

RE: Request for Annexation into the City of Paducah
Property Address: 6215 Blandville Road, Paducah, Ky. 42001
Owners: Neal D. and Sharon F. Oliphant

Dear Mayor and Commission,
This is a letter requesting the annexation of our property located at 6215 Blandville Road, Paducah Ky. 42001.
It is requested that the City annex the property and zone it as R-4 with a conditional use for a Dog Kennel, Dog Grooming and Veterinary business.
Please advise how to proceed.
Respectfully,


Neal D. Oliphant


Sharon F. Oliphant

4-
540

July 9, 2019

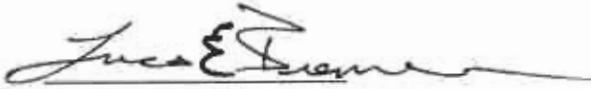
City of Paducah
Attn: Joshua P. Sommer, Associate Planner
300 South 5th Street
Paducah, KY 42003

RE: Annexation of 1815 Olivet Church Road

Dear Mr. Sommer:

I, Lucas E. Bremer, am requesting annexation into the City of Paducah. My property is lot #11 on Plat J page 1030. My property meets the requirements of KRS 81A.410. I further request for my property to remain R-1 Low Density Residential Zoning after annexation into the City.

Thank you,

A handwritten signature in black ink, appearing to read "Lucas E. Bremer", with a long horizontal flourish extending to the right.

Lucas E. Bremer

ORDINANCE NO. 2020-_____-_____

AN ORDINANCE DECLARING THE CITY OF PADUCAH'S INTENT TO ANNEX CERTAIN PROPERTIES LYING ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF PADUCAH, AND DEFINING ACCURATELY THE BOUNDARY OF SAID PROPERTIES TO BE INCLUDED WITHIN THE SAID CORPORATE LIMITS

WHEREAS, the properties intended to be annexed, approximately 8.6 acres of land located at 1815 Olivet Church Road, 6215 Blandville Road and 5269 Hinkleville Road, is contiguous to the City of Paducah and particularly and accurately set out in the legal descriptions below; and

WHEREAS, said properties are urban in character or suitable for urban development without unreasonable delay; and

WHEREAS, annexation has been requested by the following property owners: Neal & Sharon Oliphant for the property located at 6215 Blandville Road and Lucas Bremer for the property located at 1815 Olivet Church Road; and

WHEREAS, not all of the real property owners within the territory proposed to be annexed have given their consent to be annexed and the City of Paducah is pursuing the annexation of 5269 Hinkleville Road; and,

WHEREAS, said tracts of land are not within the boundary of another incorporated city.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. It is the intent of the City of Paducah, Kentucky, to annex the hereinafter described properties, and therefore that the hereinafter described properties be annexed to, and be made a part of the City of Paducah, Kentucky, said real properties being more particularly and accurately described as follows:

**LEGAL DESCRIPTION OF ANNEXATION
NEAL & SHARON OLIPHANT PROPERTY**

A certain tract of land containing 3.3997 acres as surveyed by Ricky A. Tosh, PLS 2900 of the firm of Dummer Surveying & Engineering Services, Inc. of Paducah, Kentucky on January 13, 2020, located on the north side of U.S. Highway 62 (aka Blandville Road) and east of New Holt Road in McCracken County, Kentucky and being more particularly described as follows:

Bearings described herein are based on Grid North from GPS static observation made on January 13, 2020. The horizontal control is based Kentucky State Plane Coordinates System South Zone (NAD 83) (2011) (NAVD 88) (GEOID 18).

Beginning at a point on the north right of way of U.S. Highway 62 and in the existing City of Paducah Kentucky limits, and being the southwest corner of the herein described tract, said point being located at Kentucky State Plane Coordinate North: 1913551.491, East: 780563.213; Latitude: 37°02'48.09528", Longitude: 88°41'48.41012";

Thence North 42 Degrees 45 Minutes 12 Seconds East for a distance of 360.08 feet to a point;
Thence North 04 Degrees 06 Minutes 55 Seconds East for a distance of 51.89 feet to a point;

Thence North 89 Degrees 26 Minutes 58 Seconds West for a distance of 76.04 feet to a point;
Thence North 68 Degrees 54 Minutes 29 Seconds West for a distance of 31.35 feet to a point;
Thence North 18 Degrees 33 Minutes 15 Seconds East for a distance of 64.11 feet to a point;
Thence North 19 Degrees 17 Minutes 46 Seconds West for a distance of 27.04 feet to a point;
Thence North 39 Degrees 49 Minutes 18 Seconds East for a distance of 54.31 feet to a point;
Thence North 18 Degrees 22 Minutes 43 Seconds West for a distance of 50.73 feet to a point;
Thence North 21 Degrees 12 Minutes 59 Seconds East for a distance of 55.10 feet to a point;
Thence North 49 Degrees 28 Minutes 09 Seconds East for a distance of 16.65 feet to a point;
Thence South 60 Degrees 54 Minutes 28 Seconds East for a distance of 17.82 feet to a point;
Thence North 50 Degrees 07 Minutes 22 Seconds East for a distance of 38.52 feet to a point;
Thence North 36 Degrees 23 Minutes 53 Seconds East for a distance of 38.99 feet to a point;
Thence North 08 Degrees 57 Minutes 07 Seconds West for a distance of 36.11 feet to a point in the existing City of Paducah Kentucky limits;
Thence South 22 Degrees 16 Minutes 41 Seconds East for a distance of 660.80 feet with the existing City of Paducah Kentucky limits to a point in the north right of way of U.S. Highway 62;
Thence with the right of way of U.S. Highway 62 and continuing the existing City of Paducah Kentucky limits the following (3) Three courses:

1. South 80 Degrees 43 Minutes 48 Seconds West for a distance of 324.47 feet to a point;
2. North 85 Degrees 06 Minutes 35 Seconds West for a distance of 186.22 feet to a point;
3. South 82 Degrees 29 Minutes 11 Seconds West for a distance of 13.22 feet to the point of beginning and being a part of the property described in Deed Book 860, Page 38 .

The above described tract forms a geometrically closed figure.

The subject property adjoins the existing City Limits of Paducah, Kentucky along its south and east boundaries.

**LEGAL DESCRIPTION OF ANNEXATION
LUCAS & MOLLIE BREMER PROPERTY & ADJOINING OLIVET CHURCH
RD RIGHT OF WAY**

A certain tract of land containing 1.1547 acres as surveyed by Ricky A. Tosh, PLS 2900 of the firm of Dummer Surveying & Engineering Services, Inc. of Paducah, Kentucky on January 16, 2020, located on the west side of Kentucky Highway 998 (aka Olivet Church Road) and north of U.S. Highway 60 in McCracken County, Kentucky and being more particularly described as follows:

Bearings described herein are based on Grid North from GPS static observation made on January 16, 2020. The horizontal control is based Kentucky State Plane Coordinates System South Zone (NAD 83) (2011) (NAVD 88) (GEOID 18).

Beginning at a point on the east right of way of Kentucky Highway 998 and in the existing City of Paducah Kentucky limits, and being the southeast corner of the herein described tract, said point being located at Kentucky State Plane Coordinate North: 1913963.645, East: 776283.284; Latitude: 37°02'50.84551", Longitude: 88°42'41.33843";

Thence North 68 Degrees 19 Minutes 38 Seconds West for a distance of 335.41 feet crossing the right of way of Kentucky Highway 998 and with the existing City of Paducah Kentucky limits to a point;

Thence North 22 Degrees 57 Minutes 14 Seconds East for a distance of 150.00 feet leaving the City Limits boundary to a point;

Thence South 68 Degrees 19 Minutes 38 Seconds East for a distance of 335.41 feet crossing the right of way of Kentucky Highway 998 to a point in the east right of way of said highway and in the existing City of Paducah Kentucky limits;

Thence South 22 Degrees 57 Minutes 14 Seconds West for a distance of 150.00 feet with the east right of way of Kentucky Highway 998 and the existing City of Paducah Kentucky limits to the point of beginning and being the property described in Deed Book 1338, Page 191 and a portion of the right of way of Kentucky Highway 998.

Together with and subject to covenants, easements, right of ways and restrictions of record and in existence.

**LEGAL DESCRIPTION OF ANNEXATION
ALBERT KING PROPERTY**

A certain tract of land containing 4.0920 acres as surveyed by Ricky A. Tosh, PLS 2900 of the firm of Dummer Surveying & Engineering Services, Inc. of Paducah, Kentucky on January 21, 2020, located on the north side of U.S. Highway 60 (aka Hinkleville Road) and west of U.S. Highway 998 (aka Olivet Church Road) in McCracken County, Kentucky and being more particularly described as follows:

Bearings described herein are based on Grid North from GPS static observation made on January 21, 2020. The horizontal control is based Kentucky State Plane Coordinates System South Zone (NAD 83) (2011) (NAVD 88) (GEOID 18).

Beginning at a point on the north right of way of U.S. Highway 60 and in the existing City of Paducah Kentucky limits, and being the southwest corner of the herein described tract, said point being located at Kentucky State Plane Coordinate North: 1922894.543, East: 779138.932; Latitude: 37°04'19.99233", Longitude: 88°42'09.57208";

Thence North 36 Degrees 31 Minutes 43 Seconds West for a distance of 651.68 feet with the existing City of Paducah Kentucky limits to a point;

Thence North 40 Degrees 19 Minutes 49 Seconds East for a distance of 243.60 feet to a point;

Thence South 37 Degrees 14 Minutes 49 Seconds East for a distance of 789.70 feet to a point in the right of way of U.S. Highway 60;

Thence with the right of way of U.S. Highway 60 and the existing City of Paducah Kentucky limits the following (2) Two courses:

1. South 37 Degrees 54 Minutes 28 Seconds East for a distance of 30.93 feet to a point;
2. South 78 Degrees 04 Minutes 28 Seconds West for a distance of 272.62 feet to the point of beginning and being a part of the same property described in Deed Book 663, Page 790 of the McCracken County Clerk's office.

The above described tract forms a geometrically closed figure.

The subject property adjoins the existing City Limits of Paducah, Kentucky along its south and west boundaries.

SECTION 2. The City of Paducah hereby declares it desirable to annex the properties described in Section 1 above.

SECTION 3. If any section or portion of this ordinance is for any reason held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, that section or portion shall be deemed severable and shall not affect the validity of the remaining sections of the ordinance.

SECTION 4. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, May 26, 2020

Adopted by the Board of Commissioners, _____

Recorded by Paducah City Clerk, _____

Published by The Paducah Sun, _____

\ord\plan\annex – intent Blandville, Olivet Church, Hinkleville – Oliphant, Bremer, King